



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

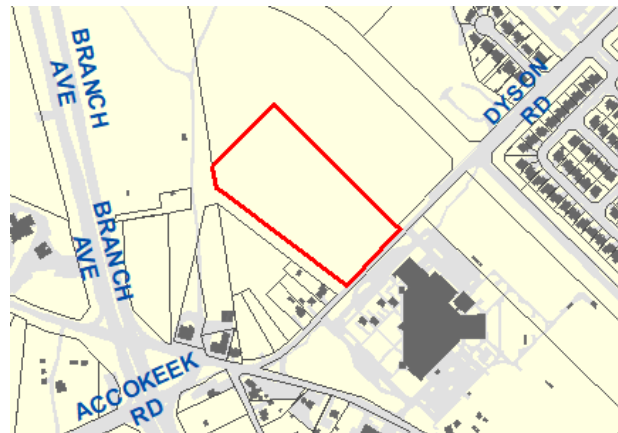
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Fallen Oak Townhomes

DSP-19066

REQUEST	STAFF RECOMMENDATION
44 single-family attached dwelling units	APPROVAL with conditions

Location: On the north side of Dyson Road, approximately 1,200 feet northeast of the intersection of MD 381 (Brandywine Road) and Dyson Road.	
Gross Acreage:	8.84
Zone:	M-X-T
Dwelling Units:	44
Gross Floor Area:	111,170 sq. ft.
Planning Area:	85A
Council District:	09
Election District:	11
Municipality:	N/A
200-Scale Base Map:	217SE07
Applicant/Address: Chadsworth Homes, Inc. 1010 Rockville Pike, Suite 300 Rockville, MD 20852	
Staff Reviewer: Thomas Burke Phone Number: 301-952-4534 Email: Thomas.Burke@ppd.mncppc.org	



Planning Board Date:	05/14/2020
Planning Board Action Limit:	05/15/2020
Staff Report Date:	04/28/2020
Date Accepted:	03/06/2020
Informational Mailing:	11/11/2019
Acceptance Mailing:	01/24/2020
Sign Posting Deadline:	04/14/2020

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

Table of Contents

EVALUATION.....	3
FINDINGS.....	3
1. Request	3
2. Development Data Summary.....	4
3. Location.....	4
4. Surrounding Uses	5
5. Previous Approvals	5
6. Design Features	5
COMPLIANCE WITH EVALUATION CRITERIA	6
7. Prince George’s County Zoning Ordinance	6
8. Conceptual Site Plan CSP-16005	14
9. Preliminary Plan of Subdivision 4-18033	15
10. 2010 Prince George’s County Landscape Manual	16
11. Prince George’s County	16
12. Prince George’s County Tree Canopy Coverage Ordinance.....	17
13. Referral Comments.....	17
RECOMMENDATION	20

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION
PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-19066
Type 2 Tree Conservation Plan TCP2-034-96-08
Fallen Oak Townhomes

The Urban Design staff has completed its review of the subject application and referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Mixed Use-Transportation Oriented (M-X-T) Zone and site design guidelines;
- b. The requirements of Conceptual Site Plan CSP-16005;
- c. The requirements of Preliminary Plan of Subdivision 4-18033;
- d. The requirements of the 2010 *Prince George's County Landscape Manual*;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- g. Referral comments.

FINDINGS

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

1. **Request:** This approval of a detailed site plan (DSP) is for 44 single-family attached dwelling units (townhouses) in the Mixed Use-Transportation Oriented (M-X-T) Zone.

2. Development Data Summary:

	EXISTING	PROPOSED
Zone	M-X-T	M-X-T
Use	Vacant	Single-Family Attached Residential
Total Acreage	8.84	8.84
Gross Floor Area (GFA) (sq. ft.)	0	111,170*

Note: *The gross floor area (GFA) was not included on the DSP or in the statement of justification. A condition to include the total GFA on the DSP has been included in the Recommendation section of this report.

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

Base FAR Permitted	0.40
Total FAR Permitted*	1.40
Total FAR Proposed**	0.10

Notes: *With optional method of development, allowed per Section 27-548 of the Zoning Ordinance.

**Pursuant to Section 27-548(e) of the Zoning Ordinance, the proposed FAR shall be calculated based on the entire property, as approved with the CSP. The total FAR proposed was not provided on the DSP or in the statement of justification. A condition to include the total FAR on the DSP has been included in the Recommendation section of this report.

OTHER DEVELOPMENT DATA

Parking Requirements*	Spaces
Two-car garage units: 15	30
One-car garage units, with one-car driveway space: 29	58
On-street spaces (including one handicapped space)	12
Total Spaces Provided	100

Note: *The number of parking spaces for developments in the M-X-T Zone are to be calculated by the applicant and submitted for Planning Board approval at the time of DSP, as stated in Section 27-574 of the Zoning Ordinance. See Finding 7e for discussion of the parking requirement.

- 3. Location:** The subject property is located on the north side of Dyson Road, approximately 1,200 feet northeast of its intersection with MD 381 (Brandywine Road), in Brandywine. The site is within the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan) and located in Planning Area 85A, Council District 9.

4. **Surrounding Uses:** The site is bounded to the north and east by the remainder of the applicable conceptual site plan (CSP), an undeveloped parcel in the M-X-T Zone; to the west by an undeveloped Maryland State Highway Administration (SHA) right-of-way, with residential uses in the Rural Residential (R-R) Zone beyond; and to the south, by Dyson Road, with Gwynn Park High School in the R-R Zone beyond.
5. **Previous Approvals:** Conceptual Site Plan CSP-16005 (PGCPB Resolution No. 17-146) was approved by the Prince George’s County Planning Board for a total tract of 24.89 acres on November 9, 2017. The CSP consisted of 44 townhouses and 9,300 square feet of commercial space.

On September 13, 2018, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-16026 (PGCPB Resolution No. 18-90), consisting of 42 lots for townhouses and 6 parcels, with 1 outparcel.

On October 23, 2018, Prince George’s County Council Bill CB-087-2018 was adopted, which modified the development regulations for townhouses in the M-X-T Zone. Specifically, this legislation amended the minimum lot size requirements in Section 27-548 of the Prince George’s County Zoning Ordinance, from 1,800 square feet to 1,200 square feet. This adopted legislation also amended the maximum number of townhouse dwelling units per building group, from six to eight.

As a result of the amended regulations, PPS 4-18033 was approved by the Planning Board on September 19, 2019 (PGCPB Resolution No. 19-100) for 44 lots and 8 parcels for townhouses on the 8.84-acre parcel, thus superseding PPS 4-16026.

The site also has an approved Stormwater Management Concept Plan, 38664-2016-03, which is valid through April 23, 2022.

6. **Design Features:** The applicant is proposing to develop this 8.84-acre property with 44 townhouses, including a 1,633-square-foot playground area. The townhouses will have access from private roads within the community, served by a single entrance on Dyson Road. The 15 townhouses fronting on Dyson Road will have two-car, rear-load garages, with the remaining 29 townhouse units with one-car, front-load garages. The development will provide a network of sidewalks throughout the community, with connections to a proposed sidewalk along Dyson Road. Acorn-style streetlights will be provided throughout the community to foster a safe environment for the residents.

The development of the townhouses and associated infrastructure will occupy approximately 3.46 acres, with much of the remaining area to be placed in preservation. A 0.79-acre outparcel (Outparcel I), located in the northeast corner of the site, will be combined with the adjacent parcel to the east for commercial development in a subsequent DSP.

Architecture

The applicant has submitted architecture with this DSP for 20-foot-wide townhouse units, including two “Strauss” models, two “Mozart” models, and one “Beethoven” model, all from NVR, Inc. The townhouses fronting on Dyson Road will be two-car, rear-load garage units, with a base finished square footage of 2,035 square feet for the Strauss E model, and 1,757 square feet for the Mozart E model. The Mozart E model will offer a 2,035 finished

square foot option with an attic and rooftop terrace, which will alternate with non-attic models for varied rooflines. The 29, one-car, front-load units will vary in finished square footage from 1,707 square feet (Beethoven D model) to 2,285 square feet (Strauss D model). The elevations for all units throughout the community will feature varied rooflines and an assortment of façade options, including full or partial brick and siding front façades, and partial stone and traditional lap siding side and rear façades. Other features include cross gables, dormers, specialty windows, enhanced trim and shutters, varied porticos, and rear decks. All side elevations show a minimum of two standard architectural features; however, this requirement is included as a condition in the Recommendation section of this report, to be noted on the plan to ensure that all models have the minimum number of endwall features in a balanced composition. A separate condition in the Recommendation section requires a note regarding a minimum of three standard endwall features, combined with a minimum of the first floor finished in brick on highly visible lots. In addition, a condition is included herein requiring all units to have either a rooftop deck or a rear deck due to the small size of the lots and limited on-site open space.

Recreational Facilities

The recreation area located on Parcel F, toward the east side of the site, will be safely accessible by the network of sidewalks throughout the community and will include a tot lot play structure, with three benches. The recreation area is located adjacent to woodland preservation and will include a black, vinyl-coated, chain-link fence and landscape edging. A requirement for the completion of these facilities is included in the Recommendation section of this report to ensure the timely provision of these amenities for future residents.

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 design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones.
 - (1) The proposed townhouse use is permitted in the M-X-T Zone. Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined at the time of CSP approval. Therefore, this property is limited to 44 townhouse units, as approved with the CSP.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the**

way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

The CSP approved two types of uses, as required, including a residential component consisting of 44 townhouse units and a commercial/retail component with a maximum of 9,300 square feet of gross floor area. These proposed uses satisfy the mixed-use requirement of Section 27-547(d).

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

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR**
- (2) With the use of the optional method of development—8.0 FAR**

Since the development proposes more than 20 residential dwelling units, the site qualifies for the optional method of development bonus incentives in Section 27-545(b) of the Zoning Ordinance, which permits the applicant to increase the proposed FAR to a maximum of 1.40. The proposed FAR with this DSP is 0.10.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The applicant proposes to include the uses on the M-X-T-zoned property in multiple buildings on more than one lot, as permitted by the regulations.

(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 DSP provides these requirements.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The schedules provided on the landscape plan shows all landscaping, screening, and bufferyards, in conformance with the Landscape Manual.

- (e) **In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The proposed 44 townhouses will have an approximate gross floor area of 111, 170 square feet which, when applied to the CSP net acreage of 24.69, is an FAR of 0.10. Future DSPs for the commercial development that was part of the CSP will need to reflect the total FAR, including this DSP, and demonstrate conformance.

- (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. Therefore, this requirement is not applicable to the subject case.

- (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.**

All residential lots will have access from two private road parcels, as approved by PPS 4-18033.

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of**

building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half ($\frac{1}{2}$) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The proposed townhouses meet these requirements with 20-foot-wide units, on 1,350-square-foot lots, and no more than 8 units in a stick. A condition is included herein requiring a tracking chart to ensure that 60 percent of the full-front façades are constructed of brick, stone, or stucco, in accordance with this requirement.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

The subject project does not involve the development of multifamily buildings. Therefore, this requirement is not applicable to this DSP.

- (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.**

This property was placed in the M-X-T Zone after October 1, 2006; however, the site was not included in a comprehensive land use planning study. This DSP has been reviewed for conformance with the applicable regulations of the M-X-T Zone.

- c. 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;**

This site is in the vicinity of the major interchange of MD 381 and MD 5, and promotes the orderly redevelopment of a vacant parcel. This project will enhance the economic status of the County by provision of desirable living opportunities for its citizens. The project implements the Subregion 5 Master Plan and SMA vision, as close attention is being paid to pedestrian

and bicycle facilities, and the project is proximate to a proposed transit station in the core of the Brandywine community. The development will be outwardly oriented toward Dyson Road, with units fronting on the road. A sidewalk is proposed along the frontage of Dyson Road, and a network of sidewalks is proposed within the community.

- (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;**

This DSP has been reviewed for conformance with the applicable regulations of the M-X-T Zone.

- (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 displays an outward orientation, with the front façades of the townhouses oriented toward Dyson Road. The development is integrated with the existing adjacent development through the proposed and existing sidewalk network. Land immediately adjacent to this property is undeveloped, so this site seeks to catalyze adjacent improvement.

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

The subject project is compatible with existing development, which is primarily residential in nature (large-lot, single-family detached, and townhouse).

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

The architecture, landscape, and signage for this residential townhouse community reflects a cohesive development of continued quality and stability. The applicable CSP includes a commercial use on the adjacent parcel, which will be easily accessible by the residents of the proposed development, helping to create a cohesive development capable of sustaining an independent environment, in accordance with this required finding.

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

The development in this DSP will not be staged. When the applicant moves forward with the commercial section of the development, staff will look for and encourage compatibility between the two sections, in terms of architecture, hardscape, landscape, and signage, as appropriate.

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

This development encourages pedestrians to utilize the system of sidewalks within the community, as well as the installation of a sidewalk along the entire frontage on Dyson Road, which will connect this sidewalk with adjacent communities and schools.

- (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 proposal incorporates sidewalks, crosswalks, and acorn-style streetlights into the development to support pedestrian activity. A play area is proposed in a central location, with play equipment, benches, and landscaping to promote gathering and leisure.

- (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 its finding during its review of subdivision plats.**

The subject application is a DSP; therefore, this requirement is not applicable.

- (10) On a 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).

PPS 4-18033 was approved by the Planning Board on September 19, 2019, at which time a finding of adequacy was made for the proposed development.

(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 site contains approximately 8.84 gross acres and is, therefore, not subject to this requirement.

- 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.
- e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b).

Since this DSP only includes the residential use, there will not be any sharing of parking spaces, until such time as the commercial component moves forward with a DSP. The number of parking spaces required was calculated in accordance with Section 27-574(b). The first step in determining the number of required parking spaces is to calculate the peak parking demand. Section 27-574(b)(1) provides the following:

(1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one hour and are known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

Section 27-568 provides a parking requirement of 2.04 parking spaces per townhouse dwelling unit, which will result in a total parking requirement of 90 parking spaces, with no reduction for shared parking.

Since there are no mix of uses until the commercial phase moves forward, the base parking requirement for the initial residential DSP will be 90 parking spaces. The applicant is providing 100 parking spaces. Therefore, the parking provided with this DSP exceeds the parking requirements, and the community will be adequately parked, as proposed.

8. Conceptual Site Plan CSP-16005: Conceptual Site Plan CSP-16005, for 44 townhouses and 9,300 square feet of commercial space, was approved by the Planning Board for the total gross tract of 24.89 acres on November 9, 2017 (PGCPB Resolution No. 17-146), subject to four conditions. Of these conditions, the following are applicable to the review of this DSP:

2. At the time of detailed site plan (DSP):

a. The applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:

(1) An eight-foot-wide sidepath (or wide sidewalk) along the subject site’s entire frontage of Dyson Road, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement.

This DSP includes a five-foot-wide sidewalk along the frontage of Dyson Road, per direction of the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). Per DPIE, the applicant is to provide a street section along Dyson Road that is consistent with Standard 100.06 (Urban Primary Residential Road), from the Prince George’s County Department of Public Works and Transportation (DPW&T), Specifications and Standards for Roadways and Bridges, which requires an 18-foot wide travel lane from the centerline to curb face. The applicant has provided an additional 5 feet over the minimum 13-foot-wide travel lane to meet the 18-foot width required by DPIE, which will also allow for an on-road bicycle facility to be striped as a future roadway improvement by DPW&T.

(2) Sidewalk access to all residential units.

Sidewalk access is shown to all residential units.

(3) Note 4 of the General Notes needs to be amended to read that the development also includes 9,300 square feet of commercial space and mention of industrial land use needs to be stricken in Note 7.

Note 4 of the General Notes on the DSP references the commercial space.

- b. **If private on-site recreational facilities are required at the time of preliminary plan of subdivision, details of the same shall be reviewed by the Urban Design staff and shall be approved with the DSP for this project.**

Private on-site recreational facilities were required with the PPS, and details are provided with this DSP. The applicant has proffered recreational facilities equal in value to a fee-in-lieu calculation.

- c. **Provide notes on the plans in accordance with the Prince George's County Health Department's recommendations, as follows:**

"During the demolition and construction phases, this project will 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 and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR)."

Prince George's County Health Department notes were not provided on the DSP. A condition requiring the notes to be added has been included in the Recommendation section of this report.

- 9. **Preliminary Plan of Subdivision 4-18033:** The site is subject to PPS 4-18033 (PGCPB Resolution No. 19-100), approved by the Planning Board on September 19, 2019 for development of 44 lots and 8 parcels for townhouses, subject to 15 conditions. Of these conditions, the following are applicable to the review of this DSP:

- 3. **Development of the site, not including Outparcel I, shall be limited to uses that would generate no more than 31 AM and 35 PM peak-hour vehicle trips. Any development generating an 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 44 townhouses proposed for this site are within the established trip cap of 31 AM and 35 PM peak-hour vehicle trips.

- 8. **Prior to acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits, and details of the off-site sidewalk construction and any necessary with Americans with Disabilities Act (ADA) ramps, consistent with Section 24-124.01(t) of the Subdivision Regulations.**

The details of the off-site sidewalk construction and the associated crosswalk and signage are included on the submitted plans.

- 9. **The applicant and the applicant's heirs, successors and/or assignees shall provide private on-site recreation facilities for the fulfillment of 24-134 of the Subdivision Regulations in accordance with the standards outlines in the Park**

and Recreational Facilities Guidelines. Prior to the approval of the detailed site plan, appropriate and developable areas for the private on-site recreational facilities within the common open space land shall be provided. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission Planning Department for adequacy and proper siting with the submittal of the detailed site plan and determine an appropriate trigger for construction to be reflected in the recreational facilities agreements.

Recreational facilities and associated details were provided with this DSP. A condition has been included in the Recommendation section of this report requiring the applicant to demonstrate that all on-site recreational facilities have been fully constructed and are operational, prior to issuance of the 30th building permit. In addition, a condition is included herein requiring the plan be revised to show a fall zone for the playground equipment that is free and clear of any structures or plants.

10. **2010 Prince George's County Landscape Manual:** This site is subject to Section 4.1, Residential Requirements; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. The correct schedules are provided on the landscape and lighting plan, demonstrating conformance to these sections with sufficient widths and plantings. The schedule for Sections 4.2 and 4.3 should be removed, as conditioned herein, as those sections are not applicable.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. Because part of the site was subject to existing Type 1 and Type 2 tree conservation plans, TCP1-029-94-02 and TCP2-034-96, respectively, the TCP2 shows the addition of Parcel 133 (Fallen Oaks). The overall TCP2 clarifies the limits of this DSP application.

Although the subject area of this DSP is currently zoned M-X-T, which has a 15 percent woodland conservation threshold, the TCP1 associated with CSP-16005 established a 20 percent threshold for the site, as approved. The clearing shown on the TCP2 with the current application is consistent with the recently approved TCP1, but an additional 0.33 acre of off-site clearing is required for a sewer line extension.

No development is proposed on Parcel A at this time. The woodland conservation worksheets for the overall development and the development associated with this DSP must be provided on the TCP2. Currently, only the overall development worksheet is shown on the TCP2. A condition requiring both woodland conservation worksheets is included in the Recommendation section of this report.

The overall site of the TCP2 is 198.16 acres. The TCP2 worksheet correctly calculates the woodland conservation threshold of 37.66 acres and an overall requirement of 54.57 acres. The requirement is proposed to be met with 57.78 acres of on-site woodland preservation, exceeding the 54.57-acre requirement.

The woodland conservation worksheet for this DSP shows the phase as 8.84 acres, with 8.42 acres of woodlands and a woodland conservation threshold of 1.75 acres. This project proposes to clear 3.46 acres on-site and 0.33 acres off-site, for an overall requirement of 2.94 acres. The requirement is proposed to be met with 4.17 acres of on-site woodland preservation.

Corrections and technical revisions are required to the TCP2 prior to approval, which are provided in the Recommendation section of this report.

12. Prince George’s County Tree Canopy Coverage Ordinance: Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that propose more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 8.84 acres in size and requires 0.89 acre of TCC. The schedule provided on the landscape plan shows that the coverage provided (12.92 acres) is greater than the property acreage. A condition to provide the correct area of coverage on the tree canopy coverage schedule is included in the Recommendation section of this report.

13. Referral Comments: The subject application was referred to the following agencies and divisions. The referral comments are summarized, as follows:

a. **Archeological Review**—In a memorandum dated March 6, 2020 (Stabler to Burke), incorporated herein by reference, the Historic Preservation Section determined that there are no historic sites or resources on, or adjacent to, the subject property. This proposal will not impact any historic sites, resources, or known archeological sites, and a Phase I archeology survey is not required.

b. **Community Planning**—In a memorandum dated March 26, 2020 (Greene to Burke), incorporated herein by reference, the Community Planning Division indicated that, pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, master plan conformance is not required for this application.

c. **Transportation Planning**—In a memorandum dated April 15, 2020 (Masog to Burke), incorporated herein by reference, the Transportation Planning Section provided findings regarding development in the M-X-T Zone, and found access and circulation acceptable.

The Transportation Planning Section concluded that the proposed DSP is deemed acceptable, from the standpoint of transportation.

d. **Trails**—In a memorandum dated April 13, 2020 (Smith to Burke), incorporated herein by reference, the trails planner provided findings of conformance with previous conditions of approval, as well as the following summarized findings:

The area master plan recommends promoting pedestrian and bicycle opportunities as part of a multi-modal transportation network, and to promote and encourage cycling and walking for commuting purposes as an alternative to driving a car. The 2009 *Approved Countywide Master Plan of Transportation* recommends a standard-width sidewalk on both sides of all new road construction and

bicycle-friendly roadways, with on-road bicycle facilities, to the extent feasible and practical.

The Transportation Planning Section finds that the sidewalk along the frontage on Dyson Road, the internal sidewalks, and the 18 feet of travel lane from centerline to face of curb are acceptable, with a condition in the Recommendation section of this staff report requiring specific crosswalk details be provided on the DSP.

- e. **Environmental Planning**—In a memorandum dated April 15, 2020 (Schneider to Burke), incorporated herein by reference, the Environmental Planning Section provided the following summarized comments:

Specimen Trees

A variance from Section 25-122(b)(1)(G) was granted with CSP-16005 for the removal of eight existing specimen trees, and another variance from Section 25-122(b)(1)(G) was granted with PPS 4-18033 for removal of one existing specimen tree. The required findings of Section 25-119(d) were adequately addressed for removal of specimen trees with these previous approvals.

This DSP proposes to remove three off-site Specimen Trees (47, 57, and 58). These three trees are located on SHA property. The applicant has permission to install the sewer line within the SHA property limits. The submitted TCP2 shows the removal of 11 specimen trees, and the limits of disturbance on the plan also show that these trees are to be removed. Staff agrees that the removal of these three off-site specimen trees is warranted to perform the sewer line installation work. No variance is required for the removal of off-site trees, and the applicant subsequently withdrew the variance request.

Preservation of Regulated Environmental Features/Primary Management Area

This site includes regulated environmental features, inclusive of the primary management area (PMA) which must be preserved and/or restored to the fullest extent possible. PMA impacts were approved with CSP-16005 (0.48 acre) and PPS 4-18033 (0.09 acre) for the subject development. This DSP is requesting 0.31 acre of off-site PMA impact to connect to an off-site sanitary sewer system. A statement of justification (SOJ) was received on April 9, 2020 for the proposed impacts to 0.31 acre of off-site PMA. The SOJ was reviewed for the proposed sewer connection alignment; however, impacts to regulated environmental features can only be approved within the boundary of the subject application. The sewer connection is needed to serve the site and has been placed in a location that minimizes impacts, to the extent practicable.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are the Beltsville-silt loam, Beltsville-Urban land complex, Sassafras sandy loam, and Udorthents soils. Marlboro and Christiana clays are not found to occur on, or in the vicinity of this property.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated March 23, 2020 (Asan to Burke), incorporated herein by reference, DPR referred to the PPS condition regarding on-site recreational facilities and a trigger for construction.
- g. **Prince George’s County Fire/EMS Department**—In an email dated March 18, 2020, the Fire/EMS Department indicated that there were no comments on the subject application.
- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of the writing of this technical staff report, DPIE did not provide any comments on the subject application.
- i. **Prince George’s County Police Department**—In a memorandum dated March 18, 2020 (Contic to Burke), incorporated herein by reference, the Police Department commented that insufficient overflow/visitor parking may lead to illegal parking in the community, which may inhibit emergency vehicle access, and that the dead-end streets should provide signage prohibiting parking and loitering.
- j. **Prince George’s County Health Department**—In a memorandum dated March 11, 2020 (Adepoju to Burke), incorporated herein by reference, the Health Department provided findings, summarized as follows:

- (1) Conversion of large areas of open space into impervious surface is proposed. Demonstrate that the site complies with the County’s Watershed Implementation Plan (WIP).
- (2) Increased traffic volumes in the area can be expected as a result of this project. Published scientific reports have found that road traffic, considered a chronic environmental stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests.

In addition, the Health Department provided guidance with regard to controlling noise and dust during the construction phases of the development.

- k. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated October 25, 2019 (Yilma to Byrne(applicant)), incorporated herein by reference, WSSC provided water, sewer, and associated easement conditions to be addressed with WSSC prior to development of the site.
14. As required by Section 27-285(b)(1)of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
 15. As required by Section 27-285(b)(2), this DSP is also in general conformance with the approved CSP.

16. As required by Section 27-285(b)(4), 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, based on the limits of disturbance shown on the TCP2 and the evaluation provided with CSP-16005 and PPS 4-18033.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-19066 and Type 2 Tree Conservation Plan TCP2-034-96-08, Fallen Oak Townhomes, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
 - a. Provide the gross floor area and proposed floor area ratio on the DSP.
 - b. Provide a note requiring a minimum of two standard endwall features, in a balanced composition, on all house models.
 - c. Provide a note requiring a minimum of three standard endwall features, combined with a minimum of the first floor finished in brick, in a balanced composition, on all corner and highly visible lots, including Lots 1, 7, 8, 15, 16, 22, 23, 29, 30, and 44.
 - d. Provide a note that all units shall have either a rooftop deck or a minimum four-foot-deep cantilevered rear deck.
 - e. Provide notes in accordance with Condition 2.c. of Conceptual Site Plan CSP-16005 (PGCPB Resolution No. 17-146).
 - f. Show the correct area of the tree canopy coverage provided with this DSP on the Tree Canopy Coverage Schedule.
 - g. Remove the Section 4.2 and 4.3 landscape schedules.
 - h. Show the fall zone for the playground equipment, free and clear of all structures or plantings.
 - i. Include a tracking chart on the cover sheet for the 60 percent full-front façades of brick, stone, or stucco.

- j. Provide the following crosswalk details:
- (1) Continental-style crosswalk crossing Draper Drive, at the intersection of Draper Drive and Dyson Road.
 - (2) Standard crosswalks crossing both legs of Mondavi Drive, at its intersection with Draper Drive.
 - (3) Standard crosswalks crossing Corinthian Lane, at both of its intersections with Mondavi Drive.
- k. The Type 2 tree conservation plan (TCP2) shall be revised as follows:
- (1) Add TCP2-034-96-08 to the approval block, worksheet, and all appropriate areas where the TCP2 is listed.
 - (2) Remove the “woodland cleared” symbol from the plan view and the legend.
 - (3) Remove the Tree Canopy Table from this TCP2 and add it to the landscape plan.
 - (4) Show both the overall phased woodland conservation worksheet and the individual worksheet for the current phase on Sheet 5 of the plan set. Revise the overall worksheet to account for the off-site clearing associated with the current phase.
 - (5) Add the following note under the TCP2 certification block:

“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.”
 - (6) Add the following note under the woodland conservation worksheet:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 (Section 25-122(b)(1)(G), approved by the Planning Board on November 9, 2017 with CSP-16005 the removal of 8 specimen trees (ST2, a 32-inch Yellow Poplar, ST3, a 30-inch Green Ash, ST4, a 35 inch Green Ash, ST5, a 35-inch Yellow Poplar, ST6, a 54-inch Yellow Poplar, ST7, a 31-inch Yellow Poplar, and ST9, a 38-inch Sweet Gum). The Planning Board on September 19, 2019 approved with 4-18033, the removal of one specimen tree (ST8, A 41-inch Yellow Poplar).”
 - (7) Have the revised plan signed and dated by the qualified professional preparing the plan.

2. Prior to approval of the 30th building permit, the applicant shall demonstrate that all on-site recreational facilities have been fully constructed, are operational, and have them inspected by the Maryland-National Capital Park and Planning Commission.

ITEM: 7

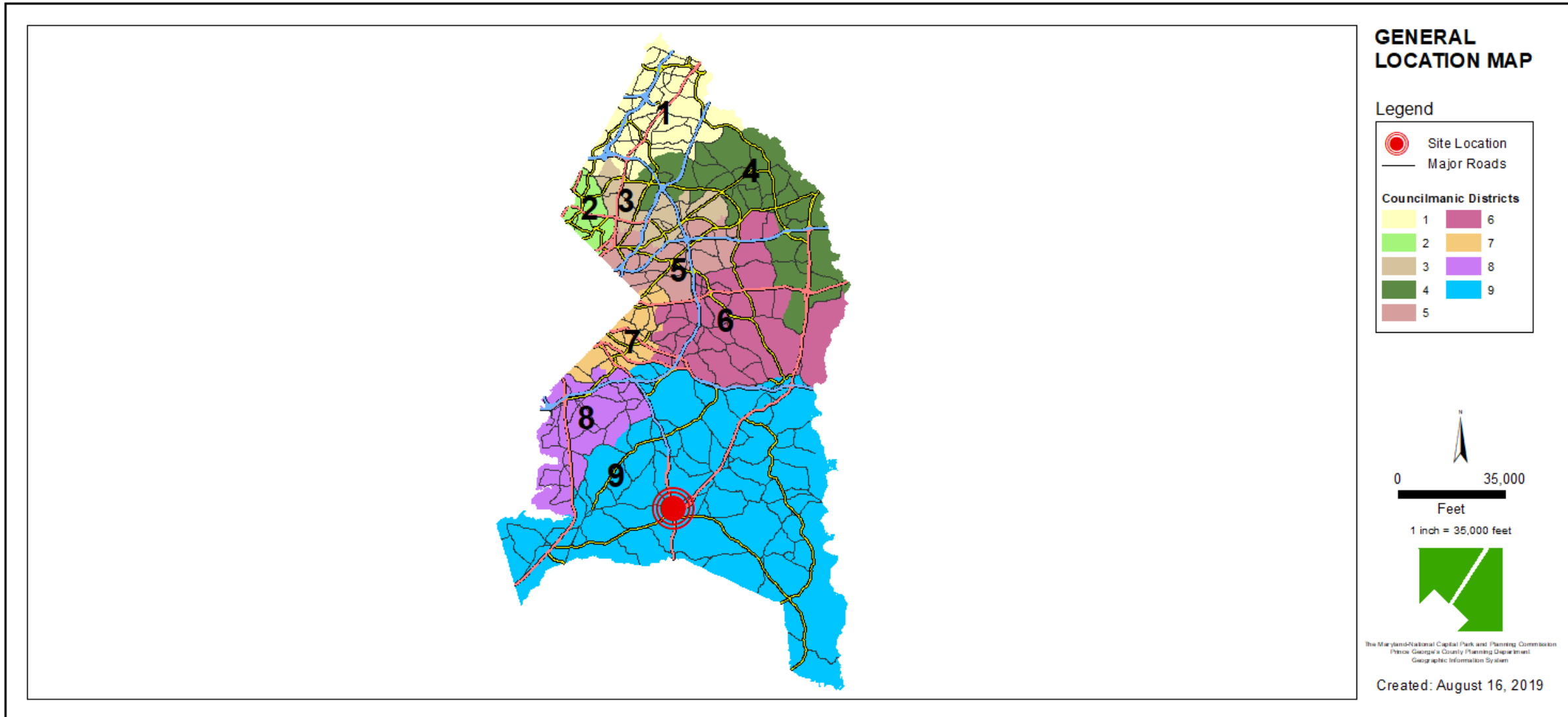
CASE: DSP-19066

FALLEN OAK TOWNHOMES

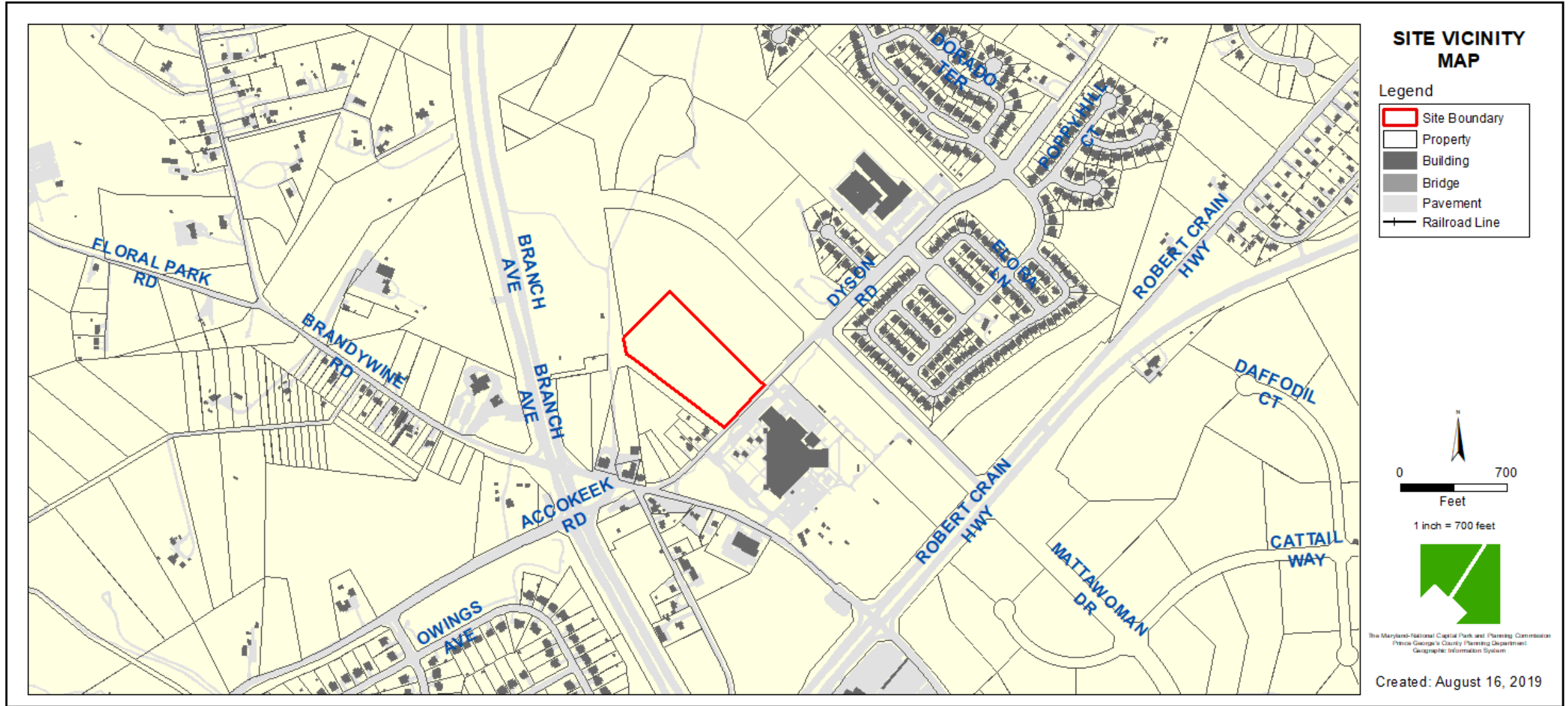
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



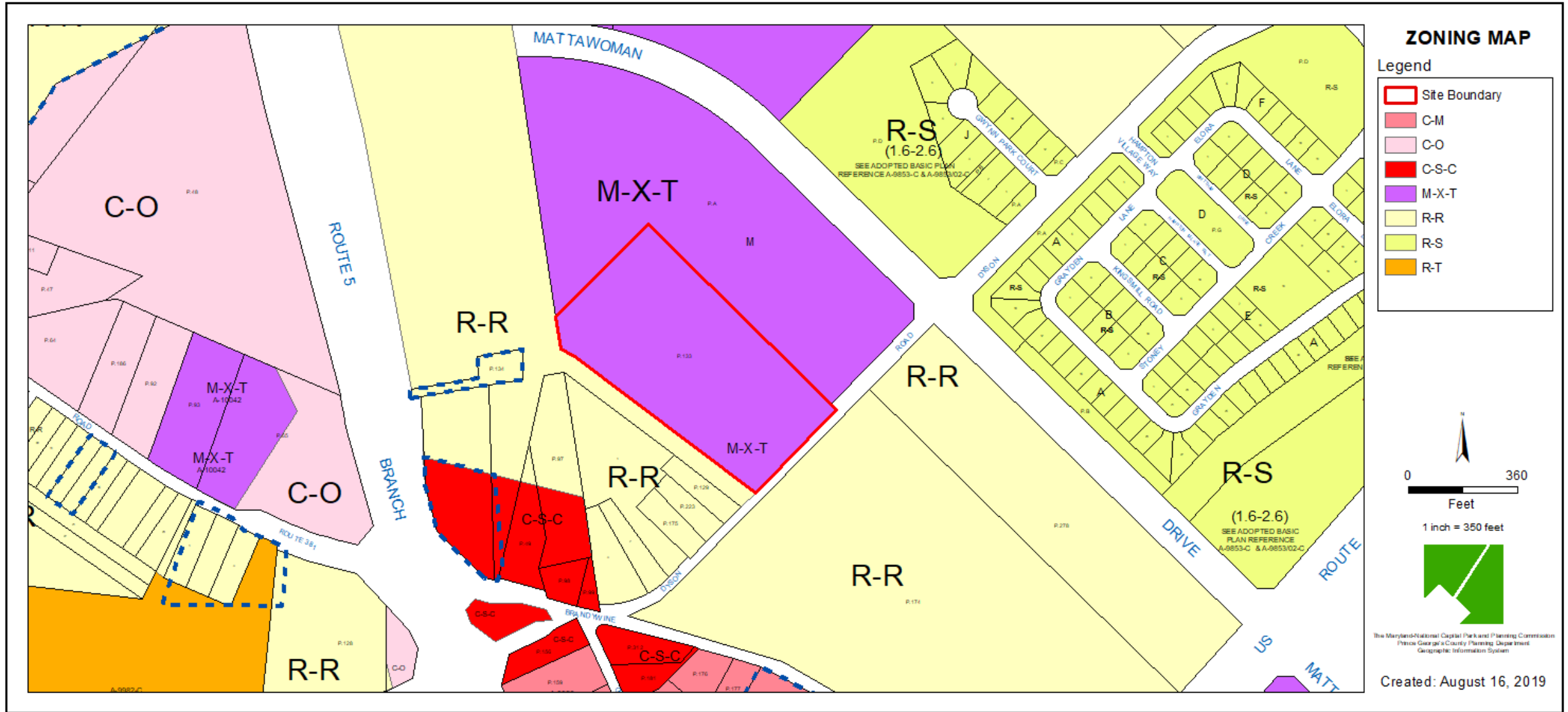
GENERAL LOCATION MAP



SITE VICINITY



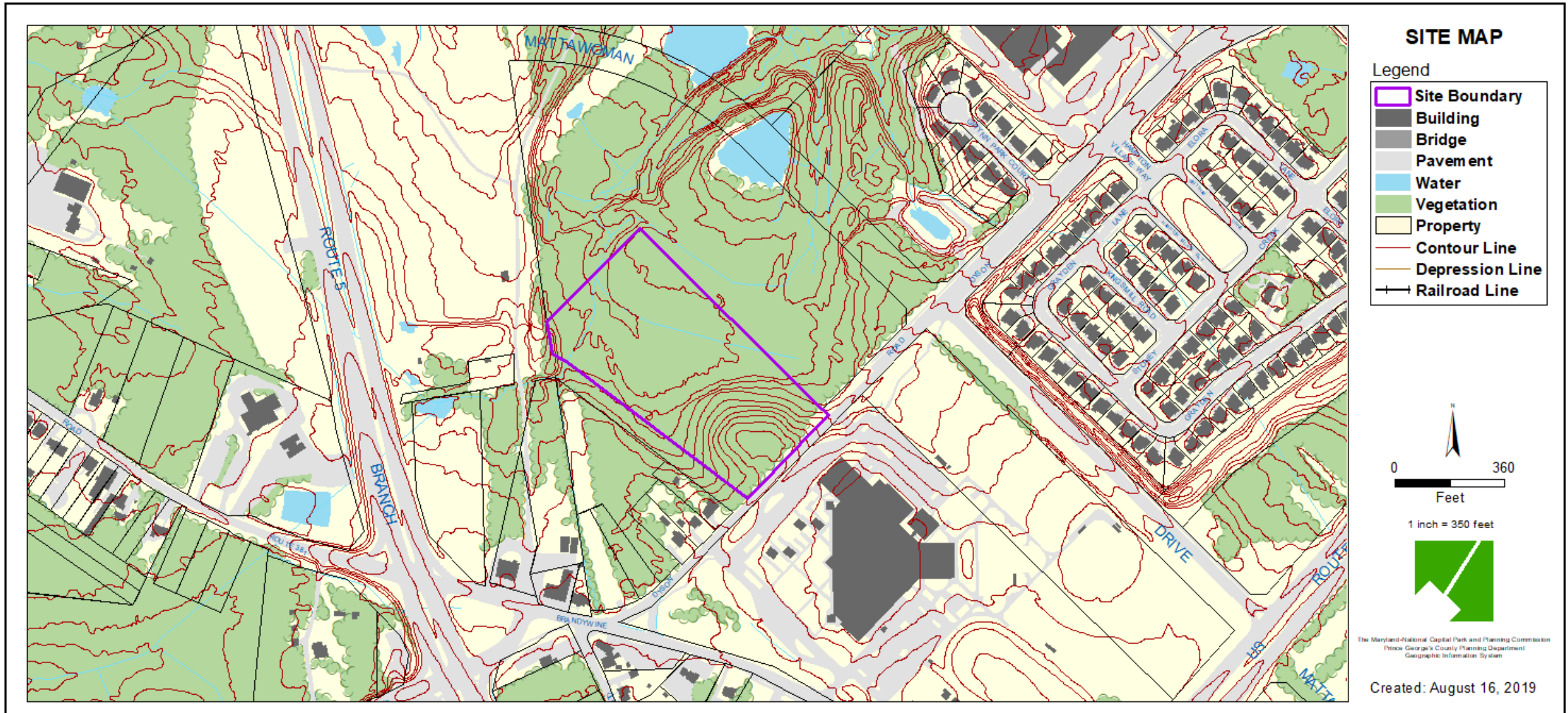
ZONING MAP



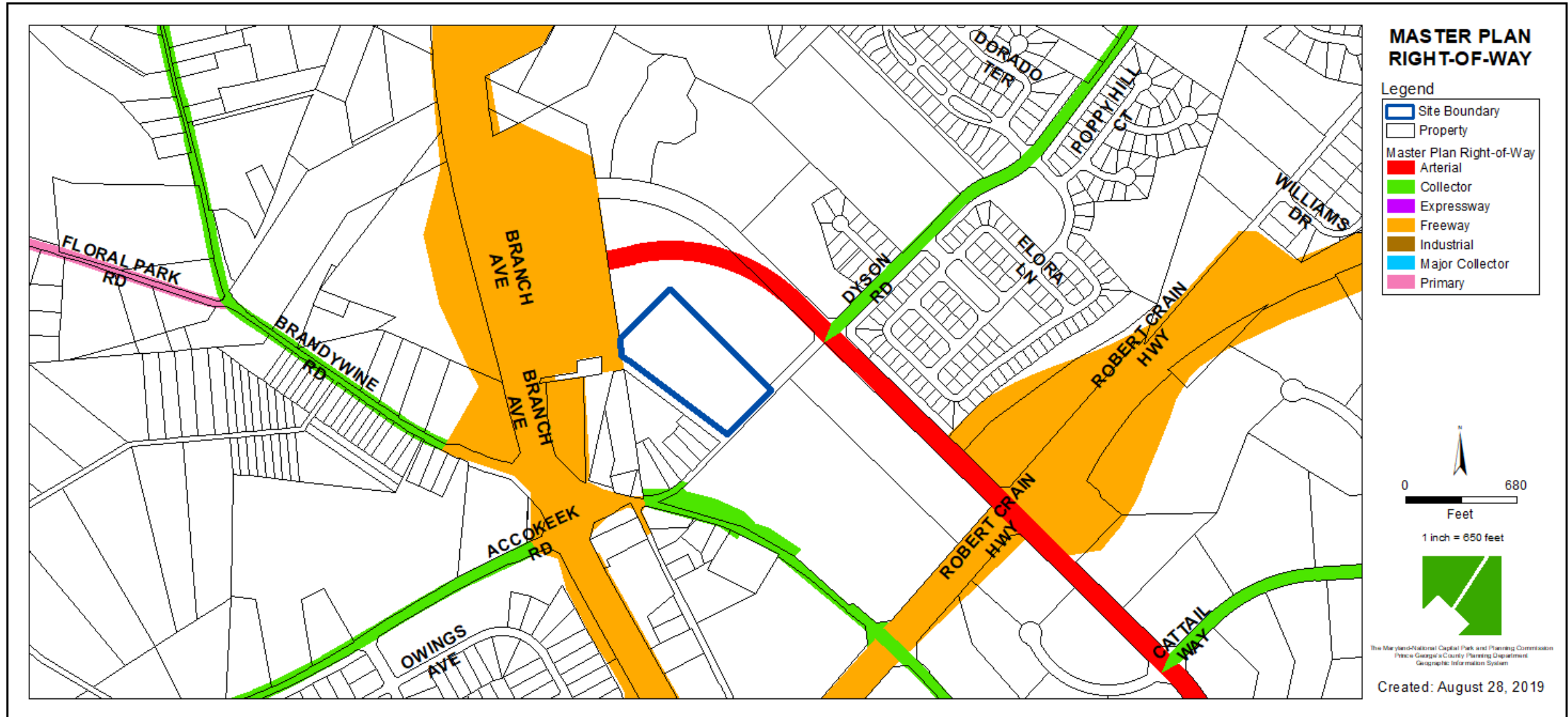
AERIAL MAP



SITE MAP



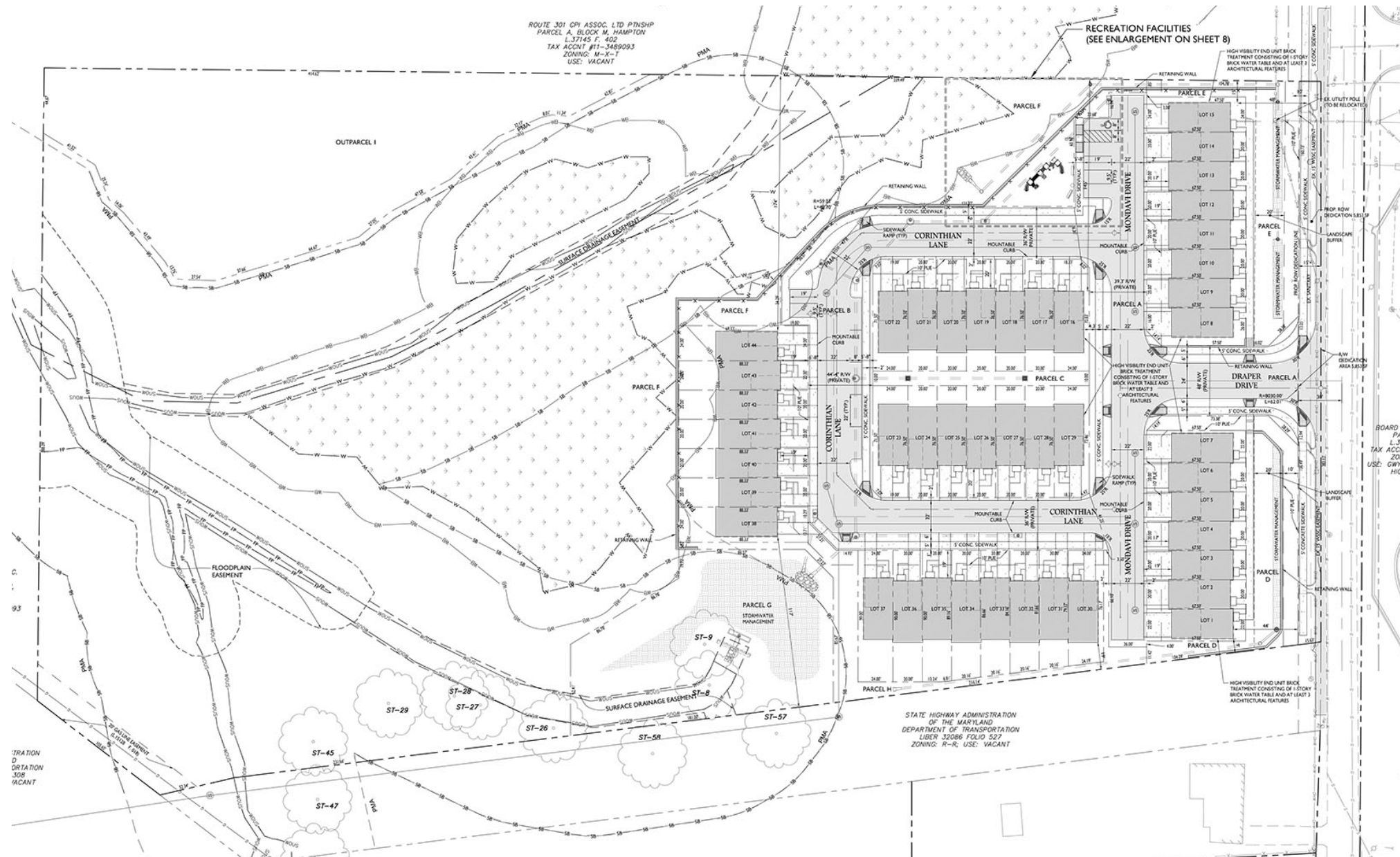
MASTER PLAN RIGHT-OF-WAY MAP



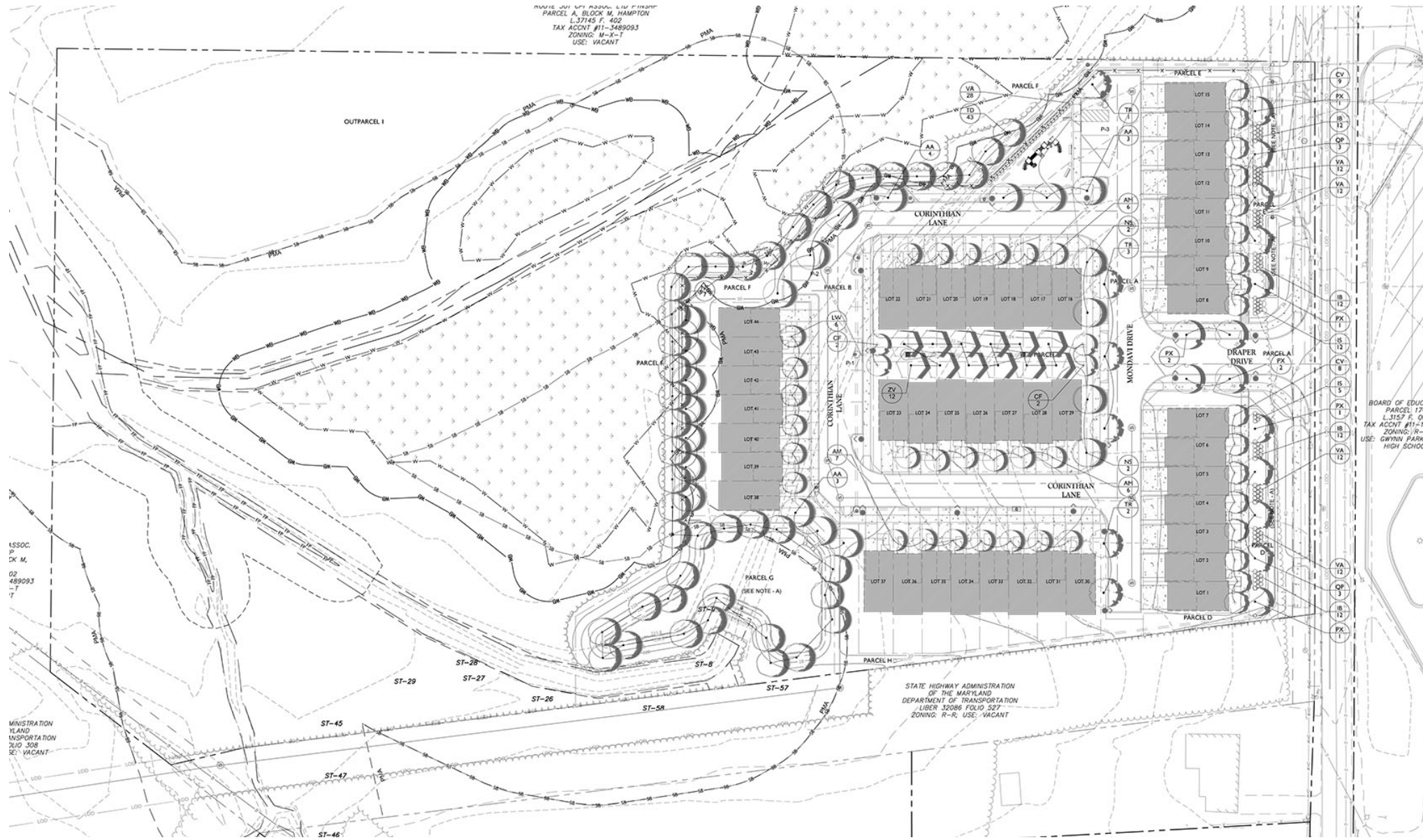
BIRD'S-EYE VIEW WITH APPROXIMATE BOUNDARY OUTLINED



SITE PLAN



LANDSCAPE PLAN



MODEL 'D' FRONT ELEVATIONS



MODEL 'D' REAR ELEVATIONS



MODEL 'E' FRONT ELEVATIONS



MODEL 'E' REAR ELEVATIONS



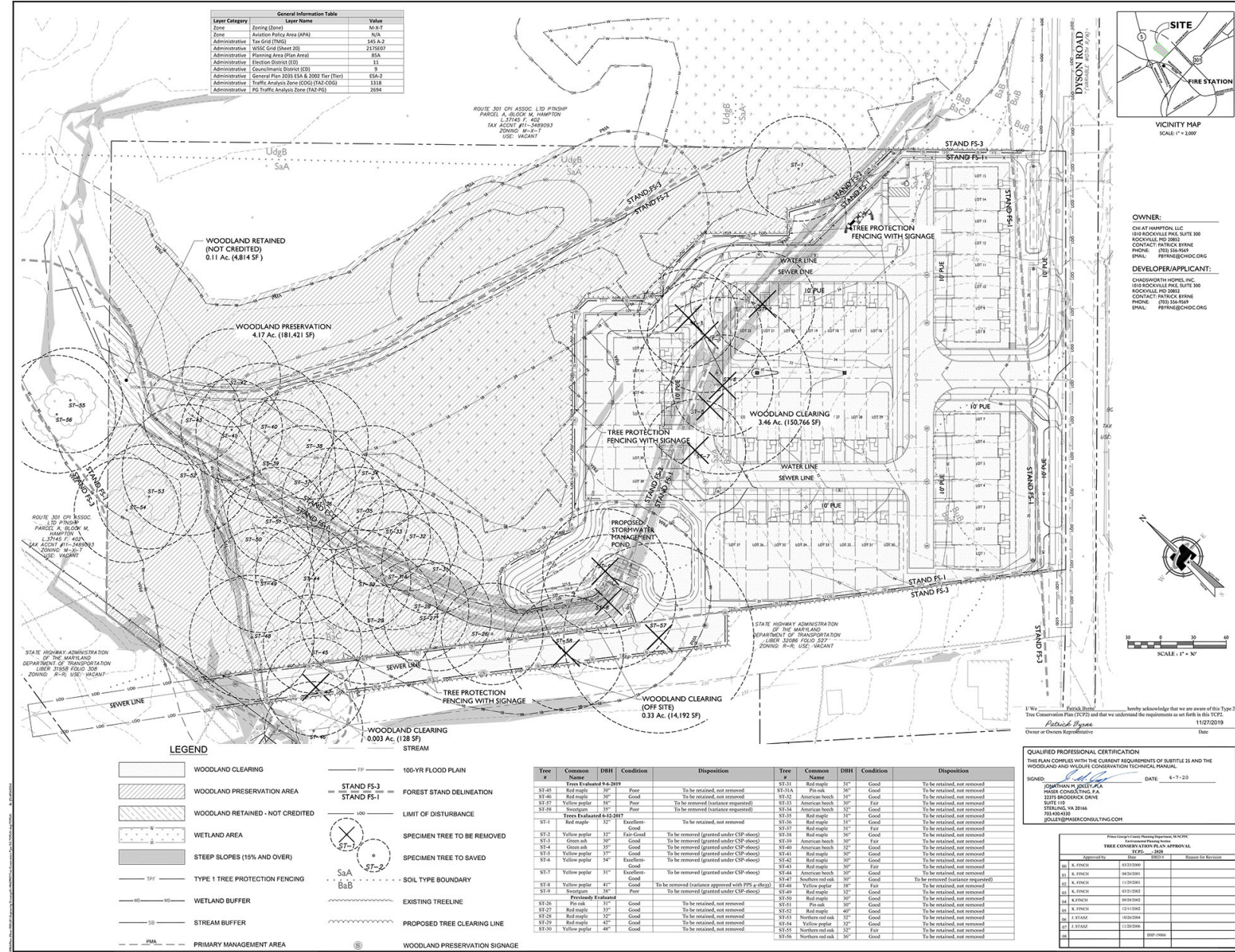
MODEL 'D' SIDE ELEVATIONS



MODEL 'E' SIDE ELEVATIONS



TYPE II TREE CONSERVATION PLAN



MASER CONSULTING, P.A.
100 ROCKVILLE PIKE, SUITE 300
ROCKVILLE, MD 20853
CONTACT: PATRICK BYRNE
PHONE: (301) 566-9989
EMAIL: PBYRNE@MASCORP.COM

OWNER:
CHI AT HAMPTON, LLC
100 ROCKVILLE PIKE, SUITE 300
ROCKVILLE, MD 20853
CONTACT: PATRICK BYRNE
PHONE: (301) 566-9989
EMAIL: PBYRNE@MASCORP.COM

DEVELOPER/APPLICANT:
CHADSWORTH HOMES, INC.
100 ROCKVILLE PIKE, SUITE 300
ROCKVILLE, MD 20853
CONTACT: PATRICK BYRNE
PHONE: (301) 566-9989
EMAIL: PBYRNE@MASCORP.COM

JONATHAN JOLLEY
11616 FALLS CHURCH DRIVE
FALLS CHURCH, VA 22044
11/27/2019

STATE OF MARYLAND
DEPARTMENT OF THE MARIANLAND
DEPARTMENT OF TRANSPORTATION
LIBER 32086 FOLIO 527
ZONING: PMS-10 USE: VACANT

Tree Conservation Plan Approval
DATE: 6-7-20

APPLICANT:
CHADSWORTH HOMES, INC.
FALLEN OAK TOWNHOMES

**TAX MAP 145, GRID A2
PARCEL 133**

**11616 FALLS CHURCH DRIVE
FALLS CHURCH, MARYLAND**

Tree Conservation Plan Type 2

1 of 5



STATEMENT OF JUSTIFICATION
DSP-19066
FALLEN OAK

1. **Request:** The applicant is requesting the approval of a Detailed Site Plan (DSP-) for an undeveloped property currently known as Parcel 133 recorded in the Land Records of Prince George's County in Liber 19669 at folio 443. The property is approximately 8.72 acres in size and is located on the north side of Dyson Road, approximately 1,200 feet northeast of the intersection of MD 381 (Brandywine Road) and Dyson Road. The property is zoned M-X-T and pursuant to Section 27-546 of the Zoning Ordinance, the approval of a Conceptual Site Plan and Detailed Site Plan is required prior to the issuance of building permits.
2. **Location:** The subject site is located on the north side of Dyson Road, approximately 1,200 feet northeast of the intersection of MD 381 (Brandywine Road) and Dyson Road. The property is located on Tax Map 145 in Grid A-2 and is within Planning Area 85A. The site is bounded by Dyson Road to the southeast and Gwynn Prk Senior High School beyond in the R-R zone, single family attached dwellings to the west and southwest in the R-R Zone and vacant land to the north located in the M-X-T Zone.
3. **Previous Approvals:** The property was placed in the M-X-T Zone with the adoption of the *2013 Approved Subregion 5 Master Plan and Sectional Map Amendment*. Conceptual Site Plan, CSP-16005 was approved for the property by the Planning Board on November 9, 2017. That Conceptual Site Plan included a larger land area (24.89 acres) for the development of 44 townhouses and 9,300 square feet of commercial development. Preliminary Plan, 4-16026 for the first phase of the project was approved by the Planning Board for 42 lots and 6 parcels. The applicant subsequently filed another Preliminary Plan, 4-18033, to increase the number of lots from 42 to 44. Preliminary Plan 4-18033 was approved by the Planning Board on October 10, 2019.
4. **Design Features:** The property is being developed with 44 townhomes. The townhomes will be located on the southeast end of the property, closest to Dyson Road. There will be one access point to the development from Dyson Road. 15 rear-loaded townhouse will face Dyson Road. The balance of the townhouses will face internally to the development. The northwest side of the property contains environmental features, which will be preserved.
5. **Compliance with Evaluation Criteria for a Detailed Site Plan:** DSP-19066 complies with the evaluation criteria for a Detailed Site Plan as demonstrated below:

Sec. 27-546(d) Site Plans

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

COMMENT: This Detailed Site Plan has been designed in accordance with the specific purposes of the M-X-T Zone. The purposes of the M-X-T Zone are contained in Section 27-542(a) of the

Zoning Ordinance which states:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

The property is in the M-X-T Zone and pursuant to its prior approval, CSP-16005 and Preliminary Plan of Subdivision 4-18033, prior reviews and Planning Board approvals have determined that the proposed development will be compatible with the purposes of the M-X-T Zone. The proposed development is the first phase of the larger 24.89 acre proposed development will provide a residential community within close proximity to a major intersection.

- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;

The Subregion 5 Master Plan and SMA recommends commercial future land use on the subject property. This Detailed Site Plan conforms to the Subregion 5 Master Plan and SMA as part of the larger development proposed in CSP-16005, which approved a commercial component. The residential component is necessary to the development as the M-X-T Zone requires a mix of at least two uses.

- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

The approval of this Detailed Site Plan will help facilitate the concentration of development which will reduce sprawl. Again, this Detailed Site Plan covers the residential component of 2 phase development within the future Brandywine Community Center.

- (4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;

The Subregion 5 Master Plan and SMA proposes a second transit station near the planned MD5/A-63 interchange. The station would be placed on or near the current park and ride lot and is envisioned as being park-and-ride oriented. Land use in the area surrounding the transit station would be a mix of commercial and institutional uses east and west of MD 5. The location of this residential development within close proximity to this proposed transit station will help promote the use of transit and reduce automobile use.

- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;

Again, this is the residential component of a mixed-use development and necessary to the development under the M-X-T Zone. The commercial development proposed in Phase 2 will provide for a 24-hour environment and commercial activities.

- (6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;

This is the residential component of the mixed-use development. The commercial component will be located to the northeast of the residential component with frontage on Mattawoman Drive. The regulated environmental features of the development will be located between the residential and commercial components and will provide a natural transition between the two components of the development.

- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;

The proposed Detailed Site Plan demonstrates how the site can be developed to enhance functional relationships between uses and provide distinction open space that will create a transition between the commercial and residential components of the development.

- (8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;

The proposed development will be served by a combination of several contemporary Environmental Site Design stormwater management practices. Those facilities will be attractively designed and planted in harmony with the context of their location.

- (9) To permit a flexible response to the market and promote economic vitality and investment; and

The Detailed Site Plan proposes three unit types, which will attract buyers and varying price points.

- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

The Detailed Site Plan proposes a flexible range of residential units for this size development. The applicant is proposing three separate home models for the community that vary in size and architectural elements.

(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;

COMMENT: There are no design guidelines or standards contained on the *2013 Approved Subregion 5 Master Plan and Sectional Map Amendment*.

(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;

COMMENT: The proposed development is designed to be physically integrated with both the future development and will be a catalyst to spur further development in the area. The Detailed Site plan is visually integrated with the existing development along Dyson Road using connecting streets and sidewalks.

(4) The proposed development is compatible with existing and proposed development in the vicinity.

COMMENT: The architectural elevations illustrate the residential development proposed with this application and reflect a high standard of architecture including well detailed facades that are compatible with the residential community located to the north of the site on Dyson Road.

(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;

COMMENT: This Detailed Site Plan only covers Phase 1, but the buildings in Phase 1 are arranged and designed to reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability as this purpose intends, while at the same time providing a key element to the success of the overall mixed use community.

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

COMMENT: This Detailed Site Plan only covers Phase 1 of the development and this Phase has been designed as an independent component. However, once the commercial component moves forward, the environmental features of the site will provide a natural transition between the two

phased.

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

COMMENT: The applicant is proposing a sidewalk system throughout the development that will tie into the sidewalk along Dyson Road.

(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

COMMENT: The applicant is providing sidewalks throughout the community and also providing a play area in the northeastern corner of the site.

(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.

COMMENT: Adequacy of transportation facilities was found at the time of the approved Preliminary Plan of Subdivision, 4-18033.

(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).

COMMENT: Adequacy of transportation facilities was found at the time of the approved Preliminary Plan of Subdivision, 4-18033.

(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.

COMMENT: This Detailed Site Plan encompasses 8.84 acres of property in the M-X-T Zone.

Compliance with the Zoning Ordinance:

Sec. 27-548. – Regulations M-X-T Zone.

(a) Maximum floor area ratio (FAR):

(1) Without the use of the optional method of development — 0.40 FAR; and

(2) With the use of the optional method of development — 8.00 FAR.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

COMMENT: DSP-19066 proposes 44 townhouses. The commercial component of the development included in CSP-16055 will be located in Phase 2.

(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.

COMMENT: This Detailed Site Plan shows all the required information.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

COMMENT: The Detailed Site Plan is in conformance with the Prince George's County Landscape Manual.

(e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

Comment: Phase 1 will only include single-family attached residential units.

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

COMMENT: The Detailed Site Plan does not propose any private structures over public rights-of-ways.

(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.

COMMENT: Phase 1 will be serviced by private streets.

(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004.

Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

COMMENT: The Detailed Site Plan complies with this requirement.

(i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.

COMMENT: The Detailed Site Plan does not propose any multifamily buildings.

(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.

COMMENT: As noted above, there are no design guidelines or standards contained on the *2013 Approved Subregion 5 Master Plan and Sectional Map Amendment*.

Sec. 27-574. Number of spaces required in the M-X-T Zone and in a Metro Planned Community.

- (a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.
- (b) The number of off-street parking spaces required for development in the M-X-T Zone and in a Metro Planned Community shall be calculated using the following procedures:
 - (1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak

demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

- (2) For each hour of the day the number of parking spaces to be occupied by each use shall be calculated. These numbers are known as the hourly fluctuation pattern. For each use, at least one (1) hour shall represent the peak parking demand, and the remaining hours will represent a percentage of the peak. There may be more than one (1) hour at the peak level.
- (3) The total number of parking spaces required for all uses proposed in the M-X-T Zone and in a Metro Planned Community shall be the greatest number of spaces in any one (1) hour for the combined total of all uses proposed, based on the calculations in paragraphs (1) and (2), above. This total is known as the base requirement.
- (4) The base requirement may be reduced in the following manner:

COMMENT: Since this Detailed Site Plan application only includes the residential use, there will not be any sharing of parking spaces between the mix of uses until such time as the commercial component moves forward with a Detailed Site Plan. The applicant used the methodology set forth in Section 27-574(b) to determine the number of parking spaces required to the residential portion of this development.

The number of parking spaces required is calculated in accordance with Section 27-574(b). The first step in determining the number of required parking spaces is to calculate the peak parking demand. Section 27-574(b)(1) provides as follows:

Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

Section (b)(2) and (b)(3) go on to recommend an hourly distribution of each use with the M-X-T Zone to determine the hourly fluctuation and the resulting peak parking demand for the overall site based on the sharing of parking spaces between the mix of uses.

Since the DSP application only includes the residential use, there will not be any sharing of parking spaces between the mix of uses until such time as that commercial component moves forward with a DSP application.

Section 27-568 provides a parking requirement of 2.04 parking spaces per townhouse dwelling unit which will result in a total parking requirement of 90 parking spaces with no reduction for shared parking between the mix of uses.

Since there are no mix of uses until the commercial phase moves forward, the base parking requirement for the initial residential DSP will be 90 parking spaces. The applicant is providing 100 parking spaces. Therefore the parking provided for Fallen Oak exceeds the parking requirements and the community will be adequately parked as proposed.

Compliance with Preliminary Plan of Subdivision.

(1) Preliminary Plan 4-18033 was approved by the Planning Board on October 10, 2019. The approval is subject 15 conditions. Conditions 1, 2, 3, 4, 8 and 9 are relevant to the review of this Detailed Site Plan:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:
 - a. Revise the property label for the abutting Parcel 4, immediately to the west of the subject property, to include the zoning and use of the property.
 - b. Include an 8-foot-wide sidepath (or wide sidewalk) along the subject site's entire frontage of Dyson Road, unless modified by the Prince George's County Department of Permits, Inspection and Enforcement.
 - c. Revise Sheet 1 of 3 to thicken proposed property lines so the proposed lots and parcels are clearly delineated.

COMMENT: Condition 1b requires the provision and identification of a 8-foot wide sideparth along the site's entire frontage of Dyson Road unless modified by the DPIE. The applicant discussed this proposal with DPIE and was requested as part of the review and approval of the Site Development Plan to remove the sidepath and show a 5-foot wide sidewalk.

2. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permit.

COMMENT: The applicant is proposing residential townhouses as anticipated during the review of the preliminary plan of subdivision.

3. Development of the site, not including Outparcel 1, shall be limited to uses that would generate no more than 31 AM and 35 PM peak-hour vehicle trips. Any development generating an 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.

COMMENT: The applicant is proposing 44 residential townhouses as anticipated during the review of the preliminary plan of subdivision.

4. Development of this site shall be in conformance with the approved Stormwater Management (SWM) Concept Plan (No. 38664-2016-03) and any subsequent revisions. The final plat shall note the approved SWM Concept Plan (No. 38664-2016-03) and approval date, July 9, 2019.

COMMENT: The proposed Detailed Site Plan is in conformance with the stormwater management concept approval for the property.

8. Prior to acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits, and details of the off-site sidewalk construction and any necessary with Americans with Disabilities Act (ADA) ramps, consistent with Section 24-124.01(f) of the Subdivision Regulations.

COMMENT: This detailed is shown on the Detailed Site Plan.

9. The applicant and the applicant's heirs, successors and/or assignees shall provide private on-site recreation facilities for the fulfillment of 24-134 of the Subdivision Regulations in accordance with the standards outlines in the Park and Recreational Facilities Guidelines. Prior to the approval of the detailed site plan, appropriate and developable areas for the private on-site recreational facilities within the common open space land shall be provided. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission Planning Department for adequacy and proper siting with the submittal of the detailed site plan and determine an appropriate trigger for construction to be reflected in the recreational facilities agreements.

COMMENT: The applicant is proposing on-site recreation facilities in accordance with 24-134 of the Subdivision Regulations. The detail is found on Sheet 8 of 8.

Sec. 27-285 (b) Required findings.

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.
- (2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).

The Conceptual Site Plan, CSP-16005 was approved by the Planning Board on November 9, 2017 subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made to the plans:

a. Type I Tree Conservation Plan TCPI-006-116 shall be revised, as follows:

- (1) Revise the Environmental Planning Section approval block to use the current layout on all pages.
- (2) Insert “Kim Finch; 4-99048; 11/14/2000” as the initial approval information in the TCP1 approval block. Update the “01” row to show CSP-16005 for the purpose for this revision.
- (3) Revise the index of sheets and the Woodland Conservation Summary table to remove the “C.”
- (4) Correct pages 2 and 3 to show the engineer’s scale.
- (5) Correct the approved stormwater concept number in Note 10, Sheet 1, to 38664-2016.
- (6) Have the revised plan signed and dated by the qualified professional preparing the plan.

b. The plan shall be revised to show the conceptual vehicular access to the commercial portion of the site via A-63 (Mattawoman Drive), with the “Proposed Primary Circulation” arrow provided in the plan’s legend.

c. The general notes shall be revised to include parcel information for the two underlying parcels that make up the subject property (Parcels 133 and Parcel A, Block M). Deed references shall be provided for Parcel 133, an unrecorded parcel. Plat information shall be referenced and labeled for Parcel A, Block M, which is a recorded parcel.

COMMENT: Condition 1a - c were addressed during the Conceptual Site Plan certification process. The CSP was certified on February 5, 2018.

2. At the time of detailed site plan (DSP):

a. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

(1) An eight-foot-wide sidepath (or wide sidewalk) along the subject site's entire frontage of Dyson Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.

(2) Sidewalk access to all residential units.

(3) Note 4 of the General Notes needs to be amended to read that the development also includes 9,300 square feet of commercial space and mention of industrial land use needs to be stricken in Note 7.

COMMENT: Condition 2a is addressed in this Detailed Site Plan. The eight-foot-wide sidepath has not been provided, but rather a 5-foot sidewalk is provided as modified by DPIE during the review of the SDCP. The applicant has provided sidewalk access to all units. Note 4 was amended to reference the commercial space approved as part of the CSP.

b. If private on-site recreational facilities are required at the time of preliminary plan of subdivision, details of the same shall be reviewed by the Urban Design staff and shall be approved with the DSP for this project.

COMMENT: Private on-site recreation facilities were required at the time of preliminary plan and the applicant has provided details of those facilities on Sheet 8 of this Detailed Site Plan.

c. Provide notes on the plans in accordance with the Prince George's County Health Department's recommendations, as follows:

"During the demolition and construction phases, this project will 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 and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR)."

COMMENT: The note was added to the Conceptual Site Plan set prior to certification.

2. Prior to any future application for development on Parcel A (Phase II), a full natural resources inventory plan for that parcel shall be submitted for review and approval.

COMMENT: The applicant acknowledges this condition.

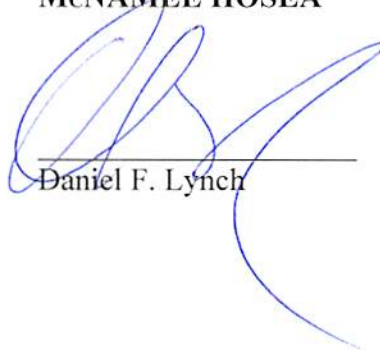
3. Total development within the subject property shall be limited to uses which generate no more 69 AM peak trips and 118 PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

COMMENT: The proposed development of this property with 44 townhomes will not generate more than 69 AM peak trips and 118 PM peak trips as determined by staff during its review of PPS 4-18033.

6. **Conclusion.** The applicant believes that the amendments to the Detailed Site Plan DSP-18066 complies with the criteria for approval and respectfully requests the Planning Board approve this DSP.

Respectfully submitted,

McNAMEE HOSEA



Daniel F. Lynch

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Conceptual 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 November 9, 2017, regarding Conceptual Site Plan CSP-16005 for Fallen Oak Townhomes, the Planning Board finds:

1. **Request:** The subject conceptual site plan (CSP) approval is for development of 44 townhomes and 9,300 square feet of commercial space.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Vacant	44 Townhomes and 9,300 sq. ft. of Commercial
Gross Acreage	24.89	24.89
Number of Dwelling Units	0	44
Parcels	2	2

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

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted	1.40 FAR
Total FAR Approved	0.0086 FAR

3. **Location:** The subject property is located on the eastern side of MD 381 (Brandywine Road), approximately 1,200 feet north of its intersection with Dyson Road, within Planning Area 85A and Council District 9.
4. **Surrounding Uses:** The subject property is bounded to the north and east by A-63 (Mattawoman Drive), a master plan arterial roadway, and to the south by Dyson Road. To the east, across Mattawoman Drive are single-family detached residences in the Residential Suburban Development (R-S) Zone and, to the south, across Dyson Road is vacant land. Abutting to the west are single-family dwellings in the Rural Residential (R-R) Zone, with MD 5 (Branch Avenue) beyond.
5. **Previous Approvals:** The site is subject to Stormwater Management Concept

Plan 38664-2016-01, which was approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on August 11, 2017 and is valid until August 11, 2020. The project is also the subject of an approved natural resources inventory equivalency letter approved on October 18, 2017 and valid until October 18, 2022. Subsequent to approval of the CSP, a preliminary plan of subdivision (PPS), a detailed site plan (DSP), and final plats will be required prior to development of the site in accordance with Section 27-270 of the Prince George's County Zoning Ordinance, which establishes the order of approvals.

6. **Design Features:** The 24.89-acre site fronts on Dyson Road, which borders the subject site along its southern boundary. Forty-four townhouses are herein approved to be provided in the southeastern portion of the site. A passive recreational area is being provided for the residents. Some details of the layout of the townhouses, though not required at this time, were provided by the applicant.

The parks requirement will be addressed at the time of PPS. If the parks requirement is met by provision of private recreational facilities, the Planning Board would evaluate the adequacy of the proffered private recreational facilities at the time of PPS and DSP. Likewise, the layout of the townhouses appears to be acceptable, but will be further reviewed at the DSP stage of the review process.

As the project is located in the M-X-T Zone, two land uses are required and proposed. The Planning Board has herein approved the residential townhouses to be accessed via Dyson Road (Phase I) and 9,300 square feet of commercial development to be accessed from Mattawoman Drive (Phase II).

Notable on the site plan is the presence of environmental features, which extend from Dyson Road in a diagonal fashion across the site, separating the residential from the commercial sections of the project. Traversing the area covered by the sensitive environmental features, as part of the project, is not approved herein.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject approval has been reviewed for compliance with the following requirements of the Zoning Ordinance:
 - a. The subject approval is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in mixed-use zones.
 - (1) The townhomes approved herein are permitted uses in the M-X-T Zone.
 - (2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included**

on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

The CSP includes the required mix of uses including residential and commercial, in conformance with this requirement.

- (e) For property placed in the M-X-T Zone by a Sectional Map Amendment approved after October 1, 2006, and recommended for mixed-use development in the General Plan, and a Master Plan, or Sector Plan for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, a Conceptual Site Plan submitted for any property located in the M-X-T Zone may include only one (1) of the above categories, provided that it conforms to the goals, policies, and recommendations of the plan for that specific portion of the M-X-T Zone.**

This is not applicable to the subject project, as the subject site was not included in a comprehensive land use study.

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

- (a) Maximum floor area ratio (FAR):**
 - (1) Without the use of the optional method of development—0.40 FAR**
 - (2) With the use of the optional method of development—8.0 FAR**

The approved floor area ratio (FAR) for the subject development is within the limits set out above. The applicant is not proposing to use the optional method of development, or

to seek any bonus incentives.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The CSP indicates that 44 townhomes, on 44 separate lots, are planned together with 9,300 square feet of commercial, in conformance with this requirement.

- (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 a CSP. The subsequent DSP approval will provide regulations for the development on this property.

- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening may be required at the time of DSP.

- (e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR for the development of 9,300 square feet of commercial space and 44 townhomes approved herein on a 24.89-acre site is 0.0086, which was calculated in accordance with the requirement.

- (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. Therefore, this requirement is not applicable to the

subject case.

- (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 subject project has frontage on, and direct vehicular access to, Dyson Road and Mattawoman Drive, both public streets, in accordance with this requirement. The further subdivision of the property will occur at the time of PPS when adequate access and circulation will be evaluated pursuant to Subtitle 24 of the Prince George's County Code.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more**

environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.

This subsection of the regulations for the M-X-T Zone is applicable to the subject project, as it involves the development of townhomes.

Conformance with these requirements will be evaluated at the time of the PPS and DSP phases of the project. Revision to the conceptual layout may be required at that time to meet the above standards.

- (i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

This subsection of the regulations for the M-X-T Zone is not applicable to the subject project, as it does not involve the development of multifamily buildings.

- (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).

This requirement does not apply to this CSP. The CSP has been reviewed for conformance with the applicable regulations in the M-X-T Zone.

- c. In accordance with Section 27-546(d) of the Zoning Ordinance, in addition to the findings required to approve a CSP, the Prince George's County Planning Board shall make the following findings for projects in the M-X-T Zone.

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

The purposes of the M-X-T Zone, as stated in Section 27-542(a), include the following:

Section 27-542(a)

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**

The subject project promotes the orderly redevelopment of a vacant parcel. This project will enhance the economic status of the County by provision of desirable living opportunities for its citizens.

- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**

The project implements the *Plan Prince George's 2035 Approved General Plan's* (Plan Prince George's 2035) vision for the Established Communities growth policy area in providing the desired context-sensitive infill and low- to medium-density development, and in that the adequacy of public facilities will be ensured at the time of PPS. The project implements the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment's* (Subregion 5 Master Plan and SMA) vision as it includes commercial development, which the site was

slated for in the plan, and as close attention is being paid to pedestrian and bicycle facilities, a main concern of the master plan, as the project is proximate to a proposed transit station in the core of the Brandywine Community. The project is in conformance with the above requirements.

- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**

The location of the zone is not an issue in the subject approval. Therefore, this finding is not applicable to the subject approval.

- (4) To promote the effective and optimum use of transit and other major transportation systems;**

The subject plan conforms to the required findings for a CSP in the M-X-T Zone from the standpoint of transportation. See Finding 11.c. for a more detailed discussion of that conformance.

- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**

The project is in conformance with this requirement due to its residential character. There will be activity on the site seven days a week, as a residential land use. The commercial component is abutting, but will be oriented to the northeast along Mattawoman Drive, providing a commercial component to be supported by the surrounding residential land uses, also in conformance with this requirement.

- (6) To encourage diverse land uses which blend together harmoniously;**

The commercial and residential uses will blend together harmoniously in accordance with this required finding, in part due to the natural buffer created between them by the sensitive environmental features on the site.

- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**

The sort of detail necessary to determine full conformance with this requirement (the precise location of the buildings, the architecture, signage, landscape, and hardscape) will be provided at the future time of DSP, and conformance with this required finding will be reevaluated. Due to the environmental feature, providing

an internal connection between the residential and commercial portions of the development is not feasible and not recommended. The distinctive visual character and identity between the two phases will be further evaluated with the DSP.

(8) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;

The development will benefit overall by the increase in the size of the project, which occurred as a revision during the review period to add the commercial component, a requirement of the M-X-T Zone (two land uses) which is consistent with this finding beyond a single-purpose project.

(9) To permit a flexible response to the market; and

The subject CSP will permit a flexible response to the market as it is conceptual in nature and may be subject to revision. Should the market change, which is very likely, given the location of planned public and private projects in the vicinity of the site, the applicant would be able to return to the Planning Board to request a revision to the plans.

(10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.

The specific architecture for the project will be reviewed at the time of DSP.

(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;

The project is generally in conformance with the design guidelines and standards to the extent that detail is provided at this stage of review. Review, in this respect, will be refined at the time of DSP.

(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 development has an outward orientation, with the residential portion (44 townhouses) being oriented toward Dyson Road and the commercial portion being oriented toward Mattawoman Drive. At the time of DSP, the Planning Board will ensure

that conformance with this requirement is further served by requiring that the fronts of buildings face on the road frontages.

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

The subject project is compatible with existing development, which is primarily residential in nature (large-lot, single-family detached and townhouse). This mixed-use development includes residential, which is consistent with the surrounding properties, and provides a small component of commercial which will serve that residential environment.

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

The commercial land use will provide retail and office services, which may be utilized by the residents of the proposed development, helping to create a cohesive development capable of sustaining an independent environment, in accordance with this required finding. At the time of DSP, when the individual buildings and other improvements are approved, the Planning Board will ensure that the architecture, hardscape, landscape, and signage approved for the development will reflect a cohesive development of continued quality and stability, also in accordance with this required finding.

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

The development is staged, with the first phase including 44 townhouses, and the second phase including 9,300 square feet of commercial development. As the residential portion is to be developed first, well before the second phase, it will have to, by its nature, be designed as a self-sufficient entity. When the applicant decides to go forward with the second phase of the development, it will, by virtue of being a part of the overall project and in common ownership, allow for the effective integration of the second phase. At that time, the Planning Board will look for and require compatibility between the two phases in terms of architecture, hardscape, landscape, and signage, as appropriate, in accordance with this requirement.

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

The pedestrian system will be further defined in the DSP to ensure convenient, safe, and comprehensive pedestrian facilities, in accordance with this required finding, along the public rights-of-way.

- (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 requirement will be evaluated when a DSP is reviewed for the subject project.

- (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, or will be provided by the applicant, 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.**

The plan conforms with the required findings of adequacy from the standpoint of transportation planning, as certain transportation-related conditions have been placed on the approval.

- (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 approved by the applicant.**

This requirement is to be evaluated at the time of approval of a DSP for this project.

- (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.**

The subject property measures 24.89 acres and therefore does not meet the above acreage requirement.

- d. The CSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance. The Planning Board has reviewed

the case against the requirements of Section 27-274 regarding CSP design. This includes considerations such as parking, circulation, views, green area, amenities, and grading. A more specific review including items such as architecture and streetscape details will be addressed at the time of DSP.

- (1) In accordance with Section 27-274(a)(2)(B), loading areas should be visually unobtrusive and loading for the commercial use should also be located to the side of the building and be visually screened from public roadways. There is no loading proposed in Phase I. If loading is required in Phase II, it will be evaluated for conformance to this requirement at that time.
 - (2) In accordance with Section 27-274(a)(6)(A)(i), Site and streetscape amenities, coordination of the design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture will be required. A comprehensive review of streetscape amenities will occur at the time of DSP.
- e. In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The CSP is not required to include detailed parking information. At the time of DSP review, adequate parking and loading will be required for the proposal.
8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The Planning Board has reviewed the project for conformance with the WCO and herein approves the tree conservation plan (TCP), with conditions. Therefore, the subject project is in conformance with the requirements of the WCO, as further discussed in Finding 11.g.
9. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area in TCC. Conformance to the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP for the project.
10. **2010 Prince George's County Landscape Manual:** This M-X-T development will be subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) at the time of DSP. Specifically, the site is subject to Section 4.2, Requirements for Landscaped Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.

11. **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 subject property comprises 24.89 acres located on the northwest side of Dyson Road, approximately 1,000 feet northeast of its intersection with MD 381 (Brandywine Road), in Brandywine. The subject approval is for the development of the subject property in two phases. Phase I is comprised of townhouses and related improvements on 8.84 acres, and Phase II encompasses the remaining 16.05 acres for future commercial use. The subject property is zoned M-X-T.

Most of the northern part of the subject property contains wetlands. Parcel A appears to have been mined for sand and gravel. 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. The subject property does not contain, and is not adjacent to, any Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required.

- b. **Community Planning**—

Determinations

Pursuant to Part 3, Division 9, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this CSP. However, the CSP must not substantially impair the master plan or General Plan, and consideration has been given to how closely the approval meets the purposes of the M-X-T Zone and the goals and recommendations of the approved land use plans, such as supporting transit ridership with a trail connection to the planned transit node.

The subject property is located within the Established Communities growth policy area designated in Plan Prince George’s 2035. Established Communities are “most appropriate for context-sensitive infill and low-to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met” (page 20).

The Subregion 5 Master Plan and SMA recommends future commercial land use on the subject property. The master plan makes the following specific recommendation for future development in proximity to the subject site (page 51):

In addition to the transit station in the transit station in the core of the Brandywine Community Center, a second station is shown near the planned MD5/A-63 interchange”. This station would be placed on or near the site of the current park and ride lot, and is envisioned as being park-and-ride oriented, attracting residents from broad portions of Subregions 5 and 6.

Large parking facilities could be considered here...a transit node is planned in Brandywine at the MD 5/A-63 interchange north of TB. This station is envisioned as being park-and-ride oriented. Land use in the area surrounding the transit station (on both sides of MD 5) would be a mix of commercial and institution uses east and west of MD 5.

Consideration for the transit node will be made with the future development of Phase II.

The property is located in Planning Area 85A in Brandywine and Vicinity. This subject property is not located within an aviation policy area or the Military Installation Overlay Zone. The Subregion 5 SMA (CR-81-2013, July 24, 2013) retained the subject property in the M-X-T Zone. This zone was placed on the site with the District Council’s approval of Zoning Order ZO-20-2009.

Pursuant to Section 27-276 of the Zoning Ordinance, the Planning Board may approve a CSP in the M-X-T Zone if it finds that the property and “the Plan satisfy all criteria for M-X-T Zone approval in Part 3, Division 2; the Plan and proposed development meet the purposes and applicable requirements of the M-X-T Zone; the Plan meets all requirements stated in the definition of the use; and the Plan shows a reasonable alternative for satisfying, in a high-quality, well-integrated mixed-use community, all applicable site design guidelines.” This plan has been evaluated for conformance to this standard and, based on the findings herein, conforms to these requirements and found to not impair the recommendations of the master plan.

- c. **Transportation**—The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site, which includes 44 townhouses and 9,300 square feet of commercial uses:

Trip Generation Summary, CSP-16005, Fallen Oaks								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Retail	9,300	square feet	24	13	37	59	63	122
Less Pass-By (0 percent AM; 34 percent PM)			-0	-0	-0	-20	-21	-41
Net Retail Trips			24	13	37	39	42	81
Townhouses	46	units	6	26	32	24	13	37
Total Trips Utilized in Analysis			30	39	69	63	55	118

It was anticipated that greater than 50 trips would be generated during either peak hour; consequently, a traffic impact study (TIS) was requested. To that end, the applicant has provided the Planning Board with a TIS dated June 6, 2017. Using data from this recent TIS, the following results were determined:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	Dyson Road and Mattawoman Drive	11.2*	10.4*	--
Dyson Road and Site Access	N/A	N/A	--	--
Dyson Road and Brandywine Road	19.7*	19.6*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines for the Analysis of the Traffic Impact of Development Proposals" (Guidelines), delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

In evaluating the effect of background traffic, the TIS included a growth of three percent per year for two years that was applied to the through traffic volumes. While no background development was selected for these analyses, it is worth mentioning that, pursuant to CR-9-2017 which amends CR-60-1993, a Brandywine Road Club was established to collect fees that are intended to provide plenary improvements within the area covered by the road club to meet adequate transportation facilities. Based on regional growth, a second analysis was done. The table below shows the results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	Dyson Road and Mattawoman Drive	11.4*	10.5*	--
Dyson Road and Site Access	N/A	N/A	--	--
Dyson Road and Brandywine Road	29.0*	21.6*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Regarding the total traffic scenario, the trip generation, as computed above, was applied to the local transportation network. The total traffic analysis indicates the following results:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Dyson Road and Mattawoman Drive	11.6*	11.1*	--	--
Dyson Road and Site Access	10.4*	11.9*	--	--
Dyson Road and Brandywine Road	38.7*	32.1*	--	--
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.</p>				

The results of the traffic analyses show that, under total traffic, all of the intersections will operate within acceptable adequacy thresholds. In addition to the three intersections analyzed, there are other intersections on which the development herein approved may have an impact. Further review for transportation adequacy will be analyzed at the time of PPS. On March 28, 2017, the County Council adopted CR-9-2017, which amends CR-60-1993. Specifically, this resolution establishes a fee structure for payment into the Brandywine Road Club to meet adequacy and the fulfillment of the requirements of Section 24-124(a)(8) of the Subdivision Regulations. The Brandywine Road Club covers an area defined by Planning Areas 85A and 85B. Given that the subject property is located within Planning Area 85A, the affected transportation facilities on which this development could have an impact may be covered by the fees collected by this road club, which will be further evaluated at the time of PPS.

Master Plan, Right of Way Dedication

The property is located in an area where the development policies are governed by the Subregion 5 Master Plan and SMA. The property fronts on a section of Dyson Road where the current right-of-way is approximately 30 feet. The site plan is showing additional dedication consistent with the adjacent section of the road where the right-of-way is approximately 50 feet. It is noted that the adjacent section of Dyson Road carries no master plan designation. At the time of PPS, the applicant will be required to dedicate a minimum of 25 feet from the existing center line of Dyson Road.

The proposed right-of-way for A-63 (Mattawoman Drive) passes approximately 170 feet north of the northeast corner of the subject site. The alignment of A-63 has been modified subsequent to its original dedication. Access to the Phase II commercial will be via A-63. The alignment, dedication, and/or vacation of parts of A-63 will be further reviewed at the time of PPS to ensure that Phase II will have frontage on, and direct access to, a public street available.

Transportation Findings

The approval analyzed is a CSP for construction of a mixed-use development consisting

of townhomes and commercial uses. Overall, the approved development consisting of 44 townhomes and 9,300 square feet of retail, will generate 69 AM peak trips (29 in, 40 out), and 118 PM peak trips (63 in, 55 out).

The traffic generated by the CSP herein approved will impact the following intersections:

- Dyson Road and Mattawoman Drive
- Dyson Road and Site Access
- Dyson Road and Brandywine Road

The findings and recommendations outlined below are based upon a review of the materials and analyses conducted by the Planning Board, consistent with the “Transportation Review Guidelines, Part 1.”

The subject property is located within Transportation Service Area (TSA) 2, as defined in Plan Prince George’s 2035. As such, the subject property is evaluated according to the following standards:

- **Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;
- **Unsignalized intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using The Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

All of the intersections analyzed were found to be operating adequately. The subject property is located within Planning Area 85A, and is therefore within the land area covered by the Brandywine Road Club.

Transportation Conclusions

Based on the preceding findings, the Planning Board determines that, pursuant to Section 27-546 of the Zoning Ordinance, the plan conforms to the required findings for

approval of a CSP from the standpoint of transportation, in accordance with Section 24-124(a)(8), as the approval is made subject to the following conditions:

- (1) Total development within the subject property shall be limited to uses which generate no more 69 AM peak trips and 118 PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
- (2) At the time of PPS, the Planning Board shall determine, pursuant to the provisions of CR-9-2017, if fees associated with the Brandywine Road Club are required. Any fees shall be paid to Prince George's County (or its designee), to be indexed by the appropriate cost indices to be determined by DPIE.

- d. **Subdivision**—The property is known as Parcels 133 and Parcel A, Block M. Parcel 133 is a legal acreage parcel that has never been the subject of a prior PPS. Parcel A, Block M, was the subject of prior Preliminary Plan of Subdivision 4-99048 approved by the Planning Board on December 9, 1999 (PGCPB Resolution No. 99-230) with 22 conditions. These prior approval conditions will be superseded with the new PPS that is required to be approved for the property. A Final Plat of Subdivision, REP 195-72, was recorded for Parcel A, Block M, on December 12, 2002. The approval is for the development of 44 attached dwelling units, one residential parcel, and one commercial parcel in the M-X-T Zone.

Vehicular access to the commercial use on the site will be provided by future A-63 (Mattawoman Drive). The Planning Board will review for any impacts that may be proposed to sensitive environmental features, in order to accommodate the access road, at the time of CSP for Phase II of the subject development.

The site abuts a master planned freeway (F-9) along portions of the western property line. In accordance with Section 24-121(a)(4) of the Subdivision Regulations, residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of 300 feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate. Although, this requirement would not appear to affect the conceptual lot layout shown on the CSP, the limits of the 300-foot lot depth requirement should be demonstrated on the plan.

Approval of a new PPS will be required prior to approval of a DSP application in order to create the desired lotting pattern and to test for adequate public facilities requirements for the proposed mix of uses. The applicant should be aware that a lotting pattern shown on a CSP is conceptual in nature and revisions could and may occur at the time of PPS.

Plan Comments

- (1) The plan should be revised to show that vehicular access to the commercial portion of the site will be provided via Mattawoman Drive. The “Proposed Primary Circulation” arrow provided in the plan’s legend can be used to demonstrate this. It is understood that the exact location of the access point will be determined at the time of the amendment to the CSP for Phase II of the proposed development.
 - (2) The general notes should be revised to include parcel information for the two underlying parcels that make up the subject property (Parcels 133 and Parcel A, Block M). Deed references can be provided for Parcel 133, an unrecorded parcel; however, plat information should be referenced and labeled for Parcel A, Block M, which is a recorded parcel.
- e. **Trails**—As indicated, the site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 Subregion 5 Master Plan and SMA. Because the site is located in the Branch Avenue Corridor, it will be subject to the requirements of Section 24-124.01 of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2” at the time of PPS.

Two master plan trail/bikeway issues impact the application, with a shared-used sidepath (or wide sidewalk) recommended along Dyson Road and A-63 (Mattawoman Drive) (see MPOT map). The master plan facility along Dyson Road has been implemented as a wide sidewalk along the frontages of several properties in the vicinity of the subject site, including the frontage of the nearby Gwynn Park Middle School, which lies approximately 1,100 linear feet to the northeast of the subject site along Dyson Road. Gwynn Park High School is directly across Dyson Road from the subject property. The Planning Board requires the continuation of the sidepath along the frontage of the subject site. The master plan sidepath along A-63 will be implemented at the time of road construction. This will probably occur when the planned interchange is constructed with MD 5 (Branch Avenue), and no trail or road construction for A-63 is required at this time.

The Complete Streets element of the MPOT reinforces the need for these recommendations, and 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.

Sidewalks are recommended along both sides of all internal roads, consistent with these

policies. A detailed analysis of the internal sidewalk and trail network will be made at the time of PPS and DSP. The following will be evaluated at that time:

- Sidewalks shall be provided along both sides of all internal roads, consistent with the Complete Streets policies of the MPOT.
- Provide a shared-use sidepath (or wide sidewalk) along the subject's site's frontage of Dyson Road.
- Due to the location of the subject site within the Branch Avenue Corridor, the site will be subject to the requirements of Section 24-124.01 of the Subdivision Regulations and the "Transportation Review Guidelines, Part 2" at the time of PPS.

In conformance with the Subregion 5 Master Plan and SMA and the MPOT, the applicant and the applicant's heirs, successors, and/or assignees should provide the following at the time of PPS:

- (1) An eight-foot-wide sidepath (or wide sidewalk) along the subject site's entire frontage of Dyson Road, unless modified by DPIE.
- (2) Sidewalk access to all residential units.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum March 26, 2017, DPR stated that, at the time of PPS (as per Section 24-134(a)(1), Mandatory Dedication of Parkland, of the Subdivision Regulations), residential subdivisions of this density may be required to dedicate 7.5 percent of their land to the Maryland-National Capital Park and Planning Commission for public parks. Since the property is not contiguous to existing parkland, on-site recreational facilities will be preferable to land dedication.
- g. **Environmental**—The Planning Board has reviewed the subject CSP, originally stamped as received on February 13, 2017. The initial CSP application was accompanied by a Type 1 Tree Conservation Plan, TCP1-002-2017. Verbal comments were provided during the Subdivision and Development Review Committee meeting on March 10, 2017, and discussed at subsequent meetings on April 3, 2017 and April 27, 2017. A revised plan was stamped as received on June 15, 2017. After further correspondence with the applicant, and a meeting between the applicant and the Planning Board, the plan was revised again to include Parcel A, Block M, of The Hamptons subdivision, utilizing the subject TCP1-029-94-01, and stamped as received on September 15, 2017. Type 1 Tree Conservation Plan TCP1-002-2017 was withdrawn.

The Planning Board herein approves CSP-16005 and TCP1-029-94-01, subject to the conditions.

Background

The Planning Board previously reviewed and signed a Natural Resources Inventory, NRI-106-2016, for the 8.84-acre Parcel 133 on September 9, 2016. A revised NRI for the same parcel was approved on September 19, 2017. An NRI Equivalency Letter, NRI-183-2017, was accepted for review and was approved on October 18, 2017, explicitly for Parcel A. A condition of this approval requires that, with a development application for Parcel A, the full NRI must be revised to include Parcel A. No other environmental reviews have occurred on this site.

Proposed Activity

The applicant is requesting approval of a CSP and a Type 1 tree conservation plan (TCP1) for the construction of a townhouse development and commercial area. The area of the CSP is 24.89 acres and the area of the TCP1 is 198.16 acres.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25, and 27 of the County Code that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new CSP.

Site Description

The 24.89-acre site is located on the north side of Dyson Road, approximately 1,200 feet east of MD 381 in Brandywine. The site is currently vacant. A review of available information indicates that the site does contain streams within the Middle Potomac watershed and drains toward Piscataway Creek, a Maryland stronghold watershed, to the north. Floodplain and wetlands are also mapped on this property. The Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources, Natural Heritage Program, shows no rare, threatened, or endangered species found to occur on, or near this property. Forest interior dwelling species (FIDS) habitat and a FIDS buffer are mapped on-site. The site is located within Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035. The approved 2017 *Countywide Green Infrastructure Plan* shows that the site is entirely within the regulated and evaluation areas.

Natural Resources Inventory Plan Existing Features

The approval has two approved NRIs. Natural Resources Inventory NRI-106-2016-01 is for Parcel 133 (8.84 acres), approved on September 19, 2017. Natural Resources Inventory NRI-183-2017 is for Parcel A (16.05 acres), approved on October 18, 2017. Overall, the 24.89-acre site contains woodlands, specimen trees, streams and associated buffers, wetlands and associated buffers, and floodplain, all contained within the delineated primary management area (PMA). Because no development is approved on Parcel A as part of this development, a plan NRI is not required at this time. Specimen trees were only inventoried and evaluated for Parcel 133, where development is proposed. Although the general notes state that there are 57 specimen trees on-site, the plan correctly shows and lists 41 specimen trees present on the site.

The TCP1 and CSP show all the required information correctly, in conformance with the approved NRIs. Prior to any future application for development on Parcel A, a full NRI plan for that parcel shall be submitted for review and approval.

Woodland Conservation

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. Because part of the site is subject to existing Type 1 and Type 2 Tree Conservation Plans (TCP1-029-94 and TCP2-034-96), a revised Type 1 Tree Conservation Plan, TCP1-029-94-01, that shows the addition of Parcel 133 has been submitted. The addition of Parcel 133 results in a gross tract area of 198.16 acres for the TCP1 only. The TCP1 plan includes a note that clarifies the limits of the CSP application (24.89 acres).

Although the subject area of this CSP approval is zoned M-X-T, which has a 15 percent woodland conservation threshold, the applicant and the Planning Board have agreed to the continued application of the threshold approved with the original TCP1 (198.16 acres), which is 20 percent.

As previously stated, no development is approved on Parcel A (Phase II) at this time. The overall site of the TCP1 is 198.16 acres, which includes additional property to the east, not part of this CSP. The TCP1 worksheet correctly calculates a woodland conservation threshold of 37.66 acres, and the overall requirement of 54.24 acres, after proposing to clear an additional 4.38 acres on Parcel 133. The requirement is herein approved to be met with 57.78 acres of on-site woodland preservation, exceeding the 54.24-acre requirement. An additional 16.31 acres of woodland will be preserved, but not counted as credit.

Prior to signature approval of the CSP, the TCP1 shall, by condition of this approval, be revised to make technical corrections.

Specimen Trees

Section 25-122(b)(1)(G) of the WCO requires that “[s]pecimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

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 state requirement was incorporated in the adopted County Code that became effective on September 1, 2010.

A Subtitle 25 variance application, a statement of justification in support of a variance,

and a plan showing the trees to be removed and impacted were stamped as received by the Planning Board on October 12, 2017.

The Specimen Tree table on the TCP1 shows the removal of 7 of the 41 on-site specimen trees. The limits of disturbance on the plan also show that these trees are to be removed.

SPECIMEN TREE REMOVAL SUMMARY

SPECIMAN TREE	SIZE (DBH)	SPECIES	CONDITION	DISPOSITION	REASON FOR REMOVAL
ST-2	32"	Yellow poplar	Fair-Good	Remove	Approved infrastructure
ST-3	30"	Green ash	Good	Remove	Approved infrastructure
ST-4	35"	Green ash	Good	Remove	Approved infrastructure
ST-5	37"	Yellow poplar	Good	Remove	Approved infrastructure
ST-6	54"	Yellow poplar	Excellent-Good	Remove	Approved infrastructure
ST-7	31"	Yellow poplar	Excellent-Good	Remove	Approved infrastructure
ST-9	38"	Sweetgum	Poor	Remove	Approved infrastructure

Section 25-119(d) of the WCO contains six required findings to be made before a variance can be granted. A letter of justification dated October 12, 2017 seeks to address the required findings for all seven specimen trees as a group; however, details specific to the individual trees have also been provided in the following chart.

The text in **BOLD**, labeled (A)–(F), are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria for all seven specimen trees together.

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

The site is fully forested with wetlands, floodplain, and stream channels flowing through the western and northern portions. As this property was once part of a much larger gravel mining site, drainage channels and travel pathways are still found on-site. The existing specimen trees that need to be removed, listed above, follow a significant drainage channel that traverses diagonally across the center of the property from the southeast corner, west-northwest, to the regulated stream.

Due to the extensive environmental area on the site, the developable area, mostly at the southern end of the site fronting the road, is significantly limited. The applicant has made every effort to design the site to minimize impacts, to the extent possible.

Primarily, the hardship on this site is created by the location of the trees in this developable area, in addition to the need for stormwater management and other required

infrastructure to meet the requirements of the County Code. However, equally as important for the development to succeed, the development has to be placed in the southern half of the property away from jurisdictional wetlands and waters of the U.S. In addition, if the seven specimen trees were preserved, the developable area would be significantly reduced in size, making the project impracticable.

Although 7 specimen trees will be removed, 34 specimen trees (Trees 1, 8, and 26–56) located in the PMA will be preserved.

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

Approval of this variance request to remove seven specimen trees on the property is consistent with the County's expectations with regard to development of this site currently zoned M-X-T. If other properties, similarly zoned, encounter trees in a similar condition and in a similar location on a site, the same considerations would be provided during the review of the required variance application.

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

The purpose of the request is to remove seven specimen trees and avoid further significant impacts to jurisdiction features within the PMA. The applicant is not asking the County for any special privileges that would be denied to other applicants, but permission to remove seven specimen trees, so that the site may be developed in accordance with its designated zoning.

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

This request is not based on conditions or circumstances which are solely the result of actions by the applicant. The removal of these specimen trees is primarily due to their location on the developable portion of the site, and their immediate relationship to the presence of 1.08 acres of palustrine forested wetlands and approximately 1,300 linear feet of waters of the U.S. The request is not the result of actions by the applicant.

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

This request is based on the nature of the existing site, distribution of the subject trees, and the existing infrastructure surrounding the site. This request is not based on a condition relating to land or a building use on a neighboring property.

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

The Fallen Oak Townhouse development herein approved will not adversely affect water quality because the review of the project will be subject to the requirements of the Maryland Department of the Environment and the Prince George's County Soil Conservation District.

All 7 of the specimen trees to be removed are adjacent to regulated environmental features; however, the remaining 34 specimen trees to be preserved will continue to provide water quality benefits, canopy tree shading reducing the ambient temperature of stormwater run-off, water infiltration in the root zone, and soil erosion prevention.

Summary of the Specimen Tree Variance Request

The seven specimen trees proposed for removal are all located in the most developable area of the site, and are adjacent to an extensive area of regulated environmental features, most of which will be preserved and placed into a protective easement.

The required findings of Section 25-119(d) have been adequately addressed and the Planning Board herein approves the removal of Specimen Trees 2–7 and 9.

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the regulated environmental features should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features.

Stormwater management outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, stormwater management facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

The existing regulated environmental features located on Parcel 133 include 1.08 acres of wetlands, 1,300 linear feet of regulated streams, 75-foot-wide stream buffers, wetland buffers, and floodplain, all contained within a 4.70-acre PMA. According to the TCP1, impacts to the PMA are proposed for grading, stormwater management, and infrastructure. A statement of justification has been received for the impacts herein approved to the PMA, stream buffer, and non-tidal wetland buffer.

Statement of Justification

The 8.84-acre area subject to this request (Phase I) is currently fully wooded, with the overall drainage pattern draining generally in a northerly direction. The applicant is requesting impacts to the regulated environmental features totaling 0.48 acre, including 0.20 acre of wetland buffer impact, approximately 0.23 acre of stream buffer disturbance, and approximately 0.05 acre of wetland impact. On October 19, 2017, the applicant submitted the statement of justification for the impact to the PMA.

Analysis of Impacts

The applicant has presented several layout proposals for this site, and through multiple meetings with the Planning staff and the Planning Director, has considerably reduced the scope of the project to the current proposal. With PMA covering over 50 percent of the site, primarily located on the northern half of the property, the development herein approved is concentrated on the southern portion of the property, along the frontage of Dyson Road. The PMA follows an irregular pattern near the center of the property, making reasonable design of the site and avoidance of impact challenging. The current plan proposes PMA impacts to the stream buffer on the western side of the property for a stormwater bioretention facility and impacts to the wetlands and associated buffers for grading and road/infrastructure improvements. The townhouse dwelling units will not impact the PMA. The Planning Board herein approves the proposed PMA impacts.

Based on the level of design information currently available, the limits of disturbance shown on the TCP1, and the impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, in accordance with Section 27-276(b)(4) of the Zoning Ordinance.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are the Beltsville-silt loam (5-10 percent slopes), Beltsville-Urban land complex (0-5 percent slopes), Sassafras sandy loam (0-2 percent slopes), and Udorthents (0-5 percent slopes). Marlboro clay was not found to occur on, or in the vicinity of, this property.

- h. **Prince George's County Fire/EMS Department**—The Fire/EMS Department did not provide comment regarding the subject project.
- i. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 17, 2017, DPIE offered numerous comments that will be addressed through their separate permitting process. DPIE also stated that the subject CSP is consistent with approved Stormwater Management Concept Plan 38664-2016-01 dated August 11, 2017, which had been revised to minimize the environmental impacts to existing wetlands on the site.
- j. **Prince George's County Police Department**—The Police Department did not provide comment regarding the subject project.

- k. **Prince George's County Health Department**—In a memorandum dated October 6, 2017, the Health Department offered the following comments:

The Environmental Engineering/Policy Program of the Prince George's County Health Department has completed a review of the conceptual site plan submission for CHI at Hampton LLC, Fallen Oak Townhomes that will be located 1000 feet northeast of the intersection of Dyson Road and Brandywine Rd, Brandywine, MD 20613 and have the following comments/recommendations:

- (1) Health Department permit records indicate there are approximately ten existing carry-out/convenience store food facilities and two markets/grocery stores within a 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. The applicant should consider setting aside retail space for a tenant that would provide access to healthy food choices in the area.
- (2) The specific design plans should include open spaces and “pet friendly” amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are also recommended at strategic locations along future park and trail areas.
- (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.
- (4) Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes.
- (5) The public health value of access to active recreational facilities has been well documented. Indicate the location of active recreational facilities within .25 mile of the proposed residences.
- (6) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.
- (7) Miscellaneous solid waste materials (debris, tires) must be collected and properly disposed to the municipal waste landfill.
- (8) Any wells or septic system components discovered in the course of site

development and grading must be backfilled and/or sealed in accordance with Health Department requirements.

- (9) During the demolition/construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. 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.
- (10) During the demolition/construction phases of this project, noise should not 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.

The above comments have been provided to the applicant, and conditions of this approval ensure that conditions regarding limiting noise and dust will be included on the DSP for the project.

- l. **Maryland State Highway Administration (SHA)**—In a letter dated March 24, 2017, SHA offered numerous comments that will be evaluated at the time of PPS, when adequacy of transportation facilities is judged and enforced through their separate permitting process.
 - m. **Verizon**—Verizon did not provide comment on the subject project.
 - n. **Potomac Electric Power Company (PEPCO)**—PEPCO did not provide comment on the subject project.
 - o. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail received October 5, 2017, WSSC offered numerous comments regarding the project that will be addressed through their separate permitting process.
12. Based on the foregoing, and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP will, if approved with conditions, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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 1 Tree Conservation Plan TCP1-029-94-01, and APPROVED a Variance for the removal of seven specimen trees (Trees 2–7 and 9), and further APPROVED Conceptual Site Plan CSP-16005 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be

made to the plans:

- a. Type I Tree Conservation Plan TCPI-006-116 shall be revised, as follows:
 - (1) Revise the Environmental Planning Section approval block to use the current layout on all pages.
 - (2) Insert “Kim Finch; 4-99048; 11/14/2000” as the initial approval information in the TCP1 approval block. Update the “01” row to show CSP-16005 for the purpose for this revision.
 - (3) Revise the index of sheets and the Woodland Conservation Summary table to remove the “C.”
 - (4) Correct pages 2 and 3 to show the engineer’s scale.
 - (5) Correct the approved stormwater concept number in Note 10, Sheet 1, to 38664-2016.
 - (6) Have the revised plan signed and dated by the qualified professional preparing the plan.
 - b. The plan shall be revised to show the conceptual vehicular access to the commercial portion of the site via A-63 (Mattawoman Drive), with the “Proposed Primary Circulation” arrow provided in the plan’s legend.
 - c. The general notes shall be revised to include parcel information for the two underlying parcels that make up the subject property (Parcels 133 and Parcel A, Block M). Deed references shall be provided for Parcel 133, an unrecorded parcel. Plat information shall be referenced and labeled for Parcel A, Block M, which is a recorded parcel.
2. At the time of detailed site plan (DSP):
- a. The applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:
 - (1) An eight-foot-wide sidepath (or wide sidewalk) along the subject site’s entire frontage of Dyson Road, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement.
 - (2) Sidewalk access to all residential units.
 - (3) Note 4 of the General Notes needs to be amended to read that the development also includes 9,300 square feet of commercial space and mention of industrial land use needs to be stricken in Note 7.

- b. If private on-site recreational facilities are required at the time of preliminary plan of subdivision, details of the same shall be reviewed by the Urban Design staff and shall be approved with the DSP for this project.
- c. Provide notes on the plans in accordance with the Prince George’s County Health Department’s recommendations, as follows:

“During the demolition and construction phases, this project will 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 and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”

- 3. Prior to any future application for development on Parcel A (Phase II), a full natural resources inventory plan for that parcel shall be submitted for review and approval.
- 4. Total development within the subject property shall be limited to uses which generate no more 69 AM peak trips and 118 PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

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.

* * * * *

PGCPB No. 17-146
File No. CSP-16005
Page 31

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 9, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 30th day of November 2017.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:RG:rpg

R E S O L U T I O N

WHEREAS, CHI at Hampton, LLC is the owner of an 8.84-acre parcel of land known as Parcel 133 recorded in Prince George's County Land Records in Liber 19669 at folio 443, said property being in the 11th Election District of Prince George's County, Maryland, and being zoned Mixed Use Transportation-Oriented (M-X-T); and

WHEREAS, on June 6, 2019, Chadsworth Homes, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 44 lots and 8 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18033 for Fallen Oak Townhomes was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 19, 2019, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on September 19, 2019, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-029-94-03, and APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-18033 Fallen Oak Townhomes for 44 lots and 8 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:
 - a. Revise the property label for the abutting Parcel 4, immediately to the west of the subject property, to include the zoning and use of the property.
 - b. Include an eight-foot-wide sidepath (or wide sidewalk) along the subject site's entire frontage of Dyson Road, unless modified by the Prince George's County Department of Permits, Inspection and Enforcement.
 - c. Revise Sheet 1 of 3 to thicken proposed property lines so the proposed lots and parcels are clearly delineated.

2. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
3. Development of the site, not including Outparcel 1, shall be limited to uses that would generate no more than 31 AM and 35 PM peak-hour vehicle trips. Any development generating an 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.
4. Development of this site shall be in conformance with the approved Stormwater Management (SWM) Concept Plan (No. 38664-2016-03) and any subsequent revisions. The final plat shall note the approved SWM Concept Plan (No. 38664-2016-03) and approval date, July 9, 2019.
5. Prior to approval of any building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land as identified on the approved preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:
 - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision and Zoning Section of the Development Review Division (DRD), Upper Marlboro, Maryland.
 - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to an HOA shall be in accordance with an approved detailed site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to an HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD, in accordance with the approved detailed site plan.
 - f. The Prince George's County Planning Board, or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

6. Prior to approval of a permit for each single-family attached residential unit, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee for the Brandywine Road Club to be calculated as \$1,338 by (Engineering News Record Highway Construction Cost index at time of payment) / (Engineering News Record Highway Construction Cost Index for first quarter, 1993), as shown in accordance with Council Resolution CR-9-2017. All fees shall be paid to Prince George's County (or its designee), to be indexed by the appropriate cost indices to be determined by the Prince George's County Department of Permitting, Inspections and Enforcement.
7. Prior to the approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities as designated below or as modified by the Prince George's County Department of Public Works and Transportation/Prince George's County Department of Permitting, Inspections and Enforcement, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Construct the off-site sidewalk along Dyson Road as shown on the bicycle and pedestrian impact statement exhibit. Costs for the off-site improvement are subject to the \$13,200 cost cap specified in Section 24-124.01(c) of the Subdivision Regulations.
 - b. Construct a pedestrian crosswalk crossing the east leg of Dyson Road at Mattawoman Drive.
8. Prior to acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits, and details of the off-site sidewalk construction and any necessary with Americans with Disabilities Act (ADA) ramps, consistent with Section 24-124.01(f) of the Subdivision Regulations.
9. The applicant and the applicant's heirs, successors and/or assignees shall provide private on-site recreation facilities for the fulfillment of 24-134 of the Subdivision Regulations in accordance with the standards outlines in the Park and Recreational Facilities Guidelines. Prior to the approval of the detailed site plan, appropriate and developable areas for the private on-site recreational facilities within the common open space land shall be provided. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission Planning Department for adequacy and proper siting with the submittal of the detailed site plan and determine an appropriate trigger for construction to be reflected in the recreational facilities agreements.
10. Prior to the approval of the first building permit, 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 private on-site recreational facilities.
11. Prior to approval of a final plat:

- a. The applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Subdivision and Zoning Section to ensure that the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat prior to recordation.
 - b. The final plat shall grant a 10-foot-wide public utility easement along Dyson Road and the internal private streets in accordance with the approved preliminary plan of subdivision.
 - c. The final plat shall reflect right-of-way dedication 30 feet from the centerline of Dyson Road, in accordance with the approved preliminary plan of subdivision.
 - d. A conservation easement shall be described by bearings and distances. The conservation easement shall contain the floodplain, as determined by the Prince George's County Department of Permitting, Inspections and Enforcement, and all stream buffers shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
 - e. The final plat shall note the approved stormwater management concept number.
12. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised as follows:
- a. Remove the "woodland cleared" shading completely from all plan sheets.
 - b. Revise the revision number in the woodland conservation worksheet from "01" to "03."
 - c. Revise the specimen tree chart ST-8 to read "variance approved with PPS 4-18033."
 - d. Have the revised plan signed and dated by the qualified professional preparing the plan.
13. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-029-94-03. The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan, TCP1-029-94-03, or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

14. The applicant and the applicant’s heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of recreational facilities on-site, including appropriate triggers for construction for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the Prince George’s County Land Records.
15. Approval of this preliminary plan of subdivision and adoption of this resolution of approval will supersede the approval of 4-16026 (PGCPB Resolution No. 18-90), for the development of this property.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George’s County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is currently known as Parcel 133 recorded in the Prince George’s County Land Records in Liber 19669 at folio 443. The property is approximately 8.84 acres, located on the north side of Dyson Road, approximately 1,200 feet northeast of the intersection of MD 381 (Brandywine Road) and Dyson Road, and is currently undeveloped. The site is in the Mixed Use-Transportation-Oriented (M-X-T) Zone, subject to the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA). The site is subject to Conceptual Site Plan CSP-16005, which included a larger land area (24.89 acres) for the development of 44 townhomes, and 9,300 square feet of gross floor area (GFA) for commercial development. The development of the entire site covered under the CSP has been divided into two phases. Phase I is for the residential portion of the development (44 single-family attached dwellings). The instant preliminary plan of subdivision (PPS) provides two private road parcels (Parcel A and Parcel B) to serve the on-site access and circulation, open space parcels (Parcels C-H), and Outparcel 1, which is for future commercial development as part of Phase 2 and includes no GFA on this outparcel with this application. Outparcel 1 does not have frontage on, nor direct access to a public street, and does not meet the requirements of the Zoning Ordinance. As a result, Outparcel 1 was not tested for adequacy with this subdivision, and has been designated as an outparcel which will require testing of adequacy in conjunction with a future PPS, as part of the Phase 2 commercial development that was approved with the CSP.

The property included in this PPS was the subject of a previous PPS (4-16026), approved by the Prince George's County Planning Board on September 13, 2018, for 42 lots and 6 parcels. The instant PPS provides an overall development and lotting pattern, which is consistent with the development approved under PPS 4-16026, with the exception of the addition of two additional dwelling unit lots, as further detailed in Finding 5 below.

On October 23, 2018, the County Council of Prince George's County, sitting as the District Council, adopted Council Bill CB-087-2018, which modified the development regulations for townhouse lots in the M-X-T Zone. Specifically, this legislation amended the minimum lot size requirements in Section 27-548 of the Zoning Ordinance, from 1,800 square feet to 1,200 square feet. This adopted legislation also amended the maximum number of townhouse dwelling units per building group from six to eight. As a result of the amended regulations, this PPS provides smaller lot sizes than previously approved with PPS 4-16026, in order to provide two additional lots, which conform to the amended zoning requirements. In addition, the subject application provides lots which will accommodate six building groups of single-family attached dwellings in which no building groups exceed eight units, in order to comply with the zoning regulations as amended, and no zoning variances have been approved with this subdivision. With the adoption of this resolution of approval, this PPS 4-18033 supersedes PPS 4-16026 for the development of the property.

A variance to Section 25-122(b)(1)(G) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) was approved for the removal of one specimen tree on the subject site.

3. **Setting**—The property is located on Tax Map 145 in Grid A-2 and is within Planning Area 85A. The site is bounded by Dyson Road to the southeast and Gwynn Park Senior High School beyond in the Rural Residential (R-R) Zone, single-family detached dwellings to the west and southwest in the R-R Zone, and vacant land to the north located in the M-X-T Zone.

Abutting the subject site to the west is a 1.07 acre, 60-foot-wide parcel in the R-R Zone known as Parcel 4 and recorded in the Prince George's County Land Records in Liber 32086 at folio 27. According to the 2010 deed, the parcel was legally conveyed to the Maryland State Highway Administration (SHA) of the Maryland Department of Transportation in order to layout, open, establish, construct, extend, widen, straighten, grade, and improve as a part of the State Roads System of Maryland. The parcel is not a master-planned right-of way according to the 2009 *Countywide Master Plan of Transportation* (MPOT). The PPS does not label the use of this parcel. While the deed indicates that the parcel may be used in the future for part of the State road system, aerial imagery found on PGAtlas shows that the parcel is currently unimproved. The plans shall be revised as necessary to clarify the use of the property, as buffering from the proposed lots may be required if classified as a road, or if Parcel 4 shall classify as vacant land in the R-R Zone, if no future roadway is proposed.

4. **Development Data Summary**—The following information relates to the subject PPS and the approved development.

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Vacant	Single-Family Attached
Acreage	8.84	8.84
Lots	0	44
Outlots	0	0
Outparcels	0	1
Parcels	1	8
Dwelling Units:	0	44
Public Safety Mitigation Fee	No	No
Variance	No	Yes 25-122(b)(1)(G)
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee on June 28, 2019.

5. **Prior Approvals**—The site was subject to CSP-16005, approved by the Planning Board on November 9, 2017, and adopted on November 30, 2017 (PGCPB Resolution No. 17-146). The CSP included a larger land area (24.89 acres) for the development of 44 townhomes and 9,300 square feet of commercial space. The CSP was approved subject to four conditions, and the following conditions from CSP-16005 are applicable to this PPS:

2. At the time of detailed site plan (DSP):

- a. The applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:**

- (1) An eight-foot-wide sidepath (or wide sidewalk) along the subject site’s entire frontage of Dyson Road, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement.**

Discussion of this condition is provided in the Trails finding.

- b. If private on-site recreational facilities are required at the time of preliminary plan of subdivision, details of the same shall be reviewed by the Urban Design staff and shall be approved with the DSP for this project.**

The submitted PPS indicates that private on-site recreational facilities will be provided, to meet the mandatory park dedication requirement. Based on the 44 townhouse units proposed, the value of the provided recreation facilities is

approximately \$45,285. Conformance with this condition will be determined at the time of DSP when details of specific facilities are provided. If it is determined at the time of DSP that additional facilities are required to meet the value amount, there may be a loss of lots due to the limited usable open spaces proposed in the PPS.

3. Prior to any future application for development on Parcel A (Phase II), a full natural resources inventory plan for that parcel shall be submitted for review and approval.

Parcel A was approved for commercial development under CSP-16005, and includes the area designated for future commercial retail with this PPS application as approved Outparcel 1. This PPS does not include any development on Outparcel 1, which will be evaluated with Phase II of the project.

4. Total development within the subject property shall be limited to uses which generate no more 69 AM peak trips and 118 PM peak trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

A new transportation analysis was conducted, and the findings are provided in the Transportation finding. The trips generated by the residential development in this PPS are within the trip cap established with the CSP.

As previously mentioned, the site was also the subject of PPS 4-16026, approved by the Planning Board on September 13, 2018, and adopted on October 11, 2018 (PGCPB Resolution No. 18-90). PPS 4-16026 was approved for a similar development layout to the instant PPS and approved 42 lots and 6 parcels, for 42 single-family attached dwellings, subject to 15 conditions.

The instant PPS provides two additional lots and three additional parcels to the development approved under PPS 4-16026. The two additional lots are incorporated within a group of lots centrally located within the development, and the three additional parcels represent further subdivision of open space to be dedicated to the homeowners' association (HOA). Given the similar development approved with this subdivision, most of the conditions approved with PPS 4-16026 (PGCPB Resolution No. 18-90) have been carried forward with this PPS, as further detailed below.

6. Community Planning—The *Plan Prince George's 2035 Approved General Plan* (Plan 2035) designated the subject property in the Established Communities growth policy area. The Established Communities are most appropriate for context-sensitive infill and low- to medium-density development (page 20).

Master Plan

The Subregion 5 Master Plan and SMA (CR-80-2013) recommends commercial future land use on the subject property. The master plan addresses land use in the vicinity of the subject property

in the following recommendations on page 51:

In addition to the transit station in the core of the Brandywine Community Center, a second station is shown near the planned MD 5/A-63 interchange. This station would be placed on or near the site of the current park and ride lot and is envisioned as being park-and-ride oriented, attracting residents from a broad portion of Subregions 5 and 6. Large parking facilities could be considered here. Land use in the area surrounding the transit station (on both sides of MD 5) would be a mix of commercial and institutional uses east and west of MD 5.

Sectional Map Amendment/Zoning

The subject property was rezoned from the R-R Zone to the M-X-T Zone with the District Council's approval of Zoning Ordinance No. 20-2009. The Subregion 5 Master Plan and SMA retained the subject property in the M-X-T Zone (CR-81-2013). The M-X-T zoning of the site allows for the commercial future land use, or the proposed residential land use. The PPS provides a note stating that Outparcel 1 will be a commercial retail parcel as part of a future application.

The Zoning Ordinance requires multiple land uses in the M-X-T Zone, and the Planning Board's determination in PGCPB Resolution No. 17-146 approving CSP-16005 for Fallen Oaks states: "As the project is in the M-X-T Zone, two land uses are required and proposed. The Planning Board has herein approved the residential townhouses to be accessed via Dyson Road (Phase I) and 9,300 square feet of commercial development (Phase 2) to be accessed from Mattawoman Drive (Phase II)."

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this subdivision conforms to the Subregion 5 Master Plan and SMA as part of the larger CSP-16005, which approves a commercial component. The approved future land use for the subject site (CSP) is commercial, with the residential component (Phase 1) as required by the M-X-T Zone for two or more uses. The PPS identifies that the commercial land use will be developed on Outparcel 1 as a future commercial retail parcel in accordance with CSP-16005.

7. **Trails**—The site is covered by the MPOT and the Subregion 5 Master Plan and SMA. Because the site is located in the Branch Avenue Corridor, it is subject to the requirements of Section 24-124.01 of the Subdivision Regulations, and the 2012 Transportation Review Guidelines, Part 2, Adequacy of Bicycle and Pedestrian Facilities in Centers and Corridors, at the time of PPS.

Two master plan trail/bikeway issues impact the subject site; a shared-used sidepath (or sidewalk) recommended along Dyson Road and Mattawoman Drive (A-63) (see MPOT map). Currently, there is an eight-foot-wide sidewalk built along the south side of Dyson Road, between Mattawoman Drive and 500 feet east of Stoney Creek Lane. In addition, there is a standard six-foot-wide sidewalk that leads to the parking lot and entrance of Gwynn Park High School, directly across the street from the subject site to the south. There is also a five-foot-wide sidewalk along the north side of Dyson Road that ends approximately 255 feet east of the subject site. The Planning Board approves an eight-foot-wide sidewalk along the frontage of the subject site,

consistent with the master plan sidepath recommendation. The second master plan recommendation in the vicinity of the subject site is a sidepath along Mattawoman Drive. The sidepath is near, but does not directly impact, the property that is the subject of this PPS. No trail construction for A-63 is required for this subdivision at this time.

The Complete Streets element of the MPOT reinforces the need for these recommendations and 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.

Sidewalk access is provided to all residential units, and the frontage of Dyson Road will be improved with a shared use sidepath (or wide sidewalk). The master plan facility along A-63 to the east will be completed concurrently with the road construction as part of a future capital improvement project.

Review of the Bicycle and Pedestrian Impact Statement (BPIS) and Proposed Off-Site Improvements:

Due to the location of the subject site within the MD 5 Corridor, the application is subject to CB-2-2012, which includes a requirement for the provision of off-site bicycle and pedestrian improvements. Section 24-124.01(c) s includes the following guidance regarding off-site improvements:

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

CB-2-2012 also included specific guidance regarding the cost cap for the off-site improvements. The amount of the cost cap is determined pursuant to Section 24-124.01(c):

The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and three hundred dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.

Based on Section (c) and the 44 residential units proposed, the cost cap for this subdivision is \$13,200.

Section 24-124.01 also provided specific guidance regarding the types of off-site bicycle and pedestrian improvements that may be required, per Section 24-124.01(d):

- (d) Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**
- 1. Installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - 2. Installing or improving streetlights;**
 - 3. Building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
 - 4. Providing sidewalks or designated walkways through large expanses of surface parking;**
 - 5. Installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
 - 6. Installing street trees.**

A scoping meeting was held with the applicant on November 21, 2017. There are numerous pedestrian destinations along Dyson Road in the vicinity of the subject site as well as Gwynn Park High and Middle Schools. Sidewalks are fragmented in the vicinity of the subject site, with newer developments including sidewalks along their frontage, while some sections of the road remain open with no sidewalks. At the time of the scoping meeting, a gap in the sidewalk network was identified that could serve as an appropriate off-site improvement to serve the future residents of the site. There is an existing sidewalk along the west side of Dyson Road that ends approximately 255 feet short of the frontage of the subject site. The Planning Board has determined that the sidewalk be extended from the property line to fill this 255-foot gap. The applicant submitted an exhibit illustrating the sidewalk project with this application (applicant's Exhibit 1).

A crosswalk directly connecting the subject site and Gwynn Park High School was considered;

however, the sidewalk along Gwynn Park High School is not immediately alongside Dyson Road, but is south of the road connecting to the school's parking lot. Therefore, there would be no receiving sidewalk for a crosswalk along the frontage of Gwynn Park High School. The sidewalk at the school connects to another walking path that leads to the intersection of Mattawoman Drive and Dyson Road. This is an appropriate location for a crosswalk and the Planning Board has determined that this improvement be made.

Section 24-124.01(f) requires an exhibit of all off-site improvements at the time of DSP:

- (f) If a conceptual or detailed site plan approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in Subsection (c) of this Section, along with the location, types, and description of major improvements, property/lot lines, and owners that are within fifty (50) feet of the subject easements and rights-of-way.**

An exhibit showing the location, limits, and details of the off-site sidewalk shall be required at the time of DSP pursuant to Section (f).

Demonstrated nexus between the subject application and the off-site improvements:

Section 24-124.01(c) requires that a demonstrated nexus be found with the subject application, in order for the Planning Board to require the construction of off-site pedestrian and bikeway facilities. The demonstrated nexus between each of the proffered off-site improvements and the subject application is summarized below.

- (c) As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.**

The off-site sidewalk proffered by the applicant and reflected on the applicant's bicycle and pedestrian impact statement Exhibit 2 will extend the sidewalk being constructed along the frontage of the subject site, and will better connect the future residents of the site with the nearby residential communities and schools along Dyson Road. To further provide pedestrian connection from the proposed subdivision to the Gwynn Park High School to the south across the street, a

pedestrian crosswalk crossing the east leg of Dyson Road at Mattawoman Drive shall be provided.

Finding of Adequate Bicycle and Pedestrian Facilities:

CB-2-2012 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. CB-2-2012 is applicable to preliminary plans within designated centers and corridors. The subject application is located within the designated Branch Avenue corridor, as depicted on the Adequate Public Facility Review Map of the General Plan. CB-2-2012 also included specific guidance on the criteria for determining adequacy, as well as what steps can be taken if inadequacies need to be addressed.

As amended by CB-2-2012, Section 24-124.01(b)(1) and (2) includes the following criteria for determining adequacy:

- (b) Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
- 1. The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
 - a. The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**
 - b. The presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).**

Sidewalks are provided to all residential units internal to the subject site. The applicant has proffered off-site sidewalk construction along a segment of Dyson Road to complete the pedestrian connection between the subject site and abutting residential communities. Between the improvements along the frontage

of the subject site, the off-site sidewalk proposed, and the crosswalk at Dyson Road and Mattawoman Drive, an additional segment of Dyson Road will be retrofitted for pedestrian access.

2. **The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
 - a. **The degree to which bike lanes, bikeways, and trails recommended in the MPOT and applicable area master plans or sector plans have been constructed or implemented in the area;**
 - b. **The presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**
 - c. **The degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**
 - d. **The availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

The shared use sidepath proposed along the frontage of the subject site will accommodate bicyclists consistent with the master plan. Striping for designated bike lanes (or other appropriate on-road facility) can be considered by the Prince George's County Department of Public Works and Transportation (DPW&T), at the time of road resurfacing. In addition, bicycle parking will be recommended at the time of DSP for planned commercial use to further accommodate all modes of transportation.

8. **Transportation**—The subject property is located within Planning Area 85A and is affected by the Brandywine Road Club. Specifically, County Council Resolution CR-9-2017 indicates the following be established:
 1. The use of the Brandywine Road Club for properties within Planning Areas 85A and 85B as a means of addressing significant and persistent transportation deficiencies within these planning areas.
 2. A list of projects for which funding from the Brandywine Road Club can be applied.
 3. Standard fees by development type associated with the Brandywine Road Club to be assessed on approved development.

The resolution works in concert with CB-22-2015, which permits participation in roadway improvements as a means of demonstrating adequacy for transportation as required in Section 24-124. Specifically, CB-22-2015 allows the following:

1. Roadway improvements participated in by the subdivider can be used to alleviate any inadequacy as defined by the "Guidelines." This indicates that sufficient information must be provided to demonstrate that there is an adequacy.
2. To be subject to CB-22-2015, the subject property must be located in an area for which a road club was established prior to November 16, 1993. In fact, the Brandywine Road Club was included in Council Resolution CR-60-1993, adopted on September 14, 1993, and it was developed and in use before that date.

Pursuant to Council Resolution CR-9-2017, the Brandywine Road Club fee for the subject application will be \$1,338 per dwelling unit to be indexed by the appropriate cost indices to be determined by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Pursuant to CB-22-2015, once the appropriate payment is made to the satisfaction of DPIE, no further obligation will be required of the applicant regarding the fulfillment of transportation adequacy requirements of Section 24-124(a).

A previous conceptual site plan application, CSP-16005, established transportation related findings and included a trip cap for a mixed residential and commercial development on this site. Commercial space is to be developed on Outparcel 1 and abutting property to the east will be part of a future application (Phase 2).

The subject property is located within Transportation Service Area 2, as defined in the Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation per Section 24-124(a)(6) is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the Transportation Review Guidelines, Part 1.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all

movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The table below summarizes trip generation in each peak-hour that will be used in reviewing traffic and developing a trip cap for the site:

Trip Generation Summary, 4-18033, Fallen Oak Townhomes						
Proposed Use	AM Peak Hour			PM Peak Hour		
	In	Out	Tot	In	Out	Tot
44 townhouse units	6	25	31	23	12	35
Trip Cap: CSP-16005			69			118

Traffic counts have been submitted with this application. The counts are dated May 2016, and according to the “Transportation Review Guidelines”, they would typically be considered to be out-of-date. However, interchange construction adjacent to the site along MD 5 has visibly affected traffic patterns in the area, and the Planning Board does not find it appropriate to take new counts while construction activity continues. Therefore, the available traffic information was accepted for review with this PPS. The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
Dyson Road and Mattawoman Drive	11.2*	10.4*	--	--
Dyson Road and Site Access	N/A	N/A	--	--
Dyson Road and Brandywine Road	19.7*	19.6*	--	--
US 301 and MD 381	1,310	1,219	D	C
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

In evaluating the effect of background traffic, the traffic impact study included a growth of three percent per year for two years that was applied to the through-traffic volumes. Based on the regional growth, a second analysis was done. The table below shows the results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	Dyson Road and Mattawoman Drive	11.4*	10.5*	--
Dyson Road and Site Access	N/A	N/A	--	--
Dyson Road and Brandywine Road	29.0*	21.6*	--	--
US 301 and MD 381	2,391	2,309	F	F
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

Regarding the total traffic scenario, the trip generation as computed above was applied to the local transportation network. The total traffic analysis indicates the following results:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	Dyson Road and Mattawoman Drive	11.6*	11.1*	--
Dyson Road and Site Access	10.4*	11.9*	--	--
Dyson Road and Brandywine Road	38.7*	32.1*	--	--
US 301 and MD 381	2,324	2,540	F	F
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The subject site is required to contribute to the Brandywine Road Club because the critical intersection of US 301 and MD 381 is at a failing level of service. The intersection is one for which relief is planned by means of the Brandywine Road Club. For that reason, adequacy is determined consistent with Section 24-124(a)(8), with conditions for the applicant to contribute to funding the improvements at the time of building permit.

Master Plan Roads

The property is located within the boundary of the Subregion 5 Master Plan and SMA. The property has frontage along a section of Dyson Road, which is not classified on the master plan. Right-of-way dedication of 30 feet from centerline is shown on the current plans and will be reflected on the final plat prior to approval. The dedication is acceptable and will be required at the time of record plat.

Based on preceding findings, adequate transportation facilities will exist to serve the subdivision, as required in accordance with Section 24-124, subject to conditions.

9. **Use Conversion**—The total development included in this PPS is for 44 single-family attached dwellings in the M-X-T Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses shall require approval of a new PPS, prior to approval of any building permits.
10. **Schools**—This PPS has been analyzed by the Planning Board for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations. The results are as follows:

Impact on Affected Public School Clusters Single-Family Attached Dwelling Units

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 6	High School Cluster 6
Dwelling Units	44	44	44
Pupil Yield Factor	0.145	0.076	0.108
Subdivision Enrollment	6.0	3.0	5.0
Actual Enrollment in 2018	4,795	1,923	2,471
Total Enrollment	4,801	1,926	2,476
State Rated Capacity	6,401	2,490	3,754
Percent Capacity	75%	77%	66%

Section 10-192.01 of the Prince George’s County Code establishes school surcharges and an annual adjustment for inflation. The current amount is \$16,698, as this project falls outside of I-95/I-495 (Capital Beltway). This fee is to be paid to Prince George’s County at the time of issuance of each building permit.

11. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated August 16, 2019 (Hancock to Davis), incorporated by reference herein.
12. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

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

The standard requirement for public utility easements is 10 feet wide along both sides of all public rights-of-way. The property’s frontage abuts Dyson Road, which is a public road, and the required PUE has been delineated on the PPS.

Section 24-128(b)(12) of the Subdivision Regulations states that “private roads shall have a public utility easement contiguous to the right-of-way. Said easement shall be at least ten (10) feet in width and shall be adjacent to either right of way line.” The subject PPS provides the required PUE on either side of the development’s private right-of-way parcels of Parcel A and Parcel B.

13. **Historic**—A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain, and is not adjacent to, any Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required.

14. **Environmental**—The following applications are previously reviewed for the subject property:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-106-2016	N/A	Staff	Approved	9/09/2016	N/A
NRI-106-2016-01	N/A	Staff	Approved	9/06/2017	N/A
NRI-183-2017 (EL)	N/A	Staff	Approved	10/18/2017	N/A
CSP-16005	TCPI-029-94-01	Staff	Approved	11/09/2017	17-146
4-16026	TCP1-029-94-02	Planning Board	Approved	9/13/2018	18-90
4-18033	TCP1-029-94-03	Planning Board	Pending	Pending	Pending

Approved Activity

This PPS and a Type 1 Tree Conservation Plan (TCP1) are approved for the construction of a townhouse development.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new PPS.

Site Description

The site is located on the north side of Dyson Road, approximately 1,200 feet east of MD 381, in Brandywine, Maryland. The site is currently vacant. A review of the available information

indicates that the site contains streams within the Middle Potomac Watershed and drains toward Piscataway Creek, a Maryland Stronghold watershed, to the north. Floodplain and wetlands are mapped on this property. The Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program shows no rare, threatened, or endangered species found to occur on, or near this property. Forest Interior Dwelling Species (FIDS) habitat and a FIDS buffer are mapped on-site.

Plan Prince George's 2035 Approved General Plan (2014)

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035.

Subregion 5 Master Plan and Sectional Map Amendment (2013)

The Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to this site. The text in **BOLD** is from the master plan, and the plain text provides comments on the plan conformance.

Policy 1: Implement the master plan's desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.

Policy 2: Ensure that new development incorporates open spaces, environmental design, and mitigation activities.

Policy 3: Protect, preserve, and enhance the identified green infrastructure network within Subregion 5.

Parcel 133 is zoned M-X-T for a mix of uses. This PPS is for townhouses at this stage (Phase 1) and a future application will include the commercial site at a later phase (Phase 2). The townhouses avoid impacts to the regulated environmental features to the fullest extent possible, while preserving approximately 51 percent of net tract area on the parcel. The subject property is located entirely within the regulated and evaluation areas of the Countywide Green Infrastructure Plan of the 2017 *Approved Prince George's Resource Conservation Plan*, due to the presence of wetlands and floodplain. The applicant has incorporated environmentally sensitive design into the stormwater management (SWM) practices and is minimizing impacts to the regulated environmental features to the extent practicable.

Policy 4: Encourage the restoration and enhancement of water quality in degraded areas and the preservation of water quality in areas not degraded.

Preservation of water quality will be achieved through an approved SWM concept plan utilizing environmentally sensitive design to the maximum extent practicable. An approved SWM Concept Plan (No. 38664-2016-03) and approval letter were submitted with the subject application.

Policy 5: Protect and restore groundwater recharge areas such as wetlands and the headwater areas of streams.

The wetlands on this property are being preserved with this application.

Policy 8: Minimize impervious surfaces in the Developing Tier portion of the watershed through use of conservation subdivisions and environmentally sensitive design and, especially in the higher density Brandywine Community Center, incorporate best stormwater design practices to increase infiltration and reduce run-off volumes.

The use of environmentally sensitive design is demonstrated on the SWM Concept Plan (No. 38664-2016-03).

Conformance with the Green Infrastructure Plan

According to the *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan), the site contains both regulated and evaluation areas within the designated network of the plan. The conceptual design as reflected on the PPS and the TCP1 is in keeping with the goals of the Green Infrastructure Plan and focuses development outside of the most sensitive areas of the site.

Environmental Review

As revisions are made to the submitted plans, the revision boxes on each plan sheet shall be used to describe what revisions were made, when they were made, and by whom.

Natural Resources Inventory Plan/Existing Features

The site has two approved Natural Resources Inventories (NRI). NRI-106-2016-01 is for Parcel 133 (8.84 acres), approved on September 19, 2017. NRI-183-2017 is for Parcel A (16.05 acres), approved on October 18, 2017. Overall, the 24.89-acre site contains woodlands, specimen trees, streams and associated buffers, wetlands and associated buffers, and floodplain, all contained within the delineated primary management area (PMA). Because no development is proposed on Parcel A as part of this development, an NRI plan is not required at this time. Specimen trees were only inventoried and evaluated for Parcel 133, where development is proposed. Although the general notes state that there are 57 specimen trees on-site, the plan correctly shows and lists 40 specimen trees present on the site. The TCP1 and PPS show all the required information correctly in conformance with the approved NRIs. No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size, and it contains more than 10,000 square feet of existing woodland. Because part of the site is subject to an existing Type 1 and Type 2 Tree Conservation Plan (TCP2-029-94-02 and TCP2-034-96), the TCP1 shows the addition of Parcel 133. The addition of Parcel 133 results in a gross tract area of 198.16 acres for the TCP1 only. The TCP1 plan includes a note that clarifies the limits of this PPS.

Although the subject area of this PPS is zoned M-X-T, which has a 15 percent woodland conservation threshold, the applicant and the Planning Board have agreed to the continued

application of the threshold approved with the original TCP1, which is 20 percent, as was previously outlined in Finding 11.g. of CSP-16005 (PGCPB Resolution No. 17-146).

As previously stated, no development is proposed on Parcel A at this time. The overall site of the TCP1 is 198.16 acres. The TCP1 worksheet correctly calculates the woodland conservation threshold of 37.66 acres, and the overall requirement of 54.24 acres, after proposing to clear an additional 4.49 acres on Parcel 133. The requirement will be met with 57.78 acres of on-site woodland preservation, exceeding the 54.24-acre requirement. An additional 16.31 acres of woodland will be preserved but not counted as credit.

Specimen Trees

Section 25-122(b)(1)(G) of the County Code, requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

A Subtitle 25 variance application, a statement of justification (SOJ) in support of a variance, and a plan showing seven specimen trees to be removed (ST 2-7 and ST-9), was approved with CSP-16005. A Subtitle 25 variance for the removal of ST-8 was granted with the previous approval of PPS 4-16026 and TCP1-029-94-02. Given that the instant PPS would supersede the previous PPS and TCP1 approval on the site, the applicant submitted a Subtitle 25 variance application for the same ST-8 and provided an SOJ in support of the variance. The variance for ST-8 was evaluated and approved with this PPS, in accordance with the required findings as detailed below.

Section 25-119(d) of the WCO contains six required findings to be made before a variance can be granted. A Letter of Justification dated December 21, 2018, seeks to address the required findings for the Subtitle 25 variance relating to ST-8. The text in **BOLD**, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

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

The site is fully forested with wetlands, floodplain, and stream channels flowing through the western and northern portions. As this property was once part of a much larger gravel mining site, drainage channels and travel pathways are still found on-site. The existing specimen trees that need to be removed follow a significant drainage channel that traverses diagonally across the center of the property from the southeast corner, west-northwest, to the regulated stream.

Primarily, the hardship on this site is created by the location of the trees in this developable area and the need for SWM and other required infrastructure to meet the requirements of the County Code. However, for the development to succeed, it has to be placed in the southern half of the property, away from jurisdictional wetlands and waters of the United States. (WOUS). Although the subject specimen tree is located outside of

the limits of disturbance, grading necessary for the stormwater outfall will significantly impact the critical root zone.

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

The approval of this variance request to remove one additional specimen tree on the property is necessary to develop the site as currently zoned (M-X-T). If other properties, similarly zoned, encounter trees in a similar condition and in a similar location on a site, the same considerations would be provided during the review of the required variance application.

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

The purpose of the request is to remove one additional specimen tree, for a total of eight specimen trees to be removed, and avoid further significant impacts to jurisdictional features within the PMA. The applicant is not asking for any special privileges that would be denied to other applicants, but permission to remove one additional specimen tree, so that the site may be developed in accordance with its designated zoning.

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

This request is not based on conditions, or circumstances which are solely the result of actions by the applicant. The removal of this specimen trees is primarily due to proximity with the proposed developable portion of the site, and the immediate relationship to the presence of 1.08 acres of palustrine, forested wetlands, and approximately 1,300 linear feet of WOUS. The request is not the result of actions by the applicant.

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

This request is based on the nature of the existing site, distribution of the subject trees, and the existing infrastructure surrounding the site. This request is not based on a condition relating to land or a building use on a neighboring property.

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

The Fallen Oak townhouse development will not adversely affect water quality because the review of the project will be subject to the requirements of the Maryland Department of the Environment and the Prince George's County Soil Conservation District.

The one additional specimen tree to be removed is adjacent to a regulated stream, however; the remaining 32 specimen trees to be preserved will continue to provide water quality benefits, canopy tree shading reducing the ambient temperature of storm-water run-off, water infiltration in the root zone, and soil erosion.

Summary of the Specimen Tree Variance Request

ST-8, approved for removal, is located in the most suitable area of the site for the stormwater outfall, and is adjacent to an extensive area of regulated environmental features, most of which will be preserved and placed into a protective easement. The required findings of Section 25-119(d) have been addressed by the applicant for the removal of specimen tree ST-8.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

This site includes regulated environmental features inclusive of the PMA, which must be preserved and/or restored to the fullest extent possible. An SOJ and exhibits for the impacts were approved with CSP-16005. The layout has been revised since the CSP approval and an additional 0.09 acre of PMA impact was requested with the subject PPS. These impacts are minor and in the same areas approved for disturbance. Based on the level of design information currently available, the limits of disturbance shown on the TCP1, and previously approved impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

Soils

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey are the Beltsville-silt loam (5–10 percent slopes), Beltsville-Urban land complex (0–5 percent slopes), Sassafras sandy loam (0–2 percent slopes) and Udorthents (0–5 percent slopes). Marlboro Clay was not found to occur on, or in the vicinity of, this property.

15. **Urban Design**—Conformance with the following Zoning Ordinance regulations is required for this development at time of the required DSP review, including, but not limited to the following:
- a. Sections 27-544 regarding regulations in the M-X-T Zone;
 - b. Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
 - c. Section 27-548 regarding regulations in the M-X-T Zone; and
 - d. Parts 11 and 12 regarding parking and signage.

Conformance with the 2010 Prince George's County Landscape Manual

The approved development is subject to the requirements of the 2010 *Prince George's County*

Landscape Manual (Landscape Manual), including the following sections:

- a. Section 4.1, Residential Requirements
- b. Section 4.6, Buffering Development from Streets
- c. Section 4.7, Buffering Incompatible Uses
- d. Section 4.9, Sustainable Landscaping Requirements
- e. Section 4.10, Street Trees along Private Streets

Conformance with the requirements of the Landscape Manual will be evaluated at time of DSP.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development projects that proposes more than 5,000 square feet of GFA, or disturbance, and requires a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 8.84 acres in size and requires 0.88 acre of tree canopy coverage. Compliance with this requirement will be further evaluated at the time of DSP review.

16. **Parks and Recreation**—This PPS was reviewed for conformance with the requirements and policies of the 2013 Subregion 5 Master Plan and SMA; the *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*; the approved CSP-16005; and the Subdivision Regulations as they pertain to public parks and recreation facilities.

The Planning Board approved CSP-16005 in November 2017. The Department of Parks and Recreation staff reviewed and evaluated the CSP and recommended that at the time of PPS, the staff would apply the requirements of Section 24-135(b) of the Subdivision Regulations, in order to satisfy the Mandatory Parkland requirements. The relevant portion of that requirement is related to the provision of private, on-site recreational facilities.

With the submission of this PPS, the plans indicate that there will be approximately 5.2 acres of green space, and a playground for school-aged children; both maintained by the HOA. The site will be subject to DSP review, and the details concerning the recreational facilities will be determined at that stage.

The Planning Board finds that the provision of private on-site recreational facilities for the fulfillment of the requirements for mandatory dedication be adequate to serve the recreational needs of this community.

17. **Stormwater Management**—An approved SWM plan (No. 38664-2016-03) and approval letter was submitted with the subject application and was approved on July 9, 2019 with conditions, requiring the use of micro-bioretenion and a fee-in-lieu for the management of stormwater on the site. The concept approval expires April 23, 2022. Development shall conform with the SWM concept approval and any subsequent revisions to ensure no on-site or downstream flooding occurs.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, September 19, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of October 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:CD:gh

March 6, 2020

MEMORANDUM

TO: Thomas Burke, Urban Design Review, DRD

VIA: Howard Berger, Supervisor, Historic Preservation Section, CWPD *HSB*

FROM: Jennifer Stabler, Historic Preservation Section, CWPD *JAS*
Tyler Smith, Historic Preservation Section, CWPD *TAS*

SUBJECT: DSP-19066 Fallen Oak Townhomes

The subject property comprises 8.84 acres located approximately 1,200 feet northeast of the intersection of MD 381 and Dyson Road. The subject application proposes 44 townhouses. The subject property is Zoned M-X-T.

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. The subject property does not contain, and is not adjacent to, any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not required. Historic Preservation staff recommend approval of DSP-19066 Fallen Oak Townhomes with no conditions.

March 26, 2020

MEMORANDUM

TO: Thomas Burke, Senior Planner, Urban Design Review Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division *DAG*

FROM: Jonathan Greene, Planner, Neighborhood Revitalization Section, Community Planning Division *JWG*

SUBJECT: DSP-19066 Fallen Oak Townhomes

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan

Location: North side of Dyson Road approximately 1,200 ft. northeast of intersection of MD 381 with Dyson Road

Size: 8.84 acres

Existing Uses: Undeveloped

Proposal: 44 Single Family Attached townhomes

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in an Established Communities Growth Policy area. "Established Communities are most appropriate for context-sensitive infill and low-to-medium density development," (p. 20).

[Title]

Master Plan: The 2010 *Approved Subregion 5 Master Plan and Sectional Map Amendment* recommends Commercial use on the subject property. The property is zoned as M-X-T (Mixed-Use-Transportation Oriented).

Planning Area: 85A

Community: Brandywine & Vicinity

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone

SMA/Zoning: The 2013 *Approved Subregion 5 Sectional Map Amendment* reclassified the subject property into the M-X-T (Mixed-Use-Transportation Oriented) zone.

MASTER PLAN CONFORMANCE ISSUES:

None

ADDITIONAL INFORMATION

None

c: Long-range Agenda Notebook
Frederick Stachura, Planning Supervisor, Neighborhood Revitalization Section, Community Planning Division

Countywide Planning Division
Transportation Planning Section

301-952-3680

April 15, 2020

MEMORANDUM

TO: Thomas Burke, Urban Design Review Section, Development Review Division

VIA: Tom Masog, Transportation Planning Section, Countywide Planning Division

FROM: Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-19066 Fallen Oaks

Proposal

The applicant is proposing the construction of 44 single-family attached residential units.

Background

The subject project has been previously reviewed three times. It was reviewed as a Conceptual Site Plan (CSP)-16005 for 44 single-family attached residential units and 9,300 square-feet of commercial development and was approved. The Preliminary Plan of Subdivision (PPS) 4-16026 was reviewed for 42 single-family attached residential units, and six lots and was approved. In 2019, PPS 4-18033 was reviewed for 44 single-family attached residential units, and eight lots, and was also approved. While commercial development is proposed on the site, it will occur at a later date and under a separate plan.

Analysis of Traffic Impacts

Pursuant to Council Resolution CR-9-2017, the Brandywine Road Club fee for the subject application will be \$1,338 per dwelling unit to be indexed by the appropriate cost indices, to be determined by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). Pursuant to CB-22-2015, once the appropriate payment is made to the satisfaction of DPIE, no further obligation will be required of the applicant regarding the fulfillment of transportation adequacy requirements of Section 24-124(a).

Access at Dyson Road remains the same as is shown on the previous site plan. Circulation is still acceptable.

During the PPS, staff reviewed the traffic impact study in accordance with the required finding at that time. It was determined that a trip cap for the site was established at 31 AM and 35 PM trips.

The conditions in the PGCPB No. 19-100 resolution include:

3. **Development of the site, not including Outparcel 1, shall be limited to uses that would generate no more than 31 AM and 35 PM peak-hour vehicle trips. Any development generating an 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 44 townhouses proposed for this site are within the established trip cap of 31AM and 35 PM.

6. **Prior to approval of a permit for each single-family attached residential unit, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee for the Brandywine Road Club to be calculated as \$1,338 by (Engineering News Record Highway Construction Cost index at time of payment) / (Engineering News Record Highway Construction Cost Index for first quarter, 1993), as shown in accordance with Council Resolution CR-9-2017. All fees shall be paid to Prince George's County (or its designee), to be indexed by the appropriate cost indices to be determined by the Prince George's County Department of Permitting, Inspections and Enforcement.**

This condition will be enforced at building permit, with fees to be collected on a pro-rata basis by the County.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance.

April 13, 2020

MEMORANDUM

TO: Thomas Burke, Urban Design Section, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division

SUBJECT: Detailed Site Plan Review for Pedestrian and Bicyclist Transportation Master Plan Compliance

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2013 Approved Subregion 5 Master Plan* and sectional map amendment (area master plan) to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-19066

Development Case Name: Fallen Oaks Townhomes

Type of Master Plan Bikeway or Trail

Private R.O.W.	_____	Public Use Trail Easement	_____
County R.O.W.	<u>X</u>	Nature Trails	_____
SHA R.O.W.	_____	M-NCPPC – Parks	_____
HOA	_____	Bicycle Parking	_____
Sidewalks	<u>X</u>	Trail Access	_____
Add'l Connections	_____	Bike Signage Fee	_____

Development Case Background	
Building Square Footage (non-residential)	n/a
Number of Units (residential)	44 townhomes
Abutting Roadways	Dyson Road
Abutting or Nearby Master Plan Roadways	A-63
Abutting or Nearby Master Plan Trails	Side path along Dyson Road (planned), side path along A-63 (planned)
Proposed Use(s)	Residential
Zoning	M-X-T
Centers and/or Corridors	Branch Avenue Corridor
Prior Approvals on Subject Site	CSP-16005, 4-18033

Subject to 24-124.01:	Yes (4-18033)
Bicycle and Pedestrian Impact Statement Scope Meeting Date	11/21/2017

Previous Conditions of Approval

The subject site has the following prior approvals:

- CSP-16005
 - 2a: Applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - An eight-foot wide side path (or wide sidewalk) along the subject site's entire frontage of Dyson Road, unless modified by DPIE.
 - Sidewalk access to all residential units

Comment: The submitted plans include five-foot wide sidewalk along the frontage of Dyson Road, per the direction of the Department of Permitting, Inspections and Enforcement (DPIE). The submitted plans include sidewalk access to all residential units, in compliance with the condition above.

- 4-18033
 - 1b: Prior to signature approval of the preliminary plan of subdivision, the plan shall revise to:
 - Include an 8-foot wide side path (or wide sidewalk) along the site's entire frontage of Dyson Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.
 - 7: Prior to the approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following adequate pedestrian and bikeway facilities as designated below or as modified by the Prince George's County Department of Public Works and Transportation/Prince George's County Department of Permitting, Inspections and Enforcement, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. Construct the off-site sidewalk along Dyson Road as shown on the bicycle and pedestrian impact statement exhibit. Costs for the off-site improvement are subject to the \$13,200 cost cap specified in Section 24-124.01(c) of the Subdivision Regulations.
 - b. Construct a pedestrian crosswalk crossing the east leg of Dyson Road at Mattawoman Drive.

- 8: Prior to acceptance of a detailed site plan, an exhibit shall be provided that illustrates the location, limits and details of the off-site sidewalk construction and any necessary American with Disabilities Act (ADA) ramps, consistent with Section 24-124.01(f) of the Subdivision Regulations.

Comment: Per the direction of DPIE, the applicant is to provide a street section along Dyson Road that is consistent with the Prince George's County stand 100.6 (Urban Primary Residential Road), which provides an 18-foot wide travel lane from the centerline to curb face. The applicant has provided an additional five-feet over the minimum 13-foot travel to meet the 18-foot width required by DPIE, which will also allow for an on-road bicycle facility to be striped as a future roadway improvement by the Department of Public Works and Transportation (DPW&T). The provisions included in Condition 7 will remain in effect. The details of the off-site sidewalk construction and the associated crosswalk and signage are included on the submitted plans.

Review of Proposed On-Site Improvements

The submitted plans include an internal five-foot sidewalk network and five-foot sidewalk along the frontage of Dyson Road. The property was subject to Section 24-124.01 at the preliminary stage, to which a five-foot sidewalk extension from subject site to Mattawoman Drive and a crosswalk at the intersection of Dyson Road and Mattawoman Drive were proffered to meet the off-site bicycle and pedestrian adequacy requirement. These improvements will create a convenient pedestrian system that meet the findings pursuant to Sec. 27-546(d)(7) and the purpose of the M-X-T Zone.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to residential areas and a school directly across from the subject site with no current connections.

Review of Master Plan of Transportation (MPOT) Compliance

One master plan trail facility impacts the subject site, a shared-use sidepath/ wide sidewalk along Dyson Road. The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 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.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Comment: The submitted plans include an internal sidewalk network, providing access to all units, which fulfill the intent of Policy 1. Per DPIE, the eight-foot wide sidepath along the site's frontage of Dyson Road is not recommended at this time, however, the five-foot wide sidewalk recommended by DPIE will support pedestrian transportation.

The applicant is to provide 18-feet of travel lane from the centerline to face of curb to meet DPIE's requirements, which will also allow for an on-road bicycle facility to be striped as a future roadway improvement by the Department of Public Works and Transportation (DPW&T), and fulfill the intent of Policies 2 and 4 above.

Review of Area Master Plan Compliance

The 2013 *Approved Subregion 5 Master Plan* and sectional map amendment (area master plan) include the following recommendation related to pedestrian and bicycle transportation applicable to the subject site (pg.118):

- Promote pedestrian and bicycle opportunities as part of a multi-modal transportation network.
- Promote and encourage cycling and walking for commuting purposes as an alternative to driving a car.

Comment: Staff recommended continental crosswalks be striped at the subject sites entrance, crossing Draper Drive at Dyson Road; standard crosswalks crossing both legs of Mondavi Drive at its intersection with Draper Drive, and standard crosswalks crossing Corinthian Lane at both of its intersections with Mondavi Lane for a direct connection to the proposed recreation facilities.

Per the direction of DPIE, standard sidewalk is to be included within and along the roadway frontages of this development and fulfill the intent of the policy above. The proposed width of the travel lanes along Dyson Road will provide additional space for potential cycling to encourage alternative modes of transportation and fulfill the intent of the policy above.

Recommended Conditions of Approval

1. Prior to certification, the applicant and the applicant's heirs, successors, and/or assignees shall revise the site plan to provide the following:
 - a) Continental style crosswalk crossing Draper Drive at the intersection of Draper drive and Dyson Road,
 - b) Standard crosswalks crossing both legs of Mondavi Lane at its intersection with Draper Drive, and
 - c) Standard crosswalks crossing Corinthian Lane at both of its intersections with Mondavi Drive.

Countywide Planning Division
Environmental Planning Section

301-952-3650

April 15, 2020

MEMORANDUM

TO: Thomas Burke, Planner Coordinator, Urban Design Section, DRD

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section, CPD

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section, CWPD

SUBJECT: **Fallen Oaks; DSP-19066 and TCP2-034-96-08**

The Environmental Planning Section (EPS) has reviewed the above referenced Detailed Site Plan (DSP) stamped as received on March 6, 2020. Comments were provided in a Subdivision Development Review Committee meeting on March 20, 2020 and revised plan were received on April 9, 2020.

The Environmental Planning Section recommends approval of DSP-19066 and TCP2-034-96-08 subject to the conditions listed at the end of this memorandum.

Background

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-106-2016	N/A	Staff	Approved	9/09/2016	N/A
NRI-106-2016-01	N/A	Staff	Approved	9/06/2017	N/A
NRI-183-2017 (EL)	N/A	Staff	Approved	10/18/2017	N/A
CSP-16005	TCP1-029-94-01	Planning Board	Approved	11/09/2017	17-146
4-16026	TCP1-029-94-02	Planning Board	Approved	9/13/2018	18-90
4-18033	TCP1-029-94-03	Planning Board	Approved	9/19/2019	19-100
DSP-19066	TCP2-034-96-08	Planning Board	Pending	Pending	Pending

Proposed Activity

The applicant is requesting approval of the subject detailed site plan and a Type 2 Tree Conservation Plan (TCP2) for the construction of a townhouse development.

Grandfathering

The project is subject to the current regulations of Subtitles 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012 because the project has a previously approved preliminary plan of subdivision (4-18033).

Site Description

The 24.89-acres site (Parcel A and Parcel 133) is located on the north side of Dyson Road, approximately 1,200 feet east of Maryland 381 (Brandywine Road), in Brandywine. The site is currently vacant. A review of the available information indicates the site contains streams within the Middle Potomac watershed and drains toward Piscataway Creek, a Maryland Stronghold watershed, to the north. Floodplain and wetlands are mapped on this property. The Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP) shows no Rare, Threatened, or Endangered (RTE) species found to occur on, or near this property. Forest Interior Dwelling Species (FIDS) habitat and a FIDS buffer are mapped on-site.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions that need to be addressed with this application. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

Conceptual Site Plan, CSP-16005, approved by the Planning Board on November 9, 2017: The environmental conditions of approval found in PGCPB No. 17-146 were addressed prior to signature approval.

Preliminary Plan 4-18033, approved by the Planning Board on September 19, 2019: The environmental conditions of approval found in PGCPB No. 19-100 were addressed prior to signature approval, except for the following.

11. Prior to approval of a final plat:

- d. A conservation easement shall be described by bearings and distances. The conservation easement shall contain the floodplain, as determined by the Prince George's County Department of Permitting, Inspections and Enforcement, and all stream buffers shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning

Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

The condition shall be met at time of final plat.

- 12. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised as follows:**
 - a. Remove the "woodland cleared" shading completely from all plan sheets.**
 - b. Revise the revision number in the woodland conservation worksheet from "01" to "03."**
 - c. Revise the specimen tree chart ST-8 to read "variance approved with PPS 4-18033."**
 - d. Have the revised plan signed and dated by the qualified professional preparing the plan.**

This condition was met at time of TCP1 certification.

- 13. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-029-94-03. The following note shall be placed on the final plat of subdivision:**

"Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan, TCP1-029-94-03, or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

The condition shall be met at time of final plat.

Environmental Review

Natural Resource Inventory Plan/Existing Features

The application has two approved Natural Resource Inventories (NRI). NRI-106-2016-02 is for Parcel 133 (8.84 acres), approved on March 4, 2020. NRI-183-2017 (EL) is for the Parcel A (16.05 acres), approved on October 18, 2017. Overall, the 24.89-acre site contains woodlands, specimen trees, streams and associated buffers, wetlands and associated buffers, and floodplain within the delineated primary management area (PMA). Because no development is proposed on Parcel A at

this time, an NRI plan was not required. Specimen trees were only inventoried and evaluated for

Fallen Oaks
DSP-19066 and TCP2-034-96-08
April 15, 2020
Page 4

Parcel 133, where development is proposed. Although the general notes state that there are 57 specimen trees on site, the plan correctly shows and lists 40 specimen trees present on the site.

The TCP2 and the DSP show all the required information correctly in conformance with the approved NRIs. No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. Because part of the site was subject to an existing Type 1 and Type 2 Tree Conservation Plan (TCP1-029-94-02 and TCP2-034-96), the TCP2, shows the addition of Parcel 133 (Fallen Oaks). The overall TCP2 plan clarifies the limits of the DSP application.

Although the subject area of this detailed site plan application is currently zoned M-X-T, which has a 15 percent woodland conservation threshold, the TCP1 associated with CSP-16005 established a 20 percent threshold for the site as approved. The clearing shown on the TCP2 with the current application is consistent with the recently approved TCP1, but an additional 0.33 acres of off-site clearing is required for a sewer line extension.

As previously stated, no development is proposed on Parcel A at this time. Both the overall development and Fallen Oaks development woodland conservation worksheets must be provided on the TCP2. Currently, only the overall development worksheet is shown on the TCP2.

The overall site of the TCP2 is 198.16-acres. The TCP2 worksheet correctly calculates the woodland conservation threshold of 37.66 acres and an overall requirement of 54.57 acres. The requirement is proposed to be met with 57.78-acres of on-site woodland preservation, exceeding the 54.57acre requirement.

The Fallen Oaks development woodland conservation worksheet shows the phase as 8.84 acres with 8.42 acres of woodlands and a woodland conservation threshold of 1.75 acres. This project proposes to clear 3.46 acres on-site and 0.33 acres off-site for an overall requirement of 2.94 acres. The requirement is proposed to be met with 4.17 acres of on-site woodland preservation.

Technical revisions to the TCP2 are required prior to signature approval.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Environmental Technical Manual."

The approved Conceptual Site Plan CSP-16005 approved the removal of seven specimen trees (Specimen Trees 2, 3, 4, 5, 6, 7 and 9) and the Preliminary Plan of Subdivision (4-18033) approved the removal of one specimen tree (Specimen Tree 8). In addition to the eight (8) specimen trees previously approved for removal, this DSP proposes to remove three off-site specimen trees

(Specimen Trees 47, 57, and 58). These three trees are located on State Highway Administration (SHA) property. The applicant has permission to install the sewer line within the SHA property limits. The submitted TCP2 shows the removal of 11 specimen trees and the limits of disturbance on the plan also show that these trees are to be removed. Staff agrees that the removal of these three off-site specimen trees is warranted to perform the sewer line installation work. No variance is required for the removal of off-site trees.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (in inches) DBH	RATING	REASON FOR REMOVAL	STAFF'S RECOMMENDATION
2	Yellow Poplar	32	Fair -Good	Infrastructure	To be removed (Per CSP-16005)
3	Green Ash	30	Good	Infrastructure	To be removed (Per CSP-16005)
4	Green Ash	35	Good	Infrastructure	To be removed (Per CSP-16005)
5	Yellow Poplar	37	Good	Infrastructure	To be removed (Per CSP-16005)
6	Yellow Poplar	54	Excellent-Good	Infrastructure	To be removed (Per CSP-16005)
7	Yellow Poplar	31	Excellent-Good	Infrastructure	To be removed (Per CSP-16005)
8	Yellow Poplar	41	Good	Infrastructure	To be removed (Per 4-18033)
9	Sweetgum	38	Poor	Infrastructure	To be removed (Per 4-16005)
47	Southern Red Oak	30	Good	Off-site Sewer Connection	To be removed
57	Yellow Poplar	58	Poor	Off-site Sewer Connection	To be removed
58	Sweetgum	35	Poor	Off-site Sewer Connection	To be removed

Preservation of Regulated Environmental Features/Primary Management Area

Impacts to the Regulated Environmental Features (REF) should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly, and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for Stormwater Management (SWM) facilities.

Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. Stormwater management (SWM) outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

This site includes Regulated Environmental Features (REF) inclusive of the PMA which must be preserved and/or restored to the fullest extent possible. PMA Impacts were approved with

CSP-16005 (0.48 acres) and 4-18033 (0.09 acres) for the subject development. This DSP is requesting 0.31 acres of off-site PMA impact to connect to an off-site sanity sewer system. A statement of justification (SOJ) was received on April 9, 2020 for the proposed impacts to 0.31 acres of off-site PMA. The SOJ was reviewed for the proposed sewer connection alignment; however, impacts to REF can only be approved within the boundary of the subject application. The sewer connection is needed to serve the site and has been placed in a location that minimizes impacts to the extent practicable.

Soils

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resources Conservation Service (USDA NRCS), Web Soil Survey (WSS) are the Beltsville-silt loam, Beltsville-Urban land complex, Sassafras sandy loam and Udorthents soils. Marlboro and Christiana clays are not found to occur on, or in the vicinity of this property.

Summary of Recommended Findings and Conditions

The Environmental Planning Section recommends approval of DSP-19066 and TCP2-034-96-08 subject to the following finding and conditions:

Recommended Findings:

1. A variance from Section 25-122(b)(1)(G) was granted with the Conceptual Site Plan (CSP-16005) for the removal of eight existing specimen trees and another variance from Section 25-122(b)(1)(G) was granted with the Preliminary Plan (4-18033) for the removal of one existing specimen tree. The required findings of Section 25-119(d) were adequately addressed for the removal of specimen trees with these previous approvals.
2. The Regulated Environmental Features (REF) on the subject property have been preserved and/or restored in a natural state to the fullest extent possible based the limits of disturbance shown on the TCP2, and the evaluation provided with Conceptual Site Plan, CSP-16005, and Preliminary Plan, 4-18033.

Recommended Conditions:

1. Prior to certification of the detailed site plan, the TCP2 Plan shall be revised as follows:
 - a. Add TCP2-034-96-08 to the approval block, worksheet and all appropriate areas where the TCP2 is listed.
 - b. Remove the "woodland cleared" symbol from the plan view and the legend.
 - c. Remove the Tree Canopy Table from this TCP2 and add it to the Landscape Plan.
 - d. Show both the overall phased woodland conservation worksheet and the individual worksheet for the current phase on sheet 5 of the plan set. Revise the overall worksheet to account for the off-site clearing associated with the current phase.

- e. Add the following note under the TCP2 certification block:

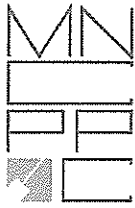
“Woodlands preserved, planted, or regenerated in fulfillment of on-site woodland conservation requirements have been placed in a Woodland and Wildlife Habitat Conservation Easement recorded in the Prince George’s County Land Records at Liber ____ Folio____. Revisions to this TCP2 may require a revision to the recorded easement.”

- f. Add the following note under the woodland conservation worksheet:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 (Section 25-122(b)(1)(G), approved by the Planning Board on November 9, 2017 with CSP-16005 the removal of 8 specimen trees (ST2, a 32-inch Yellow Poplar, ST3, a 30-inch Green Ash, ST4, a 35 inch Green Ash, ST5, a 35-inch Yellow Poplar, ST6, a 54-inch Yellow Poplar, ST7, a 31-inch Yellow Poplar, and ST9, a 38-inch Sweet Gum). The Planning Board on September 19, 2019 approved with 4-18033, the removal of one specimen tree (ST8, A 41-inch Yellow Poplar).”

- g. Have the revised plan signed and dated by the qualified professional preparing the plan.

If you have any questions concerning these comments, please contact me at 301-883-3240 or by e-mail at alwin.schneider@ppd.mncppc.org.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

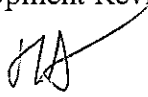
Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: March 23, 2020

TO: Thomas Burke, Senior Planner
Urban Design Section
Development Review Division
Department of Parks and Recreation

FROM: Helen Asan, Land Acquisition and Development Review Supervisor
Park Planning and Development Division
Department of Parks and Recreation 

SUBJECT: **DSP-19066 – Fallen Oaks Townhouses**

The staff of the Department of Parks and Recreation (DPR) has reviewed the subject Detailed Site Plan (DSP-19066) application for conformance to Preliminary Plan of Subdivision (PPS) 4-18033 conditions, as they pertain to public parks and recreation.

Condition #9 of the Preliminary Plan of Subdivision (PPS) 4-18033 required on-site recreational facilities. The applicant has submitted plans indicating that the on-site recreational facilities will include a 1,633 sq. ft. playground area. The Urban Design Section staff shall evaluate the on-site recreational facilities package for adequacy and proper siting with the submittal of the Detailed Site Plan and determine an appropriate trigger for construction to be reflected in the Recreational Facilities Agreement.



**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



M E M O R A N D U M

DATE: March 18, 2020
TO: Planning Coordinator, Urban Design Application Section
Development Review Division
FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division
SUBJECT: DSP-19066 Fallen Oak Townhomes

Upon review of the site plans for the Fallen Oak Townhomes, it was noted that there seems to be insufficient overflow/visitor parking.

Access control is one of the principles of CPTED. Having insufficient overflow parking could cause illegal parking in the community that could inhibit access by emergency vehicles. I recommend adding overflow/visitor parking that would be easily accessible to each row of homes.

According to the site plans, there are dead end streets in the community. I recommend the use of signage at those locations prohibiting parking and loitering.

From: [Reilly, James V](#)
To: [Burke, Thomas](#)
Subject: FW: EPlan ACCEPTANCE referral for DSP-19066, FALLEN OAK TOWNHOMES (PB) via DROPBOX
Date: Wednesday, March 18, 2020 12:04:41 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Good Afternoon Mr. Burke,

The Fire/EMS Department has reviewed the submittal for DSP-19066 Fallen Oak Townhomes. We have no comments at this time. Regards. Jim

James V. Reilly
Contract Project Coordinator III



Office of the Fire Marshal
Division of Fire Prevention and Life Safety
Prince George's County Fire and EMS Department
6820 Webster Street, Landover Hills, MD 20784

Office: 301-583-1830

Direct: 301-583-1838

Cell: 240-508-4931

Fax: 301-583-1945

Email: jvreilly@co.pg.md.us



Division of Environmental Health/Disease Control

Date: March 22, 2020

To: Thomas Burke, Urban Design, M-NCPPC

From:  Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-19066, Fallen Oak Townhomes

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a health impact assessment review of the detailed site plan submission for the Fallen Oak Townhomes and has the following comments / recommendations:

1. Health Department permit records indicate there is one existing carry-out/convenience store or grocery food facilities within a ½ 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. The applicant should consider setting aside retail space for a tenant that would provide access to healthy food choices in the area.
2. Ensure all components of well and septic structures that are discovered during the development of the site must be backfilled and abandoned to regulatory standards for guidance contact the Prince George's County Department of Environmental Health and Disease control at (301) 883-7681.
3. Increased traffic volumes in the area can be expected as a result of this project. scientific reports have found that road traffic, considered a chronic environmental Published stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests.
4. Indicate how the project will provide for pedestrian access to the site by residents of the surrounding community.



Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health

Angela Alsobrooks
County Executive

5. During the construction phases of this project, noise should not 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.
6. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. 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.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



COMMISSIONERS
 Chris Lawson, Chair
 T. Eloise Foster, Vice Chair
 Fausto R. Bayonet
 Howard A Denis
 Sandra L. Thompson

GENERAL MANAGER
 Carla A. Reid

October 25, 2019

Mr. Patrick Byrne
 Chadsworth Homes, INC
 1010 Rockville Pk., Suite 300
 Rockville, MD 20852

Re: Phase I Letter of Findings, WSSC Project No. DA6339Z17, Fallen Oak
 Townhouses

Dear Mr. Byrne:

A hydraulic planning analysis has been completed on the Fallen Oak Townhouses project. The project has been conceptually approved. Please refer to the enclosed 200'-scale sketch along with the summary table and list of conditions included in this letter, which provide the results of our analysis.

Please refer to the updated 200'-scale sketch enclosed along with the summary table and an all-inclusive list of project conditions provided below:

HYDRAULIC SUMMARY TABLE	
Proposed Development: 44 TH	
200-ft Sheet: 217&218SE07	
SEWER	WATER
WWTP Service Area: Piscataway	Hydraulic Zone Group: Prince George's High
Mini-Basin Number: 04-020	Pressure Zone: 385B
	High Grade: 385 feet
	Low Grade: 327 feet

The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued.

ASSESSMENT PAYOFF REQUIRED

The property to be developed has an existing benefit assessment. This project will not be granted a System Extension Permit until the existing assessment balance is paid. **If paid by May 31 2020, the amount required is \$1772.36.** Assessment payoff should be made immediately if plat is recorded before the System Extension Permit is granted.

SERVICE CATEGORY CHANGE REQUIRED

Design plans cannot be signed until this property is designated as water and sewer service category 3. Contact the Prince George's County Department of Permitting, Inspections & Enforcement (DPIE) at 301-636-2060 / Montgomery County Department of Environmental Protection at 240-777-7716 for more information on changing a property's category.

MANDATORY REFERRAL PROCESS

This project may be subject to the Maryland-National Capital Park and Planning Commission's Mandatory Referral Program, depending on its planned water / sewer infrastructures and associated appurtenances. It is the Applicant's responsibility to contact the appropriate County's Department of Park and Planning for specific guidance and their standards for Mandatory Referral Review. During Phase 2 Design Review, WSSC must be notified, if the project is subject to the Mandatory Referral Process.

SANITARY SEWER CONDITIONS

REQUIRED SANITARY SEWER MAIN SIZES

All sewer shall be 8-inch diameter gravity sewer.

ENVIRONMENTAL IMPACTS

The proposed sewer main outfall will impact wetlands, stream buffers, 100-year flood plain, steep slopes, and possibly large trees. The alignment may need adjustment during the design stage.

WATER MAIN EXTENSION CONDITIONS

LARGE DIAMETER WATER MAINS IN THE VICINITY

There is a 16-inch diameter water main located in the vicinity of this project. WSSC records indicate that the pipe material is Cast Iron (CI).

REQUIRED WATER MAIN SIZES

The diameters of the proposed mains, **4 and 8 inches**, are shown on the attached sketch.

ISOLATION VALVES

Provide sufficient numbers of isolation valves on new mains to provide redundancy. Isolation valves are required on existing public mains when a proposed main connects to an existing public main. See the sketch for preliminary locations of isolation valves. Keep valves *Open*. Numbers and exact location of valves will be determined during the Design phase.

INSTALL BOOSTER PUMPS

Due to low water pressure conditions (less than 40 psi), the on-site plumbing system requires booster pump installation. Booster pumps are required for buildings with first floor levels above elevation 235 feet / for all buildings.

EASEMENT CONDITIONS

GENERAL

WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

PRIVATE STREET & ALLEY EASEMENT REQUIREMENTS

Service mains proposed for this project are located in roadways that are or may be private. Private water and sewer mains are preferred in private streets and alleys. If the applicant desires public water and sewer mains in these private streets and alleys, then the following criteria must be met:

- All separation requirements in the latest WSSC Pipeline Design Manual (PDM) must be met.
- A 10 foot Public Utility Easements (PUE) shall be provided on both sides of the private street and/or alley or space within the private street will be provided to assure PDM separations are met and limiting utility crossings of the WSSC water and sewer lines.
- Blanket easements for other utilities (gas, electric, telephone, CATV, fiber optic, etc.) within the private street and/or alley parcel will not be allowed.

The HOA documents shall not provide for a blanket easement across and under a private street and/or alley parcel.

- Dry utilities are to be located in the PUE or as described above. No dry utilities are to be placed within the WSSC easement for public water and sewer except to cross perpendicular to the public water and sewer mains.
- The storm drain system located in a private street and/or alley containing public water and sewer mains shall also be public and maintained by the County.

COORDINATION WITH OTHER BURIED UTILITIES

Refer to the latest WSSC Pipeline Design Manual Pages G-1 and G-2 for utility coordination requirements. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC easement unless specifically approved by WSSC. Longitudinal occupancy of WSSC easements (by other utilities) is not permitted. Proposed utility crossings of WSSC pipelines or easements that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at the design plan review phase. Refer to the latest WSSC Pipeline Design Manual Part Three, Section 3. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including impacts to proposed street and building layouts.

The applicant must provide a separate "Utility Plan" to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and easements. Upon completion of the site construction, any utilities that are found to be located within WSSC's easements (or in conflict with WSSC pipelines) must be removed and relocated at the applicant's expense.

IMPACTS DUE TO GRADING / PIPE LOADING CHANGES

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC easement requires **advance approval** by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street easement requires WSSC approval directly on the original GEP **prior to** approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation, or abandonment) of existing WSSC facilities is done at the sole expense of the applicant / builder / developer. For Relocations work associated with a Systems Extension Project or a Site Utility Project, contact the Development Services Division. Please arrange for this review before plan submittal. See WSSC Design Manual C-11.

PROVIDE FREE EASEMENT TO WSSC

Easements across your property for water and sewer line placement must be provided at no cost to the WSSC. The Applicant shall execute and deliver on-property easements prior to plan approval in accordance with the Development Services Code, which shall constitute an irrevocable offer by the Applicant to convey all on-property easements to WSSC.

OFF-PROPERTY EASEMENTS MUST BE OBTAINED

The proposed sewer main extensions will require the acquisition of easements from other property owners. It is the Applicant's responsibility to obtain these easements.

ADHERE TO MINIMUM EASEMENT WIDTHS

The minimum easement width for a normal (14 inches diameter or less) extension, either water or sewer, installed at normal depth is 20 feet. A minimum easement width of 30 feet is required when both normal-diameter water and gravity sewer lines are installed in the same easement at normal depth. Installation of deep or large water and / or sewer mains will require additional easement width. For minimum horizontal separation between a building and a WSSC pipeline, refer to the requirements in the latest WSSC Pipeline Design Manual, Part Three, Section 3.c.2. Based on WSSC requirements, the minimum spacing between adjacent buildings with both water and sewer lines between them should be at least 40 feet and, in some cases, greater when connections, fire hydrants, or deep sewer or water lines are involved. Balconies and other building appurtenances are not to be within the easement. Additionally, water and sewer pipeline alignment should maintain 5 feet horizontal clearance from storm drain pipeline / structures and other utilities.

CONNECTION AND SITE UTILITY CONDITIONS

MINIMIZE CONNECTION LENGTHS

The length of all connections should be minimized.

ENVIRONMENTAL CONDITIONS

The applicant must resolve all environmental issues directly with the Environmental reviewer. All outstanding environmental issues must be resolved prior to the Design Phase.

The next step in the process is Phase 2, Review for System Integrity. Contact Permit Services at 301-206-8650 or at www.wsscwater.com for more information on electronic submittal of System Integrity Review Packages. Should you wish to schedule a

Mr. Patrick Byrne
October 25, 2019
Page 6

pre-design meeting, please contact me at (301) 206-7260 or
Kiaki.Yilma@wsscwater.com.

Sincerely,

A handwritten signature in black ink that reads "Kiaki Yilma". The signature is written in a cursive style with a large initial 'K'.

Kiaki Yilma
Project Manager
Development Services Division

Enclosure:

cc: Maser Consulting - John Clapsaddle
Ms. Beth O'Connell (beth.o'connell@wsscwater.com) - Development Section
Manager
Ms. Shirley Branch (sabbranch@co.pg.md.us) - Department of Permitting,
Inspections & Enforcement (DPIE)

811 PROTECT YOURSELF
 Call before you dig. STATE REQUIRED FILE NUMBER
 FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT:
 WWW.CALL811.COM

REV	DATE	DRAWN BY	DESCRIPTION

REV	DATE	DRAWN BY	DESCRIPTION

JOHN W. CLAPSADDE
 MARYLAND PROFESSIONAL ENGINEER - LICENSE NUMBER: 16956

PROFESSIONAL CERTIFICATION I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR SUPERVISED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. LICENSE NO. 16956 EXPIRES ON 04/30/25.

DETAILED SITE PLAN DSP-19066

APPLICANT
CHADSWORTH HOMES, INC.
FALLEN OAK TOWNHOMES

TAX MAP 145, GRID A2
 PARCEL 133

11th ELECTION DISTRICT
 PRINCE GEORGES COUNTY, MARYLAND

STERLING OFFICE
 22375 Braddock Drive
 Suite 110
 Sterling, VA 20166
 Phone: 703-430-4330
 Fax: 703-430-4339

SCALE	DATE	DRAWN BY	CHECKED BY
AS SHOWN	11/12/2019	JVC	SKW
PROJECT NUMBER:	14001890A	DRAWING NAME:	C:OTTP-PLAN-01

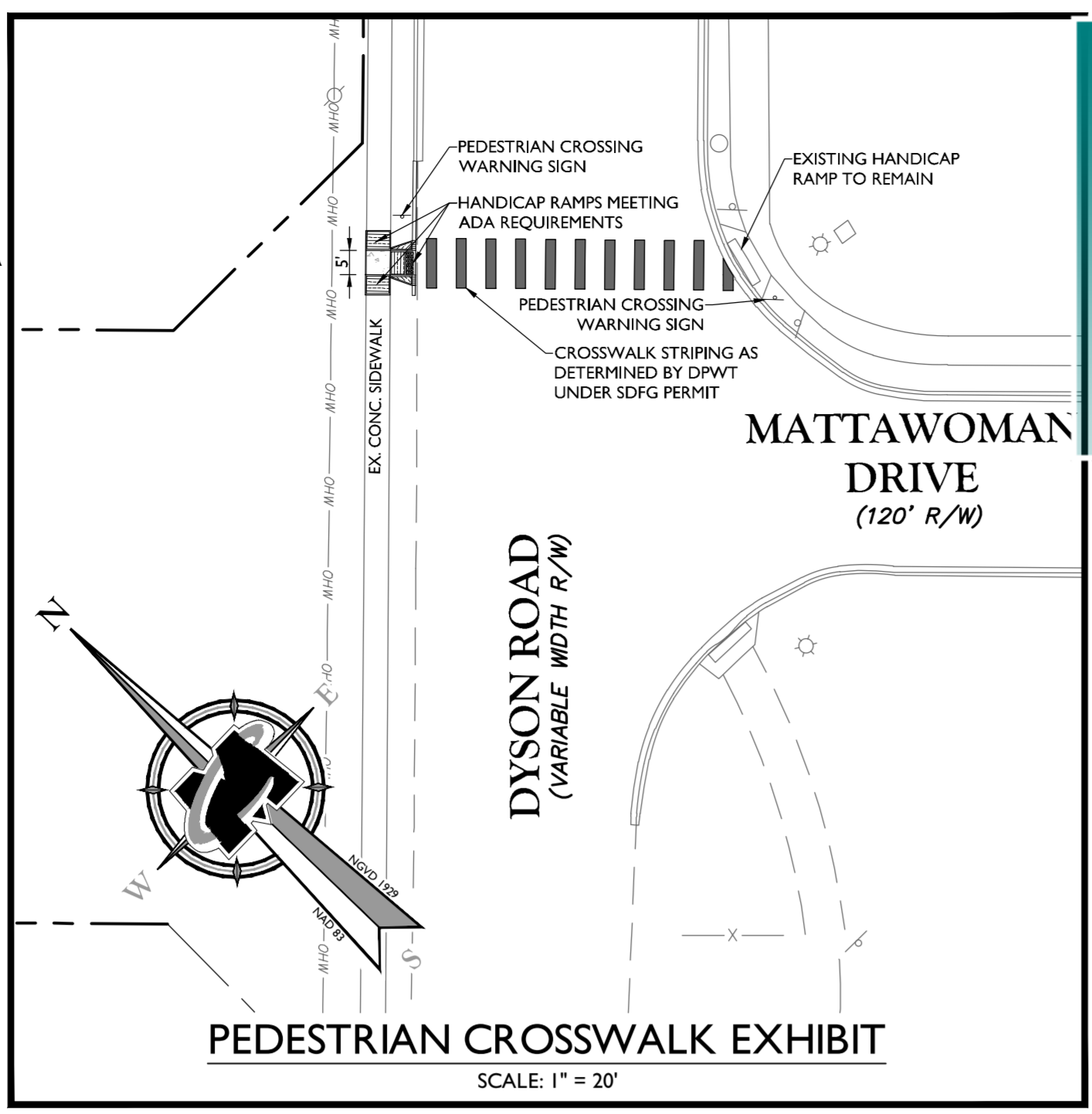
SHEET TITLE	SHEET NUMBER
SITE LAYOUT PLAN	3 of 8

1
2

5
6

7

- LEGEND**
- PROJECT BOUNDARY
 - PMA
 - STREAM BUFFER
 - 100-YEAR FLOODPLAIN LIMIT
 - WETLAND BUFFER LINE
 - WETLAND AREA
 - WATERS OF THE U.S.
 - CONCRETE PAVING
 - MOUNTABLE CURB
 - STANDARD CURB
 - RETAINING WALL
 - CHAIN LINK FENCE
 - SANITARY SEWER LINE
 - STORM DRAIN LINE
 - WATER LINE



3
4

ROUTE 301 CPI ASSOC. LTD PTNSHP
 PARCEL A, BLOCK M, HAMPTON
 L.37145 F. 402
 TAX ACCT #11-3489093
 ZONING: M-X-T
 USE: VACANT

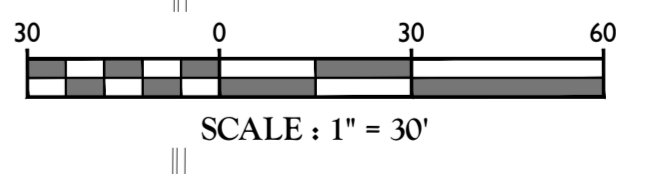
RECREATION FACILITIES
 (SEE ENLARGEMENT ON SHEET 8)

BOARD OF EDUCATION
 PARCEL 174
 L.3157 F. 001
 TAX ACCT #11-1136043
 ZONING: R-R
 USE: GWYNN PARK SENIOR HIGH SCHOOL

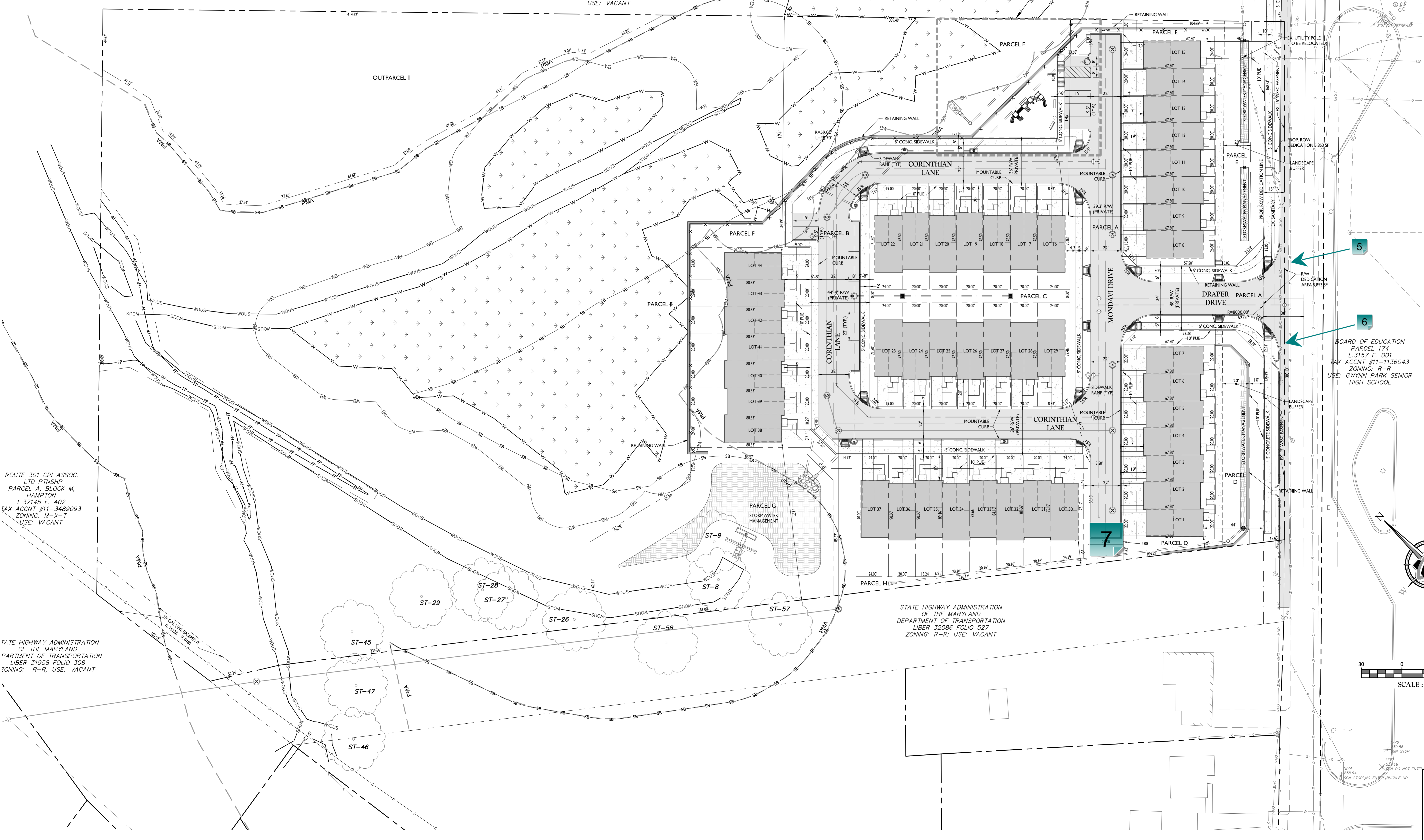
STATE HIGHWAY ADMINISTRATION
 OF THE MARYLAND
 DEPARTMENT OF TRANSPORTATION
 LIBER 32086 FOLIO 527
 ZONING: R-R; USE: VACANT

ROUTE 301 CPI ASSOC.
 LTD PTNSHP
 PARCEL A, BLOCK M,
 HAMPTON
 L.37145 F. 402
 TAX ACCT #11-3489093
 ZONING: M-X-T
 USE: VACANT

TATE HIGHWAY ADMINISTRATION
 OF THE MARYLAND
 DEPARTMENT OF TRANSPORTATION
 LIBER 31958 FOLIO 308
 ZONING: R-R; USE: VACANT



SCALE: 1" = 30'



1 - 1 - WSSC Plan Review Comments

Created by: Dagoberto Beltran
On: 03/12/2020 09:24 AM

WSSC Plan Review Comments
DSP-19066-Fallen Oak Townhomes

----- 0 Replies -----

2 - 2 - WSSC Standard comments for all plans

Created by: Dagoberto Beltran
On: 03/12/2020 09:25 AM

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.
2. Coordination with other buried utilities:
 - a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
 - b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
 - c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
 - d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSC pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
 - e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
 - f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
 - g. Upon completion of the site construction, utilities that are found to be located within WSSC rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.
3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.
4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at <https://www.wsscwater.com/business--construction/developmentconstruction-services.html> for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

----- 0 Replies -----

3 - WSSC Standard Comments

Created by: Kiaki Yilma
On: 03/13/2020 01:09 PM

DESIGN COMMENTS:

WATER

1. Existing water mains shown on plan should be labeled with correct pipe size, material and WSSC contract number, per mark up..
2. There is a 16- inch diameter water main located on or near this property. WSSC records indicate that the pipe material is [Ductile Iron (DI), Cast Iron (CI), Prestressed Concrete Cylinder Pipe (PCCP), unknown]. Prior to submittal of Phase 2 System Integrity review, it is the applicant's responsibility to test pit the line and determine its exact horizontal and vertical location as well as to verify the type of pipe material. The applicant's engineer is responsible for coordinating with WSSC for monitoring and inspecting test pits for this project.
3. Water pipelines 12-inch and smaller must have the greater of: a minimum of 15 feet horizontal separation from any building or dwelling or a 1:1 slope from the bottom of the foundation of the existing or proposed building to the bottom edge of the pipeline trench.
4. The WSSC 2019 Plumbing & Fuel Gas Code has been adopted and is effective March 1, 2019.
The minimum size new water service connection for Group R-3 occupancies shall be 1.5 inches. Water service connections that are already buried may be utilized provided they are deemed adequate to serve the greater demand of either the total proposed fixture load or the fire sprinkler system. See WSSC 2019 WSSC Plumbing & Fuel Gas Code 111.1.1.1

SEWER

1. For sewer pipelines 12-inch and smaller in diameter, provide a minimum separation from a building or dwelling the greater of the following: fifteen (15) feet horizontal separation or a distance on a 1:1 slope from the bottom of the foundation of the existing or proposed building or dwelling to the bottom edge of the

Pipeline Crossings and Clearances.

1. Show and label easement limits on plan for all existing and proposed sewer mains.

EASEMENTS

1. WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC 2017 Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

2. Private Street & Alley Easement Requirements. Service mains proposed for this project are located in roadways that are or may be private. Private water and sewer mains are preferred in private streets and alleys. If the applicant desires public water and sewer mains in these private streets and alleys, then the following criteria must be met:

- All separation requirements in the WSSC 2017 Pipeline Design Manual (PDM) must be met.
- A 10 foot Public Utility Easements (PUE) shall be provided on both sides of the private street -and/or alley or space within the private street will be provided to assure PDM separations are met and limiting utility crossings of the WSSC water and sewer lines.
- Blanket easements for other utilities (gas, electric, telephone, CATV, fiber optic, etc.) within the private street and/or alley parcel will not be allowed. The HOA documents shall not provide for a blanket easement across and under a private street and/or alley parcel.

-- Dry utilities are to be located in the PUE or as described above. No dry utilities are to be placed within the WSSC easement for public water and sewer except to cross perpendicular to the public water and sewer mains.

-- The storm drain system located in a private street and/or alley containing public water and sewer mains shall also be public and maintained by the County.

3. WSSCs minimum easement width for a normal (14-inch diameter or less) pipeline (water or sewer at normal depth) is 20-feet. When both water and sewer (normal diameter and depth) are installed in the same easement, the minimum width is 30-feet. Installation of deep or large water/sewer will require additional easement width.

4 The minimum horizontal clearance from a building to the outside diameter of a WSSC pipeline is 15-feet. The minimum spacing between adjacent buildings with both water and sewer lines between them must be 40-feet. In some cases where connections, fire hydrants, or deep water/sewer lines are involved, additional easement width is required.

5. Balconies or other building appurtenances must not encroach within WSSC easements. Water/Sewer pipeline alignment should maintain a minimum 5-foot horizontal clearance from storm-drain pipeline/structures and other utilities. Review of plan submitted does not meet these requirements.

6. Acquisition of off-site easements from other property owners will be required for the proposed (water/sewer) extension(s). The Applicant is responsible for obtaining the easements. Delineate and show the proposed off-site easement limits on plan. See WSSC Design Manual C-2.1

ENVIRONMENTAL

1. Geotechnical and Corrosion Submittal will be required. It appears that sources of stray current have been identified within 2,000 feet of this site. See WSSC 2017 Pipeline Design Manual Part Three

GENERAL

1. A proposed site development project was previously submitted to WSSC (DA6339Z17) and is a conceptually approved project. Contact Kiaki Yilma at (301) 206- or Kiaki.Yilma@wsscwater.com for information.

2. Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.

----- 0 Replies -----

4 - WSSC Hydraulics

Created by: Kiaki Yilma
On: 03/13/2020 01:11 PM

HYDRAULICS COMMENTS:

GENERAL

1. See the attached Letter of Findings for existing WSSC project number DA63339Z17.

SERVICE CATEGORY

- 1. This projects in Service Category W-4 and/or S-4 so the design plans cannot be approved until the property is designated W-3 and/or S-3.
- 2. To request a change contact the Department of Permitting, Inspection and Enforcement 301-636-2060. (Select appropriate County)

----- 0 Replies -----

5 - contract ex. water

Created by: Kiaki Yilma
On: 03/16/2020 10:57 AM

16- in PCCP 1966-2603A

----- 0 Replies -----

6 - ex. water contract

Created by: Kiaki Yilma
On: 03/16/2020 10:57 AM

16-in cast iron pipe 1965-3142

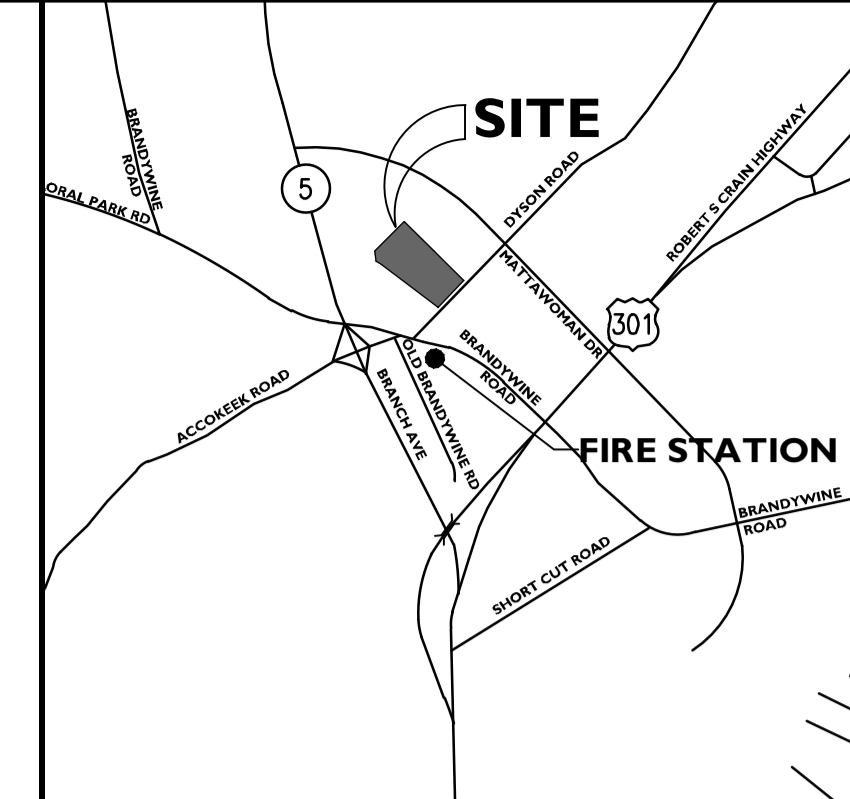
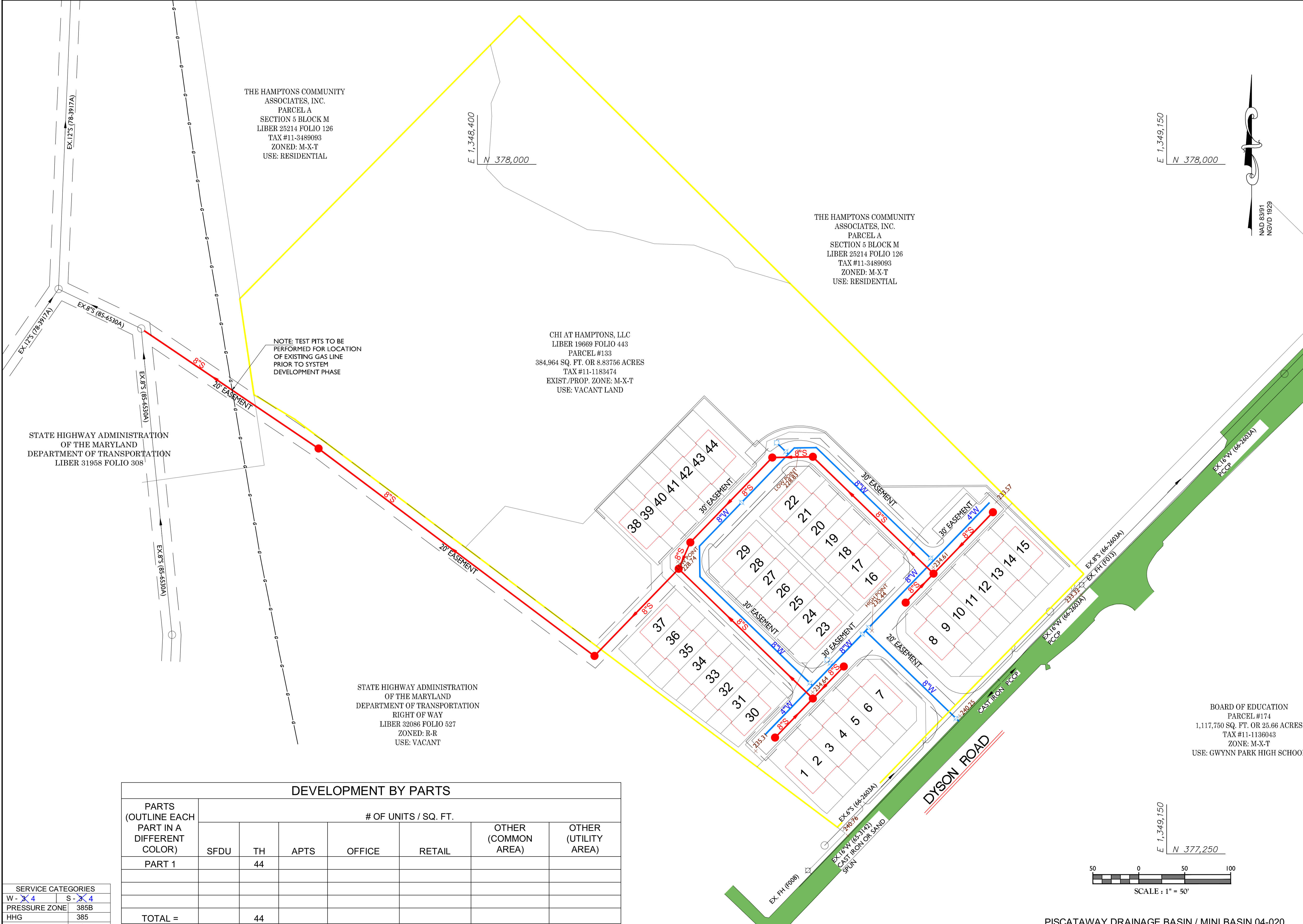
----- 0 Replies -----

7 - Blow offs

Created by: Kiaki Yilma
On: 03/17/2020 03:58 PM

Add reminder that 4" W lines will need blowoffs.

----- 0 Replies -----



VICINITY MAP
 SCALE 1" = 2000'
 Prince George's Co. PAGE 25 GRID E10, F10

- LEGEND**
- APPLICANT'S PROPERTY
 - EXISTING WATER MAINS (CONTRACT # & SIZE)
 - EXISTING SEWER MAINS (CONTRACT# & SIZE)
 - PROPOSED WATER MAINS
 - PROPOSED SEWER MAINS
 - PS** **FM** PROPOSED PRESSURE SEWER/ FORCE MAIN
 - DEPENDENT PROJECT WATER MAINS (CONTRACT# & SIZE)
 - DEPENDENT PROJECT SEWER MAINS (CONTRACT # & SIZE)
 - EXISTING BUILDINGS
 - PROPOSED BUILDINGS
 - BOUNDARY OF GOV'T PARKS / BOARD OF ED PROPERTY
 - ADJACENT PROPERTIES
 - ABUTTING ROADS W/ NAMES
 - EXISTING PAVING
 - PROPOSED ON-SITE WATER
 - PROPOSED ON-SITE SEWER
 - PROPOSED SEWER SERVICE CONNECTIONS (COMMERCIAL, APARTMENT, & AS NEEDED)
 - XX' ESMT EXISTING / PROPOSED EASEMENTS
 - PROPOSED MAJOR CONTOURS (EVERY 10' - IF AVAIL, IF NOT PROVIDE EXISTING CONTOURS)
 - PROPOSED MINOR CONTOURS (EVERY 2' - IF AVAIL, IF NOT PROVIDE EXISTING CONTOURS)
 - HP/LP
X XXX.XX PROPOSED HIGH/LOW POINT ELEVATIONS

APPROVED
Kiaki Yilma
October 25, 2019

DEVELOPMENT BY PARTS							
PARTS (OUTLINE EACH PART IN A DIFFERENT COLOR)	# OF UNITS / SQ. FT.					OTHER (COMMON AREA)	OTHER (UTILITY AREA)
	SFDU	TH	APTS	OFFICE	RETAIL		
PART 1		44					
TOTAL =		44					

SERVICE CATEGORIES	
W - X 4	S - X 4
PRESSURE ZONE	385B
HHG	385
LHG	327

ENGINEER:
 NAME: MASER CONSULTING, PA
 ADDRESS: 22375 BRODERICK DR. STERLING VA
 PHONE: (703) 430-4330
 CONTACT: JOHN CLAPSADDLE
 EMAIL: JCLAPSADDLE@MASERCONSULTING.COM

APPLICANT:
 NAME: CHADSWORTH HOMES, INC.
 ADDRESS: 1010 ROCKVILLE PIKE, ROCKVILLE MD 20852
 PHONE: (703) 556-9569
 CONTACT: PATRICK BYRNE
 EMAIL: PBYRNE@CHDC.ORG

PISCATAWAY DRAINAGE BASIN / MINI BASIN 04-020
HYDRAULIC PLANNING ANALYSIS
 FALLEN OAK TOWNHOMES

CONTRACT DA6339Z17
 200'S 217 & 218 SE 07 09/13/2019

WASHINGTON SUBURBAN SANITARY COMMISSION

TEMPLATE LAYOUT CURRENT as of: 01/17/2018

VERIFY SCALE - BAR IS ONE INCH ON ORIGINAL DRAWING 0 1" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY.