

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 14, 2017, regarding Specific Design Plan SDP-1701 for Timothy Branch, Phase 1, the Planning Board finds:

1. **Request:** The subject application is for approval of a specific design plan (SDP) for the first phase of residential development of Timothy Branch. This SDP includes 39 single-family detached, 18 single-family semidetached, 194 single-family attached (townhouses), and 72 two-family attached (two-over-two) residential units.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zones	L-A-C/R-M/M-I-O	L-A-C/R-M/M-I-O
Use	Vacant	Residential
Gross Total Acreage	322.41	322.41
R-M Zone	250.15	250.15
L-A-C Zone	72.26	72.26
Gross Floor Area	0	0
Residential Units in SDP-1701	0	323
Single-Family Detached	0	39
Single-Family Semidetached	0	18
Single-Family Attached	0	194
Two-Family Attached	0	72

OTHER DEVELOPMENT DATA—PARKING

	REQUIRED	APPROVED
39 Single-family detached units	78	117*
18 Single-family semidetached units	36	54*
194 Single-family attached units	396	388**
72 Two-family attached units	147	72***
Surface parking	0	104
Clubhouse/Pool	36	36
Total	693	771

Note: *Two spaces in each garage and one in each driveway.

** One in each garage and one in each driveway.

*** One space in each garage.

K. HOVNIANIAN ARCHITECTURAL TYPES (BASE FINISHED FLOOR AREA)

Single-Family Detached

Callahan I	3,258 square feet
Callahan II	3,894 square feet
Hanover	1,803 square feet
Lancaster	3,316 square feet
Lexington	3,784 square feet
Remington	2,362 square feet
Tomasen	3,246 square feet
Wedgewood	2,800 square feet

Single-Family Semi-detached

Roanoke I	2,281 square feet
Shenandoah	1,990 square feet

Single-Family Attached

Adams II/III	1,667 square feet
Stillwater I/II	2,238 square feet

Two-Family Attached

Dylan	2,746 square feet
Riley	1,593 square feet

3. **Location:** The subject property is in the middle of a larger development known as the Villages at “Timothy Branch,” which is a tract of land consisting of wooded undeveloped land and open-farm land located on the eastern side of Robert S. Crain Highway (US 301), southeast of its intersections with Branch Avenue (MD 5) and Brandywine Road (MD 381), in Planning Area 85A, Council District 9.
4. **Surrounding Uses:** The entire Timothy Branch property consists of 322.41 acres and is bounded to the north by Brandywine Road (MD 381); to the northwest by Short Cut Road; to the east by the Timothy Branch Stream Valley; to the south by vacant and light industrial uses in the I-1 (Light Industrial) and I-3 (Planned Industrial/Employment Park) Zones; and to the west by Robert S. Crain Highway (US 301), a single commercial parcel zoned C-M (Miscellaneous Commercial), and multiple I-1-zoned industrial parcels along the US 301 frontage. Additionally, there is an internal parcel (Parcel E) located in the central northern portion of the property, which is split zoned I-3 and E-I-A (Employment and Institutional Area) and is developed as an existing warehouse. The 72.26-acre L-A-C-zoned (Local Activity Center) portion of the property is in the northeastern corner, just south of MD 381, and the 250.15-acre, R-M-zoned (Residential Medium Development) portion is located in the south, abutting US 301. The Phase 1 included in this SDP is located in the R-M Zone.
5. **Previous Approvals:** Zoning Map Amendments (Basic Plans) A-9987 and A-9988 were approved by the District Council on July 11, 2008, rezoning the property from the I-3 and E-I-A Zones to the L-A-C and R-M Zones, subject to 12 conditions and one consideration. The 2013 *Approved Subregion 5 Sectional Map Amendment* retained the subject property in the R-M and the L-A-C Zones.

Comprehensive Design Plan CDP-0901 for the L-A-C-zoned portion was approved by the Prince George’s County Planning Board on October 7, 2010 (PGCPB Resolution No. 10-111). The Prince George’s County District Council elected to review the case, which they did at a hearing on November 14, 2011 and issued an order of approval on January 23, 2012, subject to 46 conditions. Subsequently, the applicant requested a reconsideration of the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution (PGCPB Resolution No. 10-111(A)), including 38 conditions, was adopted by the Planning Board on the same day.

Comprehensive Design Plan CDP-0902 for the R-M-zoned portion was approved by the Planning Board on October 7, 2010 (PGCPB Resolution No. 10-110). The District Council elected to review the case, which they did at a hearing on November 14, 2011. The District Council remanded the case to the Planning Board on January 23, 2012, and the case was reapproved by the Planning Board on April 5, 2012. The District Council reviewed the revised approval and issued an order of approval on November 4, 2013, subject to 50 conditions. Subsequently, the applicant requested a reconsideration of the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution (PGCPB Resolution No. 10-110(A)) including 42 conditions, was adopted by the Planning Board on the same day.

Preliminary Plan of Subdivision (PPS) 4-09003 covering the entire Timothy Branch project was approved by the Planning Board on October 28, 2010 (PGCPB Resolution No. 10-117). The applicant's request for a reconsideration of this decision was granted and, on April 5, 2012, the Planning Board heard testimony regarding the reconsideration and approved PPS 4-09003 subject to the 32 conditions contained in PGCPB Resolution No. 10-117(A/1).

An SDP for infrastructure, Specific Design Plan SDP-1304, which included rough-grading, dedication and construction of Mattawoman Drive, and stormwater management pond, was approved by the Planning Board on October 23, 2014 (PGCPB Resolution No. 14-116). The current proposed site development has an approved Stormwater Management Concept Plan, 11355-2009-00, which was approved on May 9, 2017 and is valid through May 9, 2020.

6. **Design Features:** The subject SDP is for Phase 1 of the residential development of the subject property. The area of impact in this phase is in the middle eastern portion of the larger 322.41-acre property, entirely within the R-M-zoned portion. The previously approved SDP-1304 for infrastructure includes construction of the main public spine road, Mattawoman Drive, through the property, which will provide access to the residential units in this SDP. The northern pod, which was referred to as Residential Module 1 in the CDP-0902, includes 137 single-family attached and all 72 two-family attached residential units and is accessed via a single private road off of Mattawoman Drive. A network of private roads and alleys provide a looped on-site circulation. Rear-loaded two-family attached units front on Mattawoman Drive, with both front and rear-loaded townhomes provided behind the two-family units located around a central multi-age playground area.

The southern pod, which is part of the area known as Residential Module 2 on CDP-0902, includes 39 single-family detached, 18 single-family semi-detached, and 57 single-family attached (townhouse) residential units and is accessed via two public streets off of Mattawoman Drive. The rear-loaded townhouses front on Mattawoman Drive and are served by a double-loaded alley. Just east of the townhouse section is the main recreation area, including a clubhouse, pool, tot-lot, pre-teen playground, and open play area, as required by the CDP approval. East of the recreation area, the single-family detached and single-family semi-detached homes with front-load garages are arranged along curvilinear streets.

The subject application proposes multiple architectural models from K. Hovnanian for all unit types, including seven single-family detached models that range from a base square footage of 1,803 to 3,894 square feet. The two single-family semidetached models range from 1,990 to 2,281 square feet, the two single-family attached models range from 1,667 to 2,238 square feet, and the two two-family attached models range from 1,593 to 2,746 square feet. All models include multiple elevations with varied rooflines and roof types, a variety of façade options including full or partial brick, stone, and siding front façades and partial stone façades. Other features include cross gables, dormers, bay and double-bay windows, and a variety of garage configurations.

The subject application also proposes 13 freestanding signs throughout the entire Timothy Branch property along Mattawoman Drive. These freestanding monument features vary from a large eight-foot-high, curvilinear wall near the main entrance to the development at the intersection of Mattawoman Drive and Brandywine Road to an approximately 20-foot length of fence with five-foot-high brick piers at either end that includes a logo plaque. All of the signs are proposed to be made of quality materials, such as brick and stone veneer, precast stone, and composite fencing. The actual signage areas will be precast stone engraved with either "Timothy Branch" or the logo "TB." Decorative shrub and annual plantings are proposed around all of the signs, except for the fence/piers combination. The Planning Board is the approval authority for all on-site signs located on the subject site, which is located in a comprehensive design zone per Section 27-614(f)(1) of the Zoning Ordinance. The proposed signs are well-designed, with high-quality materials, and are of average size that are acceptable.

During the public hearing for this SDP on September 14, 2017, the applicant provided an additional rendering of the proposed recreational facility package that was introduced as the applicant's exhibit in the record of this case. The proposed recreational facility package is sufficient to serve the development and is acceptable.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-9987:** Basic Plan A-9987-C was approved by the District Council on July 11, 2008 subject to 12 conditions and one consideration. The following are applicable to the review of this SDP:

Land Use Types and Quantities:

A-9987:

Total area:	262± acres
Land in the 100-year floodplain:	19 acres
Adjusted gross area:	243 acres
Density permitted under the R-M Zone:	3.6–5.7 du/ac
Permitted Dwelling Unit Range	874.8–1385.1 du

Proposed Land Use Types and Quantities:

One-family detached, townhouse, one-family attached, two-family attached (two-over-two), and multifamily and recreational facilities.

Conformance with these requirements was found at the time of comprehensive design plan (CDP) approval. The subject SDP proposes 323 residential units within the RM-zoned portion of land governed by A-9987. This is just the first phase of the residential development. The density proposed at this time is 1.33 dwelling unit per acre that falls well below the approved range. The subject SDP proposes one-family detached, townhouse, one-family attached, two-family attached (two-over-two) units, and recreational facilities.

Conditions

- 3. The applicant shall construct the Master Plan hiker-biker-equestrian trail along the subject site's entire segment of Timothy Branch either within M-NCPPC parkland or within HOA land within a public use trail easement. Trail connectors should be provided from the Master Plan trail to adjacent development envelopes.**

Conformance with this condition was found at the time of CDP. A portion of the specified trail is within this phase of development and shown on the submitted SDP. The location and alignment of the stream valley trail, within proposed homeowners association property, is acceptable as shown.

- 5. The applicant shall provide standard sidewalks along both sides of Mattawoman Drive, unless modified by DPW&T.**

Sidewalks along Mattawoman Drive were addressed with the SDP-1304 approval for the road infrastructure.

- 6. The applicant shall provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T. The sidewalk and trail network will be evaluated in detail at the time of Preliminary Plan and Specific Design Plan. Trail connectors may be warranted to the proposed recreation center and park/school site.**

Sidewalks are shown at all appropriate locations on-site. An extensive network of trails supplements the sidewalk network.

- 10. Woodland conservation that is required by the Woodland Conservation Ordinance shall be provided on-site to the greatest extent possible.**

A revised Type II Tree Conservation Plan (TCPII-068-93-02) was submitted with the current application. The TCPII proposes to meet approximately 77 percent of the overall requirement on-site.

- 8. Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-M and M-I-O Zones of the Zoning Ordinance. Since no development is proposed within the L-A-C Zone portion of the property, exclusive of site signage, conformance with those requirements is not required at this time.
- a. The subject application is in conformance with the applicable requirements of Section 27-507, Purposes; Section 27-508, Uses; and Section 27-509, Regulations, governing development in the R-M Zone.

- b. Military Installation Overlay Zone: A portion of the project is also located within the Noise Impact Zone (65-70 dBA noise contour) of the Military Installation Overlay Zone. A Phase II noise study has been submitted with the SDP that shows all interior noise levels of the residential homes will be mitigated to 45 dBA Ldn or less and there is no outdoor play area located within noise contours higher than 65 dBA Ldn.
- c. Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of a SDP:

- (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

The plan conforms to the requirements of Comprehensive Design Plan CDP-0902 as detailed in Finding 9 and the 2010 *Prince George's County Landscape Manual* as detailed in Finding 12 below.

Section 27-274(a)(1)(B) of the Zoning Ordinance requires an applicant to provide justification for noncompliance with any of the design guidelines for townhouses and three-family dwellings, but the subject application complies with all of the applicable design guidelines for townhouses in Section 27-274(a)(11) as follows:

- (A) **Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**

In many areas, mature trees could not be retained on-site in open space areas between rears of townhouse buildings because this arrangement of buildings only occurs in the central, denser portion of the pods.

- (B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**

The plan shows a townhouse layout with units at right angles in a semi-courtyard design, with fronts on roadways throughout.

- (C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

Recreational facilities are separated from dwelling units on-site with roadways, alleys, parking and proposed plantings. Sufficient separation is provided for privacy, while still integrating the facilities into the community.

- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

Conditions have been included in this resolution regarding the application of varied roof features and avoiding the use of the same front elevation on units next to each other.

- (E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.**

No rears of townhouses are oriented towards public rights-of-way or parking lots, except for small visitor parking areas.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

The plan shows a two-foot offset between units in all buildings in conformance with this requirement.

The applicable regulations for townhouses set forth in Section 27-433(d) are as follows:

(1) All dwellings shall be located on record lots shown on a record plat.

The proposed lots are required to be recorded on a plat prior to issuance of permits.

(2) There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. 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, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.

The plan conforms to these requirements as there are no more than six dwelling units in any horizontal, continuous, attached townhouse group.

(3) The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet for townhouses, and twenty-two (22) feet for one-family attached metropolitan dwellings. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.

All of the proposed townhouse units are 20 or 24 feet wide and all units have a slightly different design, including various specialty windows and entry trim.

- (4) The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.**

The minimum gross living space proposed for the townhouses is 1,667 square feet in conformance with this requirement.

- (5) Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwalls treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

All architectural elevations of endwalls include a minimum of two architectural features. A condition has been included in this resolution requiring first-story brick, stone, stucco, or other masonry treatments, combined with at least three windows, doors, or other substantial architectural features, on all highly-visible endwalls.

- (6) Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

The architecture demonstrates conformance with this requirement.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one “front.”**

The SDP includes notes and a tracking chart regarding the requirement for 60 percent of the townhouse units to have a full-front facade of brick, stone or stucco.

- (8) **One-family attached metropolitan dwellings shall be designed with a single architecturally integrated “Front Wall.” A minimum of one hundred percent (100%) of the “Front Wall”, excluding garage door areas, windows, or doorways shall be constructed of high quality materials such as brick or stone and contain other distinctive architectural features.**

The proposed units are not one-family attached metropolitan dwellings.

- (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The subject project is not a regional urban community. Therefore, the requirements of this subpart are not applicable.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The Planning Board found that the area within this plan will be adequately served within a reasonable period of time with existing or programmed transportation facilities, or with transportation facilities to be provided as a part of the subject development. The Planning Board further found that the development will be adequately serviced within a reasonable period of time by other public facilities.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

The applicant has an approved stormwater management plan and final technical plan approval for the proposed ponds, which are currently under construction. Therefore, adequate provision has been made for draining surface water, with no adverse effects.

(4) The plan is in conformance with an approved Type 2 Tree Conservation Plan;

The Planning Board approved Type II Tree Conservation Plan TCPII-068-93-02, subject to conditions. Those conditions have been included in this resolution. Therefore, the plan is in conformance with an approved TCPII.

(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

The Planning Board found that the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the TCPII submitted with the current application. The primary management area (PMA) impacts shown on the SDP and TCPII plan are consistent with those previously approved with PPS 4-09003.

9. **Comprehensive Design Plan CDP-0902:** Comprehensive Design Plan CDP-0902, for the R-M-zoned portion of the subject property, was originally approved by the Planning Board on October 7, 2010 (PGCPB Resolution No. 10-110). It was then remanded by the District Council to the Planning Board on January 23, 2012, and the case was reapproved by the Planning Board on April 5, 2012. The District Council elected to review the remand, and issued an order affirming the Planning Board's approval on November 4, 2013, subject to 50 conditions. Subsequently, the applicant requested a reconsideration to the decision, which was reviewed and approved by the Planning Board on March 19, 2015. The final resolution, including 42 conditions, was adopted by the Planning Board on March 19, 2015 (PGCPB Resolution No. 10-110(A)). The conditions of approval are applicable to the review of the subject SDP and warrant discussion as follows:

1. All conditions of approval of Basic Plan A-9987 shall remain in full force and effect.

Review of applicable Basic Plan (A-9887) conditions of approval as discussed in Finding 7 above, leading to a determination of conformance.

2. The total areas within the L-A-C zone (CDP-0901) and the R-M zone (CDP-0902) comprise a combined total trip cap of 1,269 trips in the AM and 1,775 trips in the PM. If the densities of the L-A-C zone or the R-M zone are modified for any reason, trips may be re-allocated between these two zones (CDP-0901 & CDP-0902) such that the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.

This condition sets an overall trip cap for the whole of the Villages at Timothy Branch (covered by CDP-0901 and CDP-0902). The trip cap was based, in part, on 1,200 residences. A table is provided in finding below regarding trip generation; nevertheless, the current plan complies with this condition.

- 3. A minimum 50-foot building restriction line (BRL) as measured from the ultimate right-of-way of Mattawoman Drive shall be provided on the Specific Design Plan (SDP) unless it is determined that a lesser BRL provides sufficient area to adequately buffer the dwellings from the roadway.**

The applicant is requesting a modification of this development standard for the 72 two-family attached units located on Parcels 1–6 in Block C. In accordance with Condition 5 of Comprehensive Design Plan CDP-0902, modification of the standards is permitted on a lot-by-lot basis at the time of SDP. The applicant contends that a 26-foot building restriction line (BRL) from the ultimate right-of-way of Mattawoman Drive, an arterial roadway, will still adequately buffer the dwellings from the roadway. The applicant submitted a Phase II noise study that concluded that interior noise levels will be mitigated by utilizing building materials to levels below the required 45 dBA and that there are no outdoor activity areas be affected by noise levels of 65 dBA.

In order to mitigate the impacts that may result from the existing street lights along Mattawoman Drive, the applicant is proposing to install light diffusers or shields to deflect the light away from the residential units, subject to the approval of the appropriate operating agency. In addition, major shade trees are proposed to be planted 22 feet on center along the front of the residential units that will create a canopy and further shield the residential units from the street lights.

To mitigate the impacts that may result from any air pollution and particulates related to the roadway, the applicant is proposing to strategically plant landscape materials at specific locations along the property frontage of Mattawoman Drive. As mentioned previously, major shade trees are proposed to be planted 22 feet on center, the grouping of which is designed to provide a protective canopy for the residential units along Mattawoman Drive. Proposed ornamental trees will provide additional screening of the residential units from air particulates. On the front of the parcels, the applicant is proposing a hedge of shrubs to be planted 3.5 feet on center to further mitigate any potential impacts that may result from air pollution.

The Planning Board decided that the combination of the 26-foot setback, light shields, and landscaping will be sufficient to adequately buffer the dwellings in Block C from the roadway.

- 4. A minimum 200-foot building restriction line (BRL) as measured from the ultimate right-of-way of US 301 shall be provided on the specific design plan (SDP) for multifamily buildings unless it is deemed that a lesser BRL provides sufficient area to adequately buffer the dwellings from the roadway. The minimum width of building restriction lines for other residential product types along US 301 shall be**

determined at the time of SDP and the Phase II Noise Study shall be considered in the determination of establishing the building restriction lines.

The subject application does not propose any residential units of any type within 200 feet of the ultimate right-of-way of US 301. Therefore, this condition is not applicable at this time.

5. Prior to certificate of approval of the subject comprehensive design plan:

- b. Indicate a potential access connection between the existing warehouse/distribution facility on Mattawoman Drive (A-63) and Short Cut Road as an alternative for heavy truck traffic.**

The subject SDP does not include development around the site where the potential access connection was to be located.

- c. Revise the development standard chart in the text and on the plan as follows:**

The following standards shall apply to the development. (Modifications to the standards may be permitted on a lot-by-lot basis by the Planning Board at the time of specific design plan if circumstances warrant.)

RESIDENTIAL USES—R-M ZONE¹

	One-family detached 6,000 sq. ft.	Two-family attached	Single-family semidetached^{8,9} 3,600 sq. ft.	Single-family attached^{3,8,9} 1,800 sq. ft.	Multifamily
Minimum Net Lot Area		N/A			N/A
Minimum frontage at street R.O.W	60	N/A	36 feet	20 feet	N/A
Minimum frontage at Front B.R.L.	60	N/A	36 feet	20 feet	N/A
Minimum frontage – corner lot	70	N/A	40 feet	30 feet	N/A
Maximum Lot Coverage (%)	30	35 ⁴	35	35 ⁴	50 ⁴
Minimum building setback from Mattawoman Drive	50 feet	50 feet	50 feet	50 feet	50 feet
Minimum building setback from Robert Crain Highway (US 301)	TBD ¹⁰	TBD ¹⁰	TBD ¹⁰	TBD ¹⁰	200 feet ¹⁰
Minimum front setback⁵	25	N/A	20 feet	3, 6	7
Minimum side setback⁵	10	N/A	10 feet	6	7
Minimum rear setback⁵	20	N/A	20 feet	6	7
Minimum side setback to street⁵	25	N/A	20 feet	6	7
Maximum residential building height¹¹	40	55 feet	45 feet	45 feet	80 feet
Maximum percentage of total units	N/A	N/A	N/A	50 ²	25 ²
Minimum frontage on cul-de-sac	40	N/A	N/A	N/A	N/A

- ¹ All parking is governed by Part 11 of the Zoning Ordinance.
- ² Variance requested from the maximum townhouse and multifamily dwelling unit percentage, which allows a maximum 30 and 10 percent respectively of units in the R-M Zone.
- ³ Applies to both front and rear loaded garage townhouses. Rear-load garage townhomes shall have a minimum 25-foot front yard setback in order to reduce the length of the driveway.
- ⁴ This percentage is for building coverage (and not for lot coverage) of the overall net tract area
- ⁵ Stoops and/or steps may encroach into yard area.
- ⁶ Minimum yard area of 800 square feet to be allocated for front, side, or rear yard. May be reduced to 500 square feet for providing stoops, steps, and terraces which may project into yard area. Decks may project into rear yards only.
- ⁷ For multifamily buildings, the minimum building setback along a street shall be 25 feet, except for Mattawoman Drive, which requires a 50-foot setback unless it is deemed that a lesser BRL provides sufficient area to adequately buffer the units.
- ⁸ Fences and retaining walls up to six feet high may be constructed anywhere in a rear yard without meeting setback requirements.
- ⁹ On lots consisting of one acre or less, fences in the front yard shall not be more than four feet high.
- ¹⁰ The minimum building setback for one-family detached, two-family detached, single-family semidetached, single-family attached and multifamily from Robert Crain Highway (US 301) shall be determined at the time of SDP review.
- ¹¹ These height limits may be increased if a variance and/or modification is granted by the Planning Board at the time of SDP.

ACCESSORY BUILDINGS—R-M ZONE

Maximum Lot Coverage (%)	25
Minimum setback from front street line	60 feet
Minimum setback from side lot line	2 feet
Minimum setback from rear lot line	2 feet
Corner lot - Minimum setback from side street line (along which an abutting lot fronts)	10 feet
Corner lot - Minimum setback from side street line (along which an abutting lot does not front)	7 feet
Maximum building height above grade	15 feet

Note: No accessory building shall be located closer to the street line than the main building.

The SDP includes the above charts demonstrating conformance with this condition. As allowed, the applicant has requested three modifications to the standards as follows:

- Reduce the minimum building setback from Mattawoman Drive for two-family attached units to 26 feet in Block C. The justification for this modification is discussed further in response to Condition 3 above. The Planning Board approved this modification.
- Reduce the minimum side setback to eight feet, with a 17-foot total for both sides, for all single-family detached and single-family semi-detached units within Blocks D, G and H. The applicant justifies this modification based on the environmental constraints and the fact that the proposed side yard setback is consistent with several conventional residential zones. The Planning Board concurs and approved this modification.
- Reduce the minimum side setback to street to 20 feet for Lot 1 Block G, and Lots 1, 6, 8, and 13, Block H. The applicant justifies this modification as it will bring the side setback to a street in alignment with the front setbacks of the adjoining single-family semi-detached lots to create a more consistent street pattern. The Planning Board concurs and approved this modification.

d. A note shall be added to the plans and the comprehensive design plan document shall be revised to include a note stating that the requirements of Section 4.7 of the Prince George's County Landscape Manual shall be used as a starting point or minimum for the provision of an adequate separation between incompatible uses, at the perimeter of the site. The requirement may be increased as necessary so as to ensure compatibility between incompatible uses at the time of approval of the specific design plan.

The subject SDP only proposes residential units in a pattern that does not require Section 4.7 buffers internally. The requirements of Section 4.7 are being provided along the exterior edges of the entire Timothy Branch property adjacent to the area of impact at this time.

e. The following Architectural Design Parameters shall apply and be revised in the CDP text:

- (1) A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) and all highly-visible endwalls, which shall be identified at the time of SDP, shall be brick, stone or stucco, or other masonry materials of equivalent quality.**

Notes and a tracking chart are provided on the SDP to demonstrate conformance with this requirement.

- (2) **Townhouses and single-family semidetached dwellings facing a public street and the side elevation of the same unit facing a public street (corner lots) shall be faced up to 60 percent with high-quality materials such as brick, stone or stucco (excluding gables, bay windows, trim, and doors) or other masonry materials of equivalent quality.**

Notes are provided on the SDP to demonstrate conformance with this requirement. However, the single-family semidetached architecture does not provide options showing the ability to have a front or side elevation faced with up to 60 percent masonry materials. Therefore, a condition is included in this resolution requiring this to be added.

- (3) **All residential buildings with front elevations facing Mattawoman Drive shall have a full front façade of brick, stone or stucco (excluding gables, windows, doors, and trim), or other masonry materials of equivalent quality as long as the buildings are within 100 feet of the Mattawoman Drive right-of-way.**

Notes are provided on the SDP to demonstrate conformance with this requirement.

- (4) **Front elevations of townhouses and two-family attached units facing Mattawoman Drive shall have dormers or gables to reduce the single plane of roof.**

Notes are provided on the SDP to demonstrate conformance with this requirement.

- (5) **Front elevations of townhouse and two-family attached units facing Mattawoman Drive shall be offset by a minimum of two feet.**

The SDP shall demonstrate conformance with this requirement prior to certification.

- (6) **Architecture for multifamily buildings shall be faced with at least 60 percent brick, stone, stucco or equivalent, or other masonry materials of equivalent quality. Elevations of multifamily buildings facing Mattawoman Drive and those that are determined at SDP to have highly visible corner facades shall be faced with a minimum of 80 percent brick, stone or stucco (excluding gables, bay windows, trim, and doors), or other masonry materials of equivalent quality.**

No multifamily buildings are proposed with this SDP.

- (7) **A minimum of 60 percent of one-family detached dwellings shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco, or other masonry materials of equivalent quality.**

Notes and a tracking chart are provided on the SDP to demonstrate conformance with this requirement.

- (8) **Side and rear walls of all residential buildings shall be articulated with windows, recesses, chimneys, or other architectural treatments. All residential endwalls shall have a minimum of two architectural features, except endwalls in highly visible locations, which shall be identified at the time of SDP, shall have additional architectural features creating a well-balanced composition.**

All residential endwalls show a minimum of two architectural features. A condition has been included in this resolution regarding additional architectural features for highly-visible endwalls.

- (9) **Trash enclosures made of high-quality building materials shall be used to screen trash dumpsters.**

No trash dumpsters are proposed with this SDP.

7. **Prior to the approval of a specific design plan, a site development plan for stormwater management that details how the new stormwater management requirements will be met regarding the provision of environmental site design techniques, to the fullest extent practicable, will be required unless other stormwater management design approvals and/or waivers are granted by DPW&T.**

The SDP-1304 approval for infrastructure, including stormwater management, addressed this condition.

8. **The TCP2 for the subject property shall demonstrate that the requirements of the Woodland and Wildlife Habitat Conservation Ordinance are provided on-site through preservation or afforestation to the fullest extent possible, consistent with the desired pattern of development and densities indicated in the General Plan. If off-site mitigation is required, it shall be provided within the Mattawoman watershed.**

The TCP2 proposes to meet 79.39 acres of the overall 103.26-acre requirement on-site. The submitted plan proposes off-site as part of Phase 2, which is not proposed for development at this time. Because no development is proposed in Phase 2, the existing woodland in that phase should

be shown and counted as preservation until an application for development of Phase 2 is reviewed and approved. The Planning Board did not support a woodland conservation easement for Phase 2 as part of this application. The final easement for Phase 2 will be addressed with the application for Phase 2. Any off-site woodland conservation requirement as part of that phase will be evaluated prior to issuance of the first grading permit.

12. Prior to acceptance of an SDP a plan and proposal for the type, location, and timing of any required PMA mitigation, associated with the SDP, shall be submitted.

A non-tidal wetland mitigation area of 3.5 acres was previously protected on the site as required. This was 1.26 acres more than the wetlands mitigation permitting requirement. The MDE tracking number is 11-NT-0173 and the USACOE permit number is 2011-60707, A1 number 134217. No additional impacts are proposed with this SDP.

13. A variance for the removal of Specimen Tree No. 3 shall be applied for and approved with the appropriate SDP application and associated TCP2.

This condition was addressed with Specific Design Plan SDP-1304 and Type II Tree Conservation Plan TCP2-068-93.

14. Prior to approval of TCP2 which proposes to credit as woodland conservation planting occurring with a stormwater management easement, an approved Site Development Stormwater Management Plan shall be submitted to the Planning Department which indicates that the planting areas proposed have been approved by the Department of Public Works and Transportation regarding the location, size, and plant stocking proposed. No afforestation or preservation area can be shown within 15 feet of the toe of the embankment, or as determined by the Department of Public Works and Transportation or the Soil Conservation District.

The proposed stormwater management for the site received final technical approval. The approval by the Department of Permitting, Inspections and Enforcement was in coordination with the Department of Public Works and Transportation (DPW&T), who provided written approval of woodland planting within the stormwater management easement. The technical plan shows woodland planting within the easements of ponds 1, 2A and 4.

16. All future SDPs and associated TCP2 shall include a tree canopy coverage (TCC) schedule indicating how the TCC requirements have been fulfilled for the subject application.

Conformance with the TCC requirements is discussed in the finding below, where a finding of conformance is made.

- 17. At time of specific design plan application for residential units in the R-M zone, a Phase II noise study shall be submitted for review. The Phase II Noise Study shall address how noise impacts to the residential units will be mitigated to provide interior noise levels of 45 dBA Ldn or less and exterior noise levels of 65 dBA Ldn or less within outdoor activity areas based on the final site design. The approval of architecture at time of SDP shall also demonstrate how the proposed structures are in conformance with the noise mitigation measures recommend in the Phase II noise report for interior residential uses.**

A Phase II noise study was submitted for review with this SDP. It identified one single-family detached lot (Lot 28, Block D), which requires noise mitigation for traffic noise generated by Mattawoman Drive. This is addressed in the submitted Phase II noise study with the current application and discussed further in the finding below.

- 18. Applications for building permits for residential uses within the 65 dBA Ldn noise contour shall contain a certification, to be submitted to M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.**

A condition has been included in this resolution requiring the provision of this information prior to issuance of building permits for the impacted lots.

- 19. All SDPs for the subject property shall demonstrate the use of full cut-off optics to ensure that off-site light intrusion into residential and environmentally-sensitive areas is minimized. At time of SDP, details of all lighting fixtures shall be submitted for review along with certification that the proposed fixtures are full cut-off optics and a photometric plan showing proposed light levels. The following note shall be placed on all future SDPs:
“All lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”**

The subject application includes a detail of a lighting fixture that demonstrates the use of full cut-off optics. However, the submittal did not include a photometric plan showing proposed light levels. Therefore, a condition is included in this resolution requiring this be submitted for review prior to certification.

- *[21]20. Prior to approval of building permits by M-NCPPC for 50 percent of the residential dwelling units within CDP-0901 and CDP-0902, the applicant shall make a monetary contribution in the amount of \$700,000.00 in 2015 dollars to The Maryland-National Capital Park and Planning Commission (M-NCPPC). M-NCPPC shall adjust the amount of the contribution using the Consumer Price Index (CPI) for inflation at the time of payment. The funds shall be used for the construction of recreational facilities in**

Brandywine Area Community Park (M-NCPPC), as determined by the Prince George's County Department of Parks and Recreation (DPR), to complement the facilities being provided at the Southern Area Aquatic and Recreational Complex.

The subject application proposes only 323-residential dwelling units, which is less than 50 percent of the total 1,200 units proposed within CDP-0901 and CDP-0902.

- *[28]21. The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities on-site in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.**

The proposed private recreational facilities have been reviewed and are found to be adequate in accordance with previous approvals and the *Park and Recreation Facilities Guidelines*.

- *[29]22. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division (DRD), M-NCPPC for adequacy, conformance to the *Park and Recreation Facilities Guidelines* and appropriateness of location during the specific design plan review.**

The proposed private recreational facilities have been reviewed and are found to be adequate and properly sited in accordance with previous approvals and the *Park and Recreation Facilities Guidelines*.

***[31]24. Include the following phasing for the on-site private recreational facilities within the CDP text and plan:**

CDP-0902 - PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
7,500 sq. ft. multiage – RM1	Prior to the issuance of any residential unit permit	Complete by 200th overall* residential unit permit
7,500 sq. ft. multiage – RM3	Prior to the issuance of any residential unit permit within RM3	Complete by 450th overall residential unit permit
20,000 sq. ft. Open play area – RM 4	Prior to the issuance of any residential unit permit within RM4	Complete by 600th overall residential unit permit
Min. 4,200-square-foot Community building and 25-meter swimming pool – RM2	Prior to the issuance of 500th overall* residential unit permit	Complete by 750th overall residential unit permit
2,500 sq. ft. tot-lot – RM2	Prior to the issuance of 500th overall residential unit permit	Complete by 750th overall residential unit permit
5,000 sq. ft. per teen – RM2	Prior to the issuance of 500th overall residential unit permit	Complete by 750th overall residential unit permit
7,500 sq. ft. multiage – RM5	Prior to the issuance of any residential unit permit with RM5	Complete by 1,000th overall residential unit permit
Timothy Branch Stream Valley Trail ¹ (approx. 5,600 L.F.) or other recreational trail	Prior to the issuance of any residential unit permit for the adjacent pod	Complete with adjacent pod Development
<p>It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.</p> <p>* “Overall” means CDP-0901 (LAC Zone) and CDP-0902 (RM Zone) ¹ Unless the District Council amends the Basic Plan condition requiring the same</p>		

The subject SDP includes development within RM1 and RM2 as listed in this condition. Within RM-1 portion, SDP proposes an approximately 7,700-square-foot multiage playground in conformance with this condition. Within the RM-2 portion, SDP proposes a 4,200-square-foot community building with a 25-meter swimming pool, as well as an approximately 2,700-square-foot tot-lot and an approximately 5,200-square-foot pre-teen playground in conformance with this condition. The portions of the Timothy Branch Stream Valley Trail adjacent to these pods are also shown as required. The timing for bonds and completion of construction from this condition remains valid and will be enforced at the time of permitting.

***[33]26. The developer and his heirs, successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed private recreational facilities.**

All facilities are located on property that is to be owned and maintained by a future homeowners association.

- *[34]27. Provide an eight-foot-wide, concrete hiker/biker trail on the east side of Mattawoman Drive (A-63) along the subject site's entire frontage between Brandywine Road and the southern property line in accordance with DPW&T standards for a concrete hiker/biker trail within an urban right-of-way (DPW&T Standard 100.18). The hiker/biker trail shall be connected to the Timothy Branch trail, if required, via an alternate configuration (DPW&T Standard 100.06) to accommodate two five-foot-wide bike lanes within the travel lanes of the primary street located between the commercial and residential development, with directional signage to the Timothy Branch trail. A five-foot-wide sidewalk shall also be provided on the west side of Mattawoman Drive. All hiker/biker trail locations, materials, signs, and other details shall be shown on the applicable specific design plan. Both the hiker/biker trail and the sidewalk shall be provided within the public right-of-way.**

The plans reflect the necessary sidepath along the site's entire frontage of Mattawoman Drive. Internal sidewalks are shown at appropriate locations on-site.

- *[35]28. At the time of SDP, the plans shall identify the location of median refuge islands along the entire length of Mattawoman Drive per DPW&T standards and with AASHTO guidance. The exact locations and details and specifications will be determined at the time of SDP.**

The median is included on the SDP as previously approved.

- *[36]29. Provide four-foot-wide sidewalks along both sides of all internal residential roads (excluding alleys).**

Sidewalks are shown at all appropriate locations. An extensive network of trails supplements the sidewalk network.

- *[37]30. Indicate on the specific design plan the width of all of the on-road and off-road bikeways, sidewalks, and trails.**

- *[38]31. At the time of specific design plan review, provide cross section details of the proposed sidewalks, on-road bike lanes, shared-use roads, and trails per SHA and DPW&T standards where applicable.**

A cross section is provided for the equestrian portion of the trail. An additional cross section or revised overall cross section is also needed for the paved portion of the trail. The cross section should reflect both the paved (hiker/biker) and unpaved (equestrian) elements of the trail along Timothy Branch.

***[39]32. Trails shall be shown no less than 20 feet from all private residential lot lines and/or 25 feet from all residential dwellings, excluding where trails connect with the internal road network, unless environmental constraints/impacts exist that make this impractical. The final trail location shall be reviewed at the time of SDP.**

The trail alignment meets this condition, except for locations where the trail connects to an internal road.

***[40]33. Provide a master plan hiker/biker/equestrian trail (the Timothy Branch trail) along the subject site's entire segment of the Timothy Branch stream valley, unless the District Council amends the Basic Plan condition requiring the same.**

The location and alignment of the stream valley trail, within the proposed homeowner's association property, is acceptable as shown.

***[41]34. Any trail connectors on homeowners' association land to the Timothy Branch trail, if required, shall be six feet wide and asphalt.**

Proposed trail connectors on homeowners association property are shown as six feet wide and asphalt.

***[42]35. Provide details of the way finding and trail signage in accordance with AASHTO guidance at the time of specific design plan review including the location of signage. This signage can be tailored to the development and provide way finding to the commercial areas or nearby destinations. At a minimum, way-finding signage should indicate the direction of the Brandywine Area Community Park to the north of the subject site and the Rose Creek Connector trail to the south of the site.**

The submitted SDP does not provide signage for way finding and trails. The Planning Board believed that signage to the community park may not be appropriate at this time as the park has not yet been constructed and signage to the Rose Creek Trail may not be appropriate until pedestrian accommodations have been provided at the intersection of US 301. Therefore, the Planning Board decided to address trail signage in future SDPs, as the development on this property and the surroundings are more fully implemented.

- *[43]36. Show bicycle parking spaces on the specific design plan at the recreational facilities and in the community buildings. These spaces should be located near the front entrances to the buildings and have access to bikeway and trail facilities.**

No commercial buildings are proposed in this phase of development and bicycle parking is provided at all active recreational facilities proposed in this phase of development.

- *[45]38. The applicant and/or the applicant's heirs, successors, or assignees shall provide the following transportation improvements as proffered in the July 2009 traffic impact study.**

- a. A third northbound through land along US 301 through the MD 381 and the Mattawoman Drive intersections, beginning approximately 1,000 feet south of MD 381 and continuing approximately 2,500 feet north of MD 381. The elimination of left turns at the US 301/MD 381 intersection coincident with the construction of a northbound left-turn lane along US 301 at Mattawoman Drive shall be constructed by the applicant if required by SHA.**
- b. A northbound left-turn land along US 301 at Mattawoman Drive, subject to SHA approval.**
- c. The signalization of the MD 381/Mattawoman Drive intersection, along with the addition of a westbound left-turn lane along MD 381 at Mattawoman Drive.**
- d. The extension of Mattawoman Drive south of the subject property to connect to Matapeake Business Drive.**

The applicant submitted a phasing plan for the transportation improvements that includes the following discussion:

The improvements in parts (a), (b), and (d) will be constructed subject to the timing of Brandywine Road Club fees, and based on the wording of Condition 20, states that these items will only be constructed when sufficient funding is available for engineering, design, and construction of said improvements.

The improvements in part (c) are subject to warrants being met at the MD 381/Mattawoman Drive intersection. The Maryland State Highway Administration has determined that a new traffic signal warrant analysis should be conducted prior to issuance of the 325th building permit or upon full funding and permitting of the full Mattawoman Drive connection from Brandywine Road to Matapeake Business Drive, so the State can determine if the warrants are satisfied and decide on when the traffic signal should be

installed. This language, requiring a revised traffic signal warrant study, shall be duly considered as a finding for consideration in subsequent SDPs when the 325th building threshold will be met or when the roadway connection is funded and permitted.

- *[46]39.** **The applicant and/or the applicant’s heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Ward’s Brandywine ,Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area “C” in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George’s County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the subject property, the applicant’s sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:**

For commercial buildings, a fee calculated as \$1.41 per gross square foot of space X (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

For each single-family detached unit, a fee calculated as \$1,306 x (Engineering News-Record Highway Construction Cost Index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

For each townhouse, duplex, two over two unit, a fee calculated as \$1,187 x (Engineering News-Record Highway Construction Cost Index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

For each multi-family unit, a fee calculated as \$886 x (Engineering News-Record Highway Construction Cost Index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

Payment is to be made in trust to the road club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to M-NCPPC that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- a. Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.**
- b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.**
- c. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.**
- d. Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.**
- e. Reconstruct the traffic signal at US 301/MD 381.**
- f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.**
- g. Provide a grade separation at the point the spine road crosses US 301 northeast of T.B.**
- h. Reconstruct the traffic signal at MD 5/Brandywine Road.**

- i. Construction of an interchange around US 301/MD 5 and Cedarville/McKendree Roads.**
- j. Construction of an interchange around MD 5 and A-63 north of T.B.**
- k. Construction of A-63 as a six-lane arterial roadway (where off site) between the US 301/MD 5/Cedarville Rd./McKendree Rd. intersection and MD 5 north of T.B.**
- l. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.**
- m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.**

This condition requires payment to the Brandywine Road Club. This project's participation in the Brandywine Road Club was further confirmed by the recent adoption of County Council Resolution CR-9-2017, and that resolution elevated the construction of Mattawoman Drive through the subject property to the top of the priority list. Pro-rata payments shall be required in accordance with this condition at the time of each building permit.

***[48]41. At the time of SDP review, the applicant may redesign Residential Module 3 to reduce the block perimeter and to increase the pedestrian and vehicular circulation. The housing types within and around these blocks should be reconsidered to facilitate rear loading townhouses.**

The subject SDP proposes development only within Residential Modules 1 and 2. Therefore, this condition is not applicable to this SDP.

***[49]42. At the time of SDP review, the applicant may redesign Residential Module 5 to reconfigure the multifamily units to provide a central recreation or open space.**

The subject SDP proposes development only within Residential Modules 1 and 2. Therefore, this condition is not applicable to this SDP.

10. **Preliminary Plan of Subdivision 4-09003:** The relevant Preliminary Plan of Subdivision, 4-09003, was originally approved by the Planning Board on October 28, 2010. Subsequently, the applicant requested a reconsideration, which the Planning Board heard and approved the PPS on April 5, 2012 (PGCPB Resolution No. 10-117(A/1)), subject to 32 conditions. The following conditions warrant discussion in relation to the subject SDP:

3. **Prior to approval of the SDP, the preliminary plan and TCP1 shall relocate all townhouse lots adjacent to US 301/MD 5 outside of the 75 dBA Ldn unmitigated noise contour. This may result in the loss of lots if they cannot be appropriately relocated.**

The SDP and TCPII do not show the delineation of unmitigated 75 dBA Ldn noise contours related to US 301/MD 5 or Mattawoman Drive necessary to evaluate conformance with this condition. Based on a review of the location of the unmitigated 75 dBA Ldn contour on the approved TCPI, no lots are proposed along US 301/MD5 for this application. Lots are proposed along Mattawoman Drive; however, the location of the 75 dBA Ldn is not visible on the approved TCPI, and not shown on neither TCPII nor SDP. Therefore, a condition has been included in this resolution requiring the delineation of the contour on the TCPII and SDP.

6. **Prior to approval of the first SDP, a proposed stream and/or wetland mitigation plan shall be required if the total stream impacts on the final TCP1 associated with the preliminary plan total 200 or more linear feet of stream beds or one-half acre of wetlands and their buffers. If this occurs, the first SDP submission package shall include a stream and/or wetland mitigation plan in conformance with Part C of the Environmental Technical Manual. The method to be used to identify possible mitigation sites shall be as follows: the Stream Corridor Assessment database shall be researched by the applicant and a list of possible mitigation sites shall be identified first within the impacted stream system, and then if mitigation cannot be found in this system, mitigation shall be focused in the following areas, in the stated order of priority: within the drainage area, subwatershed, watershed, or river basin within Prince George's County.**

This condition has been addressed as discussed in the finding relative to Condition 11 of Comprehensive Design Plan CDP-0902. The SDP and TCPII under review do not show the location of the mitigation area on-site, which will need to be compared with the final stormwater technical approval. Therefore, a condition has been included in this resolution requiring the delineation of the nontidal wetland mitigation easement and addition of appropriate notes to the plan.

7. **At the time of the first SDP submittal, the submission package shall include a proposed site development for stormwater management that details how the new stormwater management requirements will be met regarding the provision of environmental site design techniques, to the fullest extent practicable, unless other stormwater management design approvals and/or waivers are granted by DPW&T.**

The Specific Design Plan SDP-1304 approval for infrastructure, including stormwater management, addressed this condition.

- 8. Prior to signature approval of any Type 2 tree conservation plan which proposes to credit, as woodland conservation, planting occurring with a stormwater management easement, an approved site development stormwater management plan shall be submitted to the Planning Department which indicates that the planting areas proposed have been approved by DPW&T regarding the location, size, and plant stocking proposed.**

This condition is addressed in the finding under discussion of Condition 14 of CDP-0902.

- 9. A Phase II noise study shall be submitted for review with each SDP for residential uses. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn exterior and 45dBA Ldn interior for residential units throughout the site.**
- 10. The appropriate SDP shall show noise mitigation measures for the single-family detached lots impacted by noise levels of 65 dBA Ldn or greater along Mattawoman Drive. Mitigation for outdoor activity areas, as defined by the SDP, may include fencing or walls necessary to reduce the noise levels in the outdoor activity areas to 65 dBA Ldn or less.**

A Phase II noise study was submitted for review with this SDP. It identified one single-family detached lot (Lot 28, Block D) which requires mitigation for transportation noise related to Mattawan Drive. This is addressed in the submitted Phase II noise study submitted with the current application is discussed further in Finding 15(i) below.

- 11. Applications for building permits for lots and structures identified on the SDP requiring noise mitigation measures shall contain a certification, to be submitted to M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less for residential units.**

A condition has been included in this resolution requiring the provision of this information prior to issuance of building permits for impacted lots.

- †~~21~~14. The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private on-site recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The private recreational facilities shall be reviewed by M-NCPPC for adequacy and proper siting at the time of specific design plan.**

The proposed private recreational facilities have been reviewed and are found to be adequate and properly sited in accordance with previous approvals and the *Park and Recreation Facilities Guidelines*.

†~~23~~16. **The applicant shall submit to DRD a performance bond, letter of credit, or other suitable financial guarantee for the construction of private recreational facilities in an amount to be determined by DRD, in accordance with the timing established in each SDP.**

The timing for construction of the private recreational facilities was determined with the approved CDPs and has been carried forward as part of this SDP approval.

†~~24~~17. **In conformance with the 2009 *Approved Countywide Master Plan of Transportation and the Approved Subregion 5 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

a. **An eight-foot-wide sidewalk or sidepath along the subject site's entire frontage of Brandywine Road, unless modified by SHA.**

Brandywine Road is beyond the limits of the current phase of development. Improvements along the road are addressed via previous approvals and will be covered under the future SDP for that portion of the site.

b. **Pedestrian routes between commercial buildings and from parking areas to commercial buildings will be evaluated in more detailed at the time of SDP.**

No commercial buildings are proposed in this phase of development.

c. **An eight-foot-wide sidewalk or sidepath along the subject site's entire frontage of the east side of Mattawoman Drive (including the Matapeake Business Drive extension), unless modified by DPW&T.**

d. **A five-foot-wide sidewalk along the subject site's frontage of the entire west side of Mattawoman Drive (including the Matapeake Business Drive extension), unless modified by DPW&T.**

e. **Medians and/or pedestrian refuges shall be indicated along Mattawoman Drive at the time of SDP, unless modified by DPW&T.**

The plans reflect the necessary sidepath, sidewalk and medians along Mattawoman Drive, in conformance with these conditions and previous approvals.

- f. Standard sidewalks along both sides of all internal residential roads excluding alleys, unless modified by DPW&T.**

Sidewalks are shown at all appropriate locations on-site. An extensive network of trails supplements the sidewalk network.

- g. The location, width, and surface treatment shall be indicated for all bikeways, sidewalks, and trails at the time of SDP.**

- h. Sidewalk, sidepath, and trail cross sections and details shall be provided at the time of SDP, consistent with current DPW&T and DPR standards and guidelines.**

A cross section is provided for the equestrian portion of the trail. An additional cross section or revised overall cross section is also needed for the paved portion of the trail. The cross section should reflect both the paved (hiker/biker) and unpaved (equestrian) elements of the trail along Timothy Branch.

- i. The eight-foot-wide master plan trail along the Timothy Branch stream valley at the location agreed to by the applicant, DRD, and the trails coordinator. This trail will utilize existing subdivision roads where necessary to avoid environmental impacts and running immediately behind residential lots.**

The location and alignment of the stream valley trail, within proposed homeowners association property, is acceptable as shown.

- j. Bicycle parking shall be shown at all commercial buildings and active recreational facilities at the time of SDP. The number and location of bicycle parking spaces shall be determined at that time.**

No commercial buildings are proposed in this phase of development and bicycle parking is provided at all active recreational facilities proposed in this phase of development.

- k. Sidewalk and sidepath construction shall be provided concurrently with road construction. Construction of the Timothy Branch trail shall be in phase with the development of adjacent residential development.**

Construction timing will be enforced at the time of permitting.

- l. The need for additional facilities and amenities for pedestrians at transit stops will be evaluated at the time of SDP.**

No bus stops are currently located on or adjacent to the subject site. Future transit improvements may be appropriate on-site if the planned light rail/bus rapid transit is implemented in the corridor.

†~~26~~19.

The applicant shall develop and submit a phasing plan for the following improvements at the time of the initial specific design plan involving development within the subject property, and also shall submit any needed warrant studies related to condition c at this time. A status report for these improvements shall be submitted with each specific design plan within the property, with the transportation staff recommendation to be based upon a comparison of the status with the phasing plan. The staging of conditions a, b, and d shall be related to the timing of collection of Road Club fees (pursuant to Condition 27). Condition c would be implemented when the signal is deemed to be warranted and required by SHA.

- a. **A third northbound through lane along US 301 through the MD 381 and the Mattawoman Drive intersections, beginning approximately 1,000 feet south of MD 381 and continuing approximately 2,500 feet north of MD 381. The elimination of left turns at the US 301/MD 381 intersection coincident with the construction of a northbound left-turn lane along US 301 at Mattawoman Drive shall be constructed by the applicant if required by SHA.**
- b. **A northbound left-turn lane along US 301 at Mattawoman Drive, subject to SHA approval.**
- c. **The signalization of the MD 381/Mattawoman Drive intersection, along with the addition of a westbound left-turn lane along MD 381 at Mattawoman Drive.**
- d. **The extension of Mattawoman Drive south of the subject property to connect to Matapeake Business Drive.**

The applicant has submitted a phasing plan for the transportation improvements that includes the following discussion:

The improvements in parts (a), (b), and (d) will be constructed subject to the timing of Brandywine Road Club fees, and based on the wording of Condition 20 below that these items will only be constructed when sufficient funding is available for engineering, design, and construction of said improvements.

The improvements in part (c) are subject to warrants being met at the MD 381/ Mattawoman Drive intersection. The Maryland State Highway Administration has determined that a new traffic signal warrant analysis should be conducted prior to issuance of the 325th building permit or upon full funding and permitting of the full Mattawoman Drive connection from Brandywine Road to Matapeake Business Drive, so the State can determine if the warrants are satisfied and decide on when the traffic signal should be installed. This language, requiring a revised traffic signal warrant study, should be duly considered as a finding for consideration in subsequent SDPs when the 325th building threshold will be met or when the roadway connection is funded and permitted.

†~~27~~20. **The applicant and the applicant's heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a road club that will include the applicant, the Montgomery Ward Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the subject property, the applicant's sole funding responsibility toward construction of these off-site transportation improvements shall be payment of the following:**

For each non-residential unit, a fee calculated as $\$1.41 \times$ (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

For each single-family unit, a fee calculated as $\$1,306 \times$ (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

For each townhouse, duplex, or two-family attached (two-over-two) unit, a fee calculated as $\$1,187 \times$ (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

For each multifamily unit, a fee calculated as \$886 X (Engineering News-Record Highway Construction Cost index at time of payment) / (Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

Payment is to be made in trust to the road club escrow agent and shall be due, on a pro rata basis, at the time of the issuance of building permits. Prior to the issuance of any building permit(s), the applicant shall provide written evidence to M-NCPPC that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the road club escrow account by road club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- a. Widening US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.**
- b. Installing a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.**
- c. Making minor widening/stripping improvements to the US 301/MD 5 interchange ramps.**
- d. Widening US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.**
- e. Reconstructing the traffic signal at US 301/MD 381.**
- f. Installing a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.**
- g. Providing a grade separation at the point the spine road crosses US 301 northeast of T.B.**
- h. Reconstructing the traffic signal at MD 5/Brandywine Road.**

- i. Construction of an interchange around US 301/MD 5 and Cedarville/McKendree Roads.**
- j. Construction of an interchange around MD 5 and A-63, north of T.B.**
- k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Rd./McKendree Road intersection and MD 5 north of T.B.**
- l. Widening US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.**
- m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.**

This condition requires payment to the Brandywine Road Club. This project's participation in the Brandywine Road Club was further confirmed by the recent adoption of County Council Resolution CR-9-2017, and that resolution elevated the construction of Mattawoman Drive through the subject property to the top of the priority list. Pro-rata payments should be required in accordance with this condition at the time of each building permit.

†~~28~~21. Total development of the overall site shall be limited to uses that would generate no more than 1,269 AM and 1,775 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.

This condition sets an overall trip cap for the entire Villages at Timothy Branch (covered by CDP-0901 and CDP-0902). The trip cap was based, in part, on 1,200 residences. A table is provided in the finding below regarding trip generation; nevertheless, the current plan complies with this condition.

†~~30~~22. All appropriate specific design plans shall limit access to A-63 as follows:

- a. Any public or private streets shown on the approved preliminary plan.**
- b. A maximum of two driveways within the L-A-C-zoned portion of the site to serve the commercial development.**

- c. **A maximum of two driveways within the R-M-zoned portion of the site to serve Residential Module 5.**

The A-63 facility is Mattawoman Drive and the access points shown on the SDP are in conformance with this condition.

- †~~32~~24. **Prior to the approval of the first specific design plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide a final report detailing the Phase II investigations and ensure that all artifacts are curated in accordance with the *Guidelines for Archeological Review*.**

The applicant submitted four copies of the final report on June 17, 2010 and the reports were accepted by the Historic Preservation Section on July 20, 2010. The applicant provided documentation that the artifacts have been curated at the Maryland Archaeological Conservation Lab in November 2011. This condition has been satisfied.

- †~~33~~25. **Prior to the approval of the first specific design plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the Phase I and Phase II archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Historic Preservation Commission and the M-NCPPC staff archeologist. The SDP shall include the timing for the installation of the signage and the implementation of public outreach measures.**

In 2014, the applicant submitted a plan for two interpretive signs discussing the prehistoric and historic occupation of the subject property. The wording of the signage was reviewed and approved by the Historic Preservation Section. The applicant proposes to place the interpretive signage in the lobby of the clubhouse. This is an appropriate location of the signage, as this will be a place within the development that will be frequently visited by both the residents and guests. The interpretive signage should be installed prior to issuance of the use and occupancy permit for the clubhouse.

- †~~34~~26. **The applicant and the applicant's heirs, successors, and/or assignees shall coordinate all Section 106 review with the Historic Preservation Section (M-NCPPC), federal agencies, and the Maryland Historical Trust. The National Historic Preservation Act Section 106 requires federal agencies to take into account the effects of the development on historic resources, to include archeological sites.**

The applicant should continue to coordinate with the Historic Preservation Section on any archeological review required by the State and federal agencies.

†~~[35]~~27. **All conditions of approval of Basic Plan A-9988-C shall remain in full force and effect.**

Review of applicable basic plan conditions of approval is discussed in Finding 7 above. The Planning Board determined that the SDP is in conformance with the basic plan.

†~~[37]~~29. **For each individual specific design plan, the applicant shall provide an inventory of the existing quantities of uses (if any) in the development, expressed in cumulative square footage or number of the varying types of residential units and information as to the exact square footage/number of units and types proposed, so that conformance with the overall approved land uses can be evaluated. Each plan of development shall also contain information demonstrating conformance to the density increment analysis completed in association with CDP-0901 and CDP-0902.**

The submitted SDP provides tracking charts and notes with an inventory of total proposed development in this phase.

†~~[38]~~30. **An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

This requirement shall be noted on the architectural sheet set.

†~~[40]~~32. **Prior to the approval of any SDP for the Villages of Timothy Branch development, the applicant and the applicant's heirs, successors, and/or assignees shall work with Historic Preservation staff to develop names for the subdivision streets that reflect the history of the property, the adjacent Brandywine community, and its associated families.**

The applicant has worked with the Historic Preservation Section as required, and the proposed street names generally reflect the history of the property, the adjacent Brandywine community, and its associated families.

11. **Specific Design Plan SDP-1304:** Specific Design Plan SDP-1304 for infrastructure only, including rough grading, construction of a stormwater management pond, and dedication and construction of Mattawoman Drive, was approved by the Planning Board on October 23, 2014 (PGCPB Resolution No. 14-116), subject to three conditions. None of those conditions are applicable to this SDP.
12. **Prince George's County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, a SDP must conform to the applicable standards of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The proposed residential units in the R-M Zone are

subject to Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.6, Buffering Development From Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements, and Section 4.10, Street Trees Along Private Streets, of the Landscape Manual.

- a. **Section 4.1, Residential Requirements**—Section 4.1 requires a certain number of plants for different types of residential lots. The submitted SDP provides the correct schedules showing the requirements being met for all the residential lots.
- b. **Section 4.2, Requirements for Landscape Strips Along Streets**—About the subject application, Section 4.2 requires a landscape strip where a parking lot abuts public street, such as those around the clubhouse. The submitted SDP provides the correct schedule showing the requirements being met.
- c. **Section 4.3, Parking Lot Requirements**—Section 4.3 requires a percentage of the parking lots that are over 7,000 square feet in size to provide interior planting area. This occurs in one area of visitor parking within Block ‘C’ and in the two parking compounds adjacent to the clubhouse. The submitted SDP provides the correct schedule showing the requirements being met.
- d. **Section 4.6, Buffering Development from Streets**—Section 4.6 requires that, when rear yards of single-family detached or attached dwellings are oriented toward a street, a buffer area should be provided between the yard and the street. On the subject application, which includes multiple single-family detached lots with rear yards fronting on a street. Appropriate landscape schedules are provided on the plan. However, no schedules were provided for the affected townhouse lots within Block ‘E.’ Therefore, a condition requiring this revision has been included in this resolution.
- e. **Section 4.7, Buffering Incompatible Uses**—The subject application requires a buffer along the property line around the eastern edge of the larger Timothy Branch property. The landscape plan provides the correct schedules showing the requirements being met as the existing stream valley provides for the setback and buffer requirements along that edge.
- f. **Section 4.9, Sustainable Landscaping Requirements**—Section 4.9 requires that a certain percentage of plants within each plant type (including shade trees, ornamental trees, evergreen trees, and shrubs) be native species (or the cultivars of native species). The minimum percentage of plants of each plant type required to be native species and/or cultivars is specified below:

Shade trees	50 percent
Ornamental trees	50 percent
Evergreen trees	30 percent
Shrubs	30 percent

The landscape plan provides 59 percent native shade trees, 100 percent native ornamental trees, 75 percent native evergreen trees, and 72 percent native shrubs, and therefore, meets the above requirements.

- g. **Section 4.10, Street Trees Along Private Streets**—Section 4.10 provides specifications for the planting of street trees along private streets, which apply to the townhouse portions of the subject development. The submitted landscape plan provides the required schedules showing some of the requirements of this section not being met. The applicant filed a request for Alternative Compliance, AC-17007, from the requirements of Section 4.10, Street Trees Along Private Streets, as follows:

The applicant has filed this request for Alternative Compliance from Section 4.10, Street Trees Along Private Streets, to allow an alternative configuration from the requirement in Section 4.10(c)(1) that states that “Street Trees shall be located in a space not less than five (5) feet wide between the street curb or edge of planting and the sidewalk.” Instead, the applicant requests to use an alternate sidewalk and green space configuration along the proposed private streets serving the townhouses within the site that would place the sidewalk along the street curb and the green space behind the sidewalk.

REQUIRED: 4.10 Street Trees Along Private Streets, along Graham Patrick Avenue

Length of street frontage	381 feet
Street trees (1 per 35 linear feet)	12

PROVIDED: 4. 10 Street Trees Along Private Streets, along Graham Patrick Avenue

Length of street frontage	381 feet
Street trees (1 per 35 linear feet)	14

REQUIRED: 4.10 Street Trees Along Private Streets, along Grace Kellen Avenue

Length of street frontage	488 feet
Street trees (1 per 35 linear feet)	15

PROVIDED: 4. 10 Street Trees Along Private Streets, along Grace Kellen Avenue

Length of street frontage	488 feet
Street trees (1 per 35 linear feet)	22

REQUIRED: 4.10 Street Trees Along Private Streets, along Hunt's Farm Road

Length of street frontage	664 feet
Street trees (1 per 35 linear feet)	19

PROVIDED: 4. 10 Street Trees Along Private Streets, along Hunt's Farm Road

Length of street frontage	664 feet
Street trees (1 per 35 linear feet)	27

REQUIRED: 4.10 Street Trees Along Private Streets, along Lord Stirling Lane

Length of street frontage	176 feet
Street trees (1 per 35 linear feet)	6

PROVIDED: 4. 10 Street Trees Along Private Streets, along Lord Stirling Lane

Length of street frontage	176 feet
Street trees (1 per 35 linear feet)	8

Total number of street trees provided for the entire Subdivision

REQUIRED: 4.10 Street Trees Along Private Streets

Length of street frontage	1,709 feet
Street trees (1 per 35 linear feet)	52

PROVIDED: 4. 10 Street Trees Along Private Streets

Length of street frontage	1,709 feet
Street trees (1 per 35 linear feet)	71

(136 percent of required amount)

Justification of Recommendation

The applicant is requesting Alternative Compliance from Section 4.10, Street Trees Along Private Streets, along all private roads on the site for the location of the proposed street trees. The 2010 *Prince George's County Landscape Manual* requires that street trees be located in a space not less than five feet in width between the curb and the sidewalk in order to subdivide the streetscape, increasing pedestrian comfort and, create sufficient room for canopy growth. In some areas of the site, the relocation of the sidewalk to the curb is due to a matter of simply not having enough space. In other areas, the site plan should be amended to relocate the sidewalk to provide for the required location for street

trees, where spacing permits for instance in areas where there are no driveways or on-street parking. The applicant is proposing to exceed the required number of street trees on the project overall by 36 percent. The Planning Director finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.10 of the Landscape Manual Along Private Streets in Timothy Branch.

The Planning Board approved Alternative Compliance for Section 4.10, along Graham Patrick Avenue, Grace Kellen Avenue, Hunt's Farm Road, and Lord Stirling Lane of the 2010 Prince George's County Landscape Manual, for Timothy Branch, Specific Design Plan SDP 1701, subject to one condition, which has been included in this resolution.

13. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the entire site has a previously approved Type I tree conservation plan and a portion of the site has an approved and implemented TCPII. Additionally, a revised TCPII prepared in accordance with the current woodland conservation requirements has been submitted with this application.

- a. **Tree Conservation**—The TCPII covers a 334.26-acre property that contains 175.35 acres of upland woodlands and 28.69 acres of wooded floodplain. The TCPII shows two phases of development. Phase 1 is 320 acres and Phase 2 is 13.63 acres. The current application is for the development of an area in Phase 1. No development is proposed in Phase 2 with this application, but clearing is proposed. Phase 1 includes the subject application area and proposes to clear 124.11 acres of upland woodlands and 1.00 acre of wooded floodplain. An additional 13.64 acres of clearing is proposed in Phase 2 for future development.

The woodland conservation threshold on this property is 53.77 acres. Based upon the proposed clearing, the woodland conservation requirement is 103.26 acres (89.42 in the Phase 1 and 13.84 in Phase 2). The plan proposes to meet the woodland conservation requirement in Phase 1 with 33.44 acres of on-site preservation, 44.22 acres of on-site afforestation/reforestation and 1.73 acres of off-site credit being provided on the site. The worksheet proposes to meet the remainder of the requirement with off-site credits as part of Phase 2.

Several revisions are required. The worksheet shows the clearing of 13.84 acres of woodland in an area of 13.63 acres of land. Woodland acreage cannot exceed land acreage. The worksheet needs to be revised to show the correct acreage and/or clearing. Type II Tree Conservation Plan TCPII-068-93-02 as submitted shows the overall area on the cover sheet, but does not include detail sheets for the overall area of the Timothy Branch development as previously approved. The TCPII must be revised to include detail sheets for the entire area of the development (Phase 1 and 2) because the woodland conservation requirement is distributed over the entire site.

The TCPII requires various technical revisions to meet the requirements of the applicable WCO that have been included as conditions in this resolution.

- b. **Environmental Impacts**—The site contains regulated environmental features. Nontidal wetlands, streams, and 100-year floodplains are found to occur on this property. These features and the associated buffers comprise the primary management area (PMA) in accordance with Section 24-101(b)(22) of the Subdivision Regulations. A statement of justification for impacts to the PMA was reviewed with the associated PPS 4-09003.

Eight proposed PMA impacts were evaluated with the PPS. All of the requested impacts were supported by the Environmental Planning Section as necessary for development, except for Impact 5 for construction of the noise berm along US 301 because the criteria for avoidance and minimization had not been met. The location of the berm was subsequently relocated to avoid all PMA impacts per PPS conditions of approval. The impacts approved were for the installation of sanitary sewer lines, construction of master planned roads, installation of stormwater management outfalls, and connection to a trunk sewer line.

Impacts proposed to the regulated environmental features with the current SDP and TCPII are consistent with those proposed and approved with PPS 4-09003, and no additional impacts are proposed under the current application.

14. **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 building or grading permit for 5,000 square feet or greater of gross floor area or disturbance. Properties that are zoned L-A-C and R-M are required to provide a minimum of 10 and 15 percent, respectively, of the gross tract area in tree canopy. The subject property is 322.41 acres in size, resulting in a blended TCC requirement of 44.75 acres. A TCC schedule was provided showing that the requirement is being met on-site by existing woodland preservation and reforestation, in addition to the proposed plantings.
15. **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. **Archeological Review/Historic Preservation**—The Planning Board made the following findings:
- (1) A Phase I archeological survey was completed on the subject property from March to July 2009. The Phase I archeological survey of the Timothy Branch property consisted of surface survey of all plowed fields and the excavation of 1,762 shovel test pits (STPs). The survey located one previously recorded historic archeological site, 18PR454, and one previously recorded prehistoric site, 18PR974. Five new archeological sites were delineated and included a late

nineteenth or early twentieth century domestic site, 18PR991; a prehistoric site, 18PR992, likely dating to the Archaic period (7,500-1,000 BC); a mid-nineteenth century domestic site, 18PR993; a colonial period domestic occupation, 18PR994; and a mid- to late-twentieth century domestic ruin, 18PR995. Sites 18PR992, 18PR993, and 18PR994 were noted to potentially contain significant information.

The Planning Board concurred with the recommendation of the draft Phase I report that Sites 18PR992, 18PR993, and 18PR994 could potentially contain significant information on the history of Prince George's County. Although a portion of Site 18PR454 has been impacted by gravel extraction and grading for sediment control features, the western part of the site possibly retained some integrity. The Planning Board required that Phase II investigations be conducted on Sites 18PR454, 18PR992, 18PR993, and 18PR994. On these sites, close-interval shovel testing was recommended to help identify the possible locations of subsurface features and was used to guide the placement of 1-x-1 meter test units. A Phase II work plan for Sites 18PR454, 18PR992, 18PR993, and 18PR994 was submitted to the Historic Preservation Section for review and approval on November 30, 2009.

Phase II investigations were conducted on Sites 18PR454, 18PR992, 18PR993, and 18PR994 in December 2009. Phase II investigations of Site 18PR992 consisted of the excavation of 50 STPs at 25-foot intervals across 12 transects. Artifacts were concentrated in transects F to L on a piece of high ground. Nine 3-x-3-foot test units were placed in the northern portion of the site and 732 prehistoric artifacts were recovered. The site contained two components: a late Middle Archaic (6,000–4,000 B.C.) or early Late Archaic (4,000–2,000 B.C.) Halifax occupation and a Terminal Late Archaic/Transitional broadspear occupation. There was a high concentration of fire-cracked rock, but no subsurface features were identified. Due to the lack of intact features and the effects on the site from erosion, no further work was recommended on Site 18PR992.

Phase II investigation of Site 18PR993 consisted of the excavation of 43 STPs at 25-foot intervals across seven transects. Only 20 historic artifacts were recovered and no subsurface features were identified. Due to the lack of significant archeological deposits and intact features, no further work was recommended on Site 18PR993.

Phase II investigations of Site 18PR994 consisted of the excavation of 45 STPs at 25-foot intervals across five transects. Only one porcelain shard and one prehistoric quartz flake were recovered from the STPs. A metal detector survey failed to locate any metal objects other than modern machine parts and tools. Due to the lack of significant archeological deposits and intact features, no further work was recommended on Site 18PR994.

Phase II investigations of Site 18PR454 consisted of the excavation of 61 STPs at 25-foot intervals across six transects and five 3-x-3-foot test units. An intensive metal detection survey was also conducted across the site. Artifacts recovered included glass, nails, whiteware, pearlware, black-glazed redware, and brick. The five test units were placed in areas where the highest concentration of artifacts was noted. The eastern portion of the site was impacted by earlier construction activities. One intact subsurface feature was identified in Test Units 4 and 5. This feature possibly represents a cellar hole filled with the debris from dismantling the house that formerly stood on the property. The types of artifacts recovered indicated that the house was occupied from the late 18th to the first half of the 19th century.

In a review letter dated March 27, 2010, the Planning Board concurred with the report's conclusions and recommendations that Sites 18PR454, 18PR992, 18PR993, and 18PR994 are not eligible for listing in the National Register of Historic Places or meet the criteria for designation as county historic sites. The Planning Board also concurred with the report's recommendation that no further work is necessary on these sites, as they lack subsurface integrity and have limited research value. The applicant submitted four copies of the final report on June 17, 2010 and the reports were accepted by the Historic Preservation Section on July 20, 2010. All artifacts recovered from the Phase I and II excavations were curated with the Maryland Archaeological Conservation Lab in Calvert County in November 2011.

- (2) If state or federal monies, or federal permits are required for this project, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires federal agencies to consider the effects of their undertakings on historic properties, to include archeological sites. The applicant shall provide proof to the Historic Preservation Section that they have forwarded all necessary materials to the Maryland Historical Trust for their review of potential effects on historical resources on the subject property prior to certification of this SDP.

The Planning Board approved Specific Design Plan SDP-1701 with the following condition:

- Prior to issuance of the first use and occupancy permit for the clubhouse, the applicant shall install the two interpretive signs detailing the findings of the Phase I and II archeological surveys and provide proof of its installation to the Historic Preservation Section.

b. **Community Planning**—The Planning Board made the following findings:

The subject property is located within the Established Communities growth policy area designated in *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). Plan Prince George's 2035 classifies the Established Communities as "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 and schools), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met." (page 20)

Pursuant to Part 8, Division 4, Subdivision 2 of the Zoning Ordinance, Master Plan conformance is not required for this application. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA) recommends mixed-use land uses on the subject property. In addition, the Subregion 5 Master Plan and SMA also makes recommendations that affect the subject property, which is part of the designated Brandywine Community Center. The previous PPS evaluated the development's conformance with the master plan recommendations for the center.

This application is partially located within the 65–70 dBA Ldn noise contour in the Joint Base Andrews Military Installation Overlay (M-I-O) Zone. Section 27-548.55(b) of the Zoning Ordinance requires the interiors of all new residential construction within the Noise Intensity Contours, including additions, must be certified to 45 dBA Ldn or less by an Acoustical Engineer or qualified professional of competent expertise.

c. **Transportation Planning**—The Planning Board analyzed the SDP's conformance with transportation-related conditions in previous approvals, which is incorporated into Findings 7, 9, and 10 above, as well as the following summarized discussion:

The site is in the L-A-C and R-M Zones. The SDP is a requirement for all development in comprehensive design zones. The review focuses on conformity to the approved Comprehensive Design Plans CDP-0901 and CDP-0902. In addition to reviewing the plan against the prior approved plans, attention is given to building and landscape design, drainage, conformity with prior tree conservation plans and landscape standards, and other environmental factors. Additionally, there is a requirement that the development be adequately served within a reasonable period of time with existing or programmed public facilities, or facilities otherwise provided as part of the development. The underlying subdivision is PPS 4-09003, and this plan will be compared against that plan for conformity to trip caps and other conditions as well. There is a prior SDP for infrastructure, Specific Design Plan SDP-1304. That plan has no transportation-related conditions.

As noted above, the plan proposes 323 residences, including 39 single-family detached, 212 townhouses/duplexes, and 72 two-over-two residences (the two-over-two residences are considered a townhouse type for purposes of trip generation).

The following table summarizes trip generation for the current proposal (and any past approved proposals) for comparison to the approved trip cap. It is determined, as noted above, that the proposal conforms to the approved trip cap:

Trip Generation Summary, SDP-1701, Timothy Branch								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
Current Proposal								
Residential Townhouse	212	units	30	119	149	110	59	169
Residential Two-Over-Two Units	72	units	10	40	50	37	20	57
Residential Single-Family Detached	39	units	6	23	29	23	12	35
Total Proposal			46	182	228	170	91	261
Prior Approvals: SDP-1304								
Infrastructure Only; No Development Approved			0	0	0	0	0	0
Per CDP-0901/CDP-0902/4-09003								
Trip Cap					1,269			1,775
Less Than or Equal To Trip Cap					Yes			Yes

In reviewing the circulation, Transportation Planning offered the following comments:

- (a) The overall circulation system conforms in large part to the underlying PPS.
- (b) Due to the presence of the two-over-two units, Transportation Planning recommended that the alleys serving them be 22 feet in width (an increase from 18 feet and 20 feet).
- (c) On the PPS, Grace Kellen Avenue and Graham Patrick Avenue were sized at 26 feet of pavement, while the subject plan sizes these streets at 24 feet. While it is understood that Subtitle 27 allows a minimum of 22 feet, the uses have not changed. Therefore, the Planning Board required that these private streets be shown with 26 feet of pavement.

The overall site is affected by several planned transportation facilities.

- The F-9 facility, which is along existing US 301/MD 5, is a planned freeway facility. This facility is not adjacent to the area proposed for development under the current plan.
- The A-63 facility traverses the site from north to south. Correct dedication of a 120-foot right-of-way is shown on the plan.
- The master plan includes I-503, a planned facility that was originally included in the 1993 *Subregion V Master Plan* and intended to connect industrial land uses between the A-63 facility and Short Cut Road, along with the Schraf, Meinhardt, and M&M Joint Venture properties to Short Cut Road, and to the Mattawoman Drive facility in the future. This facility is not adjacent to the area proposed for development under the current plan.
- The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* reflects a future transit facility between Charles County and the Branch Avenue Metrorail Station. This facility is not adjacent to the area proposed for development under the current plan.

d. **Subdivision Review**—The Planning Board analyzed the site plan’s conformance with Preliminary Plan of Subdivision 4-09003 and attached conditions as follows:

- (1) Prior to certification of the SDP the following technical corrections shall be required:

- (a) Revise the development tracking chart to include the proposed lot and parcel counts and to include the approved development data from PPS 4-09003 as follows:

Lots	580
Outlots	1
Parcels	68
Dwelling Units:	1,200
One-family Detached	101
One-family Semidetached	100
Townhouse	379
Two-family Attached	352
Multifamily	268
Retail/Commercial	305,000 sq. ft.

- (b) Label all alleys and private streets with an alphabetic parcel designation, area, and indicate they are to be conveyed the homeowners association.

- (c) Label all proposed public streets with the area and indicate they are to be dedicated to public use.
 - (d) Label all open space parcels, which are to be conveyed to the homeowners association with an alphabetic parcel designation.
 - (e) Open space areas abutting the lots proposed in this application and the eastern boundary of the overall site shall be shown within this phase of development, given homeowners association parcel designations, and be platted in sequence with this phase of development.
 - (2) The final plat shall note the lots which contain yard areas impacted by noise levels exceeding 65 dBA Ldn.
- e. **Trails**—The Planning Board analyzed the SDP for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.
- Two master plan trails impact the subject application. A stream valley trail is recommended along Timothy Branch and a sidepath (or wide sidewalk) is recommended along Mattawoman Drive (A-63). These master plan trails were addressed via prior approvals. The Complete Streets section of the MPOT 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.**
- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated July 28, 2017, the Department of Parks and Recreation indicated that they had no comment on the subject application.
 - g. **Permits**—The Planning Board’s comments have been addressed through revisions to the plans.

- h. **Public Facilities**—The Planning Board found that the required fire, rescue, and police facilities have been determined to be adequate. Additionally, the Planning Board analyzed school facilities surcharge for each dwelling unit, which was resolved at the time of PPS. The proposed development is in water and sewer Category 3, Community System.
- i. **Environmental Planning Section**—The Planning Board found that the SDP conforms to the environmental-related conditions of approval of the basic plan, CDP, and PPS, which are included in findings above as appropriate. They also analyzed the site’s conformance with Subtitle 25, which is discussed in detail in Finding 14 above. The following is additional discussion:

- (1) The subject property is located in the southeast quadrant of the intersection of Crain Highway (US 301) and Brandywine (MD 381) Road. Current air photos indicate that two-thirds of the site is wooded. This site contains streams, 100-year floodplain and wetlands associated with Timothy Branch in the Mattawoman Creek watershed and the Potomac River Basin. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program there are no rare, threatened, or endangered species found to occur on or near this property. Brandywine Road (MD 381), which borders the site on the north, is a designated historic road. The portion of Brandywine Road west of Mattawoman Drive is classified as an industrial road in the Master Plan of Transportation (MPOT) as is Short Cut Road, which is also adjacent to this site. The section of Robert S. Crain Highway (US 301), which borders the site to the west, is a master planned freeway, and an existing source of traffic-generated noise. Mattawoman Drive and A-55, which are internal to the site, are both classified as arterials, which are generally regulated for noise impacts when associated with residential development. According to the *Prince George’s County Soil Survey* (1967), the principal soils on the site are in the Beltsville, Bibb, Croom, Elkton, Iuka, Leonardtown and Sassafras series. Marlboro clay does not occur in this area.

The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George’s 2035 Approved General Plan*. According to the Countywide Green Infrastructure Plan of the 2017 *Approved Prince George’s County Resource Plan: A Countywide Functional Master Plan*, most of the subject property is Regulated Area and Evaluation Area.

- (2) A revised, approved Natural Resources Inventory (NRI) Equivalence letter (NRI-002-07-02) for the Villages at Timothy Branch was approved August 10, 2017. The letter finds that the information on the recently expired NRI plan, which reflects the stream buffer widths and PMA in conformance with the current environmental regulations, is sufficient for review with this application.

The environmental information is correctly reflected on the SDP and TCPII. No additional information regarding the NRI is required at this time.

- (3) Policies contained in the General Plan call for the reduction of adverse noise impacts to meet the State of Maryland noise standards. Robert S. Crain Highway (US 301) is an existing source of traffic-generated noise, and a master planned freeway. Mattawoman Drive is a master planned arterial roadway that may have noise impacts on the subject application. Residential development located along the east side of Mattawoman Drive require evaluation for noise impacts.

A Phase I noise study was prepared and submitted for the subject property (The Villages of Timothy Branch Phase I Noise Analysis, prepared by Phoenix Noise and Vibration, LLC, dated April 13, 2010), to evaluate transportation-related noise impacts to proposed residential areas along the southeast side of Mattawoman Drive.

The TCP1 and PPS were revised to correctly show the location of all 65 dBA Ldn unmitigated noise contours adjacent to roads classified as arterials or higher. The plans also showed conceptually how noise mitigation would be provided.

A Phase II noise analysis for Timothy Branch–Phase 1, prepared by Phoenix Noise and Vibration and dated May 11, 2017, was submitted with the current application. This analysis included:

- Computer modeling.
- An analysis of noise levels in outdoor activity areas.
- An evaluation of the proposed duplex, single family home, townhome, and two-over-two condominium models to be offered in Phase 1.
- Specification of the building construction necessary to maintain interior noise levels at the required limit.

The conclusion of the noise analysis states the following:

“Timothy Branch Phase 1 will be exposed to transportation noise levels above 65 dBA Ldn, and up to 74 dBA Ldn. Although these levels are above required noise limits, noise levels will be maintained at the Prince George’s County outdoor and interior limits when incorporating required modifications for noise mitigation into standard building construction.

“Except for one single family home (Lot 28), roadway noise levels will be below 65 dBA Ldn in all public (pool and playgrounds) and private (rear yards of duplexes, single family homes, and front-load townhomes) Phase 1 outdoor activity areas due to the distance of these areas from the roadways and the noise reduction provided by residential buildings along Mattawoman Drive. Mitigation for the side yard of the Lot 28 single-family home is not recommended.

“Due to the proximity of the site to the Andrews Air Force Base 65 dBA Ldn noise contour, all Phase 1 residential buildings will be exposed to noise levels equal to or greater than 65 dBA Ldn; however not all residences will require modifications to proposed building construction to maintain interior noise levels below 45 dBA Ldn. The standard building construction to be used at Phase 1 will be capable of reducing noise levels up to approximately 66 to 67 dBA Ldn to an interior level of 45 dBA Ldn depending upon the home model, such that the proposed exterior wall construction and standard window and door products selected for Phase 1 can be used in most of the residences.

“Modifications to standard building construction will be limited to the two-over-two condominiums and rear-load townhomes closest to Mattawoman Drive, as well as the Lot 28 single family home closest to Mattawoman Drive. For these residences, modifications will be limited to upgraded windows and doors. If these residences are built using the specified STC rated building elements, all Phase 1 residences will be following the 45 dBA Ldn limit.”

- (3) Brandywine Road is a historic road, and is subject to the provision of a scenic easement in accordance with the requirements for Special Roadways contained in the Master Plan of Transportation (2009) and the Prince George’s County Landscape Manual (2010). The PPS and CDP delineated a 40-foot-wide scenic easement along Brandywine Road, the scenic easement delineated on the CDP and PPS, shall also be delineated on the current SDP. Reducing the width of the scenic easement may be addressed by alternative compliance during the review of an SDP for development fronting on Brandywine Road.
- (4) An approved Stormwater Management Concept Plan (11355-2009-00) and letter, extended on May 9, 2017 and valid through May 9, 2020, was submitted with this application, which included sixteen conditions of approval and six traffic safety comments. Technical stormwater management (SWM) design is subject to approval by the Department of Permitting, Inspection and Enforcement (DPIE). Previous conditions have been recommended related to SWM final design, and requiring the submittal of landscape plans and DPIE concurrence, if woodland conservation is proposed within a stormwater management easement.

- (5) According to the *Prince George's County Soil Survey*, the principal soils on the site are in the Beltsville, Bibb, Chillum, Croom, Elkton, Iuka and Leonardtown series. Beltsville soils are highly erodible, have perched water tables, and impeded drainage. Bibb soils are highly erodible and hydric. Chillum soils are highly erodible. Croom and Sassafra soils pose few difficulties for development. Elkton and Iuka soils are highly erodible and hydric. Leonardtown soils are highly erodible, have perched water table, poor drainage, and typically have wetlands. High groundwater is problematic for both foundations and basements.

This information is provided for the applicant's benefit, and may affect the architectural design of structures, grading requirements, and stormwater management elements of the site. Additional soils information may be requested by DPIE to address specific areas of concern.

- j. **Prince George's County Fire/EMS Department**—The Fire/EMS Department, in a memorandum dated July 5, 2017, provided standard comments regarding fire apparatus, hydrants, and lane requirements. Those issues will be enforced by the Fire/EMS Department in its separate permitting process.
- k. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not provide comments on the subject application. The previously approved Specific Design Plan SDP-1304 included the construction of the stormwater management ponds on-site. In that application, DPIE commented that the ponds had received technical approval.
- l. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.
- m. **Prince George's County Health Department**—In a memorandum dated August 9, 2017, the Health Department stated that they had completed a health impact assessment review of the SDP. They provided the following summarized comments:
- (1) Research shows that access to public transportation can have major health benefits as it contributes to good connectedness and walkability. Submit specific information related to the proposed means of connecting to neighboring communities through public transportation.

Transportation for the proposed development was analyzed in the previous PPS approvals and found to be adequate.

- (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 recommended at strategic locations around any park/dog walk locations.

Recreational features for the property have been determined through the previous approvals and are not being revised with the subject application. The applicant should consider providing the suggested amenities for pets, as appropriate.

- (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.

There are multiple open areas provided within the residential pods that could be feasible for community gardens if the homeowners choose to create such a facility in the future.

- (4) Several large-scale studies demonstrate that increased exposure to fine particulate air pollution is associated with detrimental cardiovascular outcomes, including increased risk of death from ischemic heart disease, higher blood pressure, and coronary artery calcification. In addition, there is scientific evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma.

This is noted and transmitted to the applicant. The applicant is encouraged to consider the indoor air quality of the proposed dwelling units.

- (5) 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. The Timothy Branch project is shown to be located along a major transportation artery, US 301/MD 5 Crain Highway.

The effects on the property from US 301/MD 5 were considered during previous plan reviews and various conditions were enacted to provide mitigation. The Phase 1 of the development proposed with this SDP is not adjacent to US 301.

- n. **Maryland State Highway Administration (SHA)**—In an e-mail received June 15, 2017, SHA referred to their memorandum dated August 18, 2014, in which they concurred with Specific Design Plan SDP-1304 for infrastructure approval for this project pursuant to all access being from Mattawoman Drive. Any work within the SHA right-of-way would require SHA plan review, approval, and permit as applicable.

- o. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated July 7, 2017, WSSC provided a standard response on issues such as pipe and easement requirements. All the requirements of WSSC will be enforced in its separate permitting process.
- p. **Verizon**—Verizon did not offer comments on the subject application.
- q. **Southern Maryland Electric Cooperative (SMECO)**—SMECO did not offer comments on the subject application.

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 Specific Design Plan SDP-1701, and further APPROVED Alternative Compliance AC-17007 for the above-described land, subject to the following conditions:

- 1. Prior to certification of the specific design plan (SDP), the applicant shall:
 - a. Include a cross section for Mattawoman Drive with the plan sheets, as previously approved in Specific Design Plan SDP-1304 for infrastructure.
 - b. Correct notes regarding the gross acreage of the property, subtracting previously dedicated areas.
 - c. Revise the trail cross section to include both the paved trail and the equestrian trail along Timothy Branch.
 - d. Revise the development tracking chart to include the approved development data from Preliminary Plan of Subdivision 4-09003, as follows:

Lots	580*
Outlots	1
Parcels	68*
Dwelling Units:	1,200
One-family Detached	101*
One-family Semidetached	100*
Townhouse	379*
Two-family Attached	352*
Multifamily	268
Retail/Commercial	305,000 sq. ft.

*Unless otherwise modified pursuant to Section 24-108(a)(6)(B) (CB-72-2016) of the Subdivision Regulations, and/or as modified and provided on future SDPs, which shall be in substantial conformance with the approved preliminary plan of subdivision.

- e. Label all alleys and private streets with an alphabetic parcel designation, square footage, and indicate they are to be conveyed to the homeowners association.
- f. Label all proposed public streets with the area and indicate they are to be dedicated to public use.
- g. Label all open-space parcels to be conveyed to the homeowners association with an alphabetic parcel designation.
- h. Display within this phase of development the open-space areas abutting the lots proposed in this application, the eastern boundary of the overall site, and the homeowners association parcel designations.
- i. Revise the Type II tree conservation plan and the SDP to show the required 40-foot-wide scenic easement along the frontage of Brandywine Road.
- j. Delineate and label all stormwater easements on the SDP and Type II tree conservation plan in accordance with the approved final technical plan.
- k. Revise the SDP and Type II tree conservation plan to show the 75dBA Ldn unmitigated noise contours in accordance with the Phase I noise study reviewed with Preliminary Plan of Subdivision 4-09003.
- l. Revise the SDP and Type II tree conservation plan to delineate and label the area of the nontidal wetland mitigation easement. The final technical design plans for the nontidal wetlands mitigation area shall be reviewed with the delineated mitigation area to confirm the design of the wetlands mitigation area, so a determination can be made whether it can be credited as on-site woodland conservation.
- m. Add a note to the SDP and Type II tree conservation plan as follows:

“The nontidal wetlands mitigation easement area shown on this site reflects requirements of MDE Tracking No. 11-NT-0173 and USACOE permit number 2011-60707 for 2.24 acres of mitigation for nontidal wetland impacts, and 1.26 acres of additional mitigation for on-site primary management impacts per Condition 6 of PGCPB Resolution No. 10-117(A).”

- n. Place the “Table of STC Rating Requirements” from Drawing 2 of the Timothy Branch – Phase 1, Phase II noise analysis on the tracking chart on Sheet C-13 of the SDP, including a note indicating the source of the table. The table shall be revised to include the lot and block number to which each of the treatments is applicable.
- o. Submit a photometric plan that meets County illumination standards showing the proposed light levels in all alleys, private streets, and common areas that may result in adjustments to the lighting plan, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
- p. Revise the landscape plan as follows:
 - (1) Revise the Tree Canopy Coverage schedule to reflect the correct gross acreage of the property and adjust the requirement as necessary.
 - (2) Revise the SDP and landscape plan to provide the street trees along private streets to be located in a five-foot-wide strip between the street curb and sidewalk, specifically where common open space and end units of townhouses are proposed, unless spacing, street crossings, and/or utilities conflict with the design.
 - (3) Provide Section 4.6 schedules demonstrating conformance with the requirements to applicable single-family attached lots within Block ‘E’.
- q. Revise the architecture as follows:
 - (1) Provide a note stating the following:

“An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”
 - (2) Correct the note that the following lots are determined to be highly visible and require enhanced architectural treatment pursuant to Condition 5(e) of Comprehensive Design Plan CDP-0902, including a minimum of three architectural features:
 - Block C:** Lots 12, 15, 30, 35, 36, 42, 47 52, 63 and 84; Specified end units on Parcels 1, 2, 3 and 6
 - Block D:** Lots 1 and 28
 - Block E:** Lots 1, 24, 25, 48 and 52

Block G: Lot 1, 6 and 12

Block H: Lots 1, 6, 8 and 13

Block I: Lots 1 and 5.

- (3) Add a note that the following buildings in any horizontal, continuous, attached group of townhouse or two-family buildings shall have a roof feature containing either a reverse gable or dormer window(s):
 - (a) Three buildings in any building group containing five or six buildings; or
 - (b) Two buildings in any building group containing four buildings; or
 - (c) One building in any building group containing three buildings.
 - (4) Add a note that states “No two units located next to each other may have identical front elevations.”
 - (5) Revise the single-family semi-detached architecture to demonstrate the option for units facing a public street and for the side elevations of the same unit facing a public street (corner lots) to be finished with up to 60 percent of high-quality materials such as brick, stone or stucco (excluding gables, bay windows, trim, and doors) or other masonry materials of equivalent quality.
- r. Revise the Type II tree conservation plan (TCPII) as follows:
- (1) Revise the worksheet to correct the land area and clearing acreage for Phase 2.
 - (2) Include the entire boundaries of the development site consistent with the approved Type I tree conservation plan.
 - (3) The scale shall be the same as the SDP.
 - (4) The cover sheet shall provide a key to all sheets for the development site.
 - (5) All woodland conservation less than 50 feet in width shall be eliminated as woodland conservation, or revised to meet the minimum design criteria for width.
 - (6) Revise the general notes as necessary to reflect the current TCPII. Add a note to include the liber and folio of the recorded woodland conservation easements in the general notes.

- (7) Add an owner's awareness certificate to the TCPII, to be signed prior to signature approval.
 - (8) Show metes and bounds on all legal property lines.
 - (9) Within the woodland conservation area, show all existing and proposed easements. In addition, show all existing stormwater management and utility easements.
 - (10) Label each woodland conservation area by type, with an identifier, and provide a summary table of all woodland conservation areas on each sheet.
 - (11) Reduce the size of the graphic for woodland conservation signage so it is proportional to other elements on the plan sheet and does not obscure other information on the sheet.
 - (12) After all required revisions are made, revise the woodland conservation worksheet to correctly reflect the woodland conservation required and fulfilled for the site.
 - (13) Condition 2(a)(1) of the approved preliminary plan of subdivision shall be added to the TCPII, below the worksheet.
 - (14) Have the revised plan signed and dated by the qualified professional who prepared it.
2. At the time of final plat, the applicant shall:
- a. Provide a final plat note as follows:

“The nontidal wetlands mitigation easement area shown on this plat reflects requirements of MDE Tracking Permit No. 11-NT-0173 and USACOE permit number 2011-60707 for 2.24 acres of mitigation for nontidal wetland impacts, and 1.26 acres of additional mitigation for on-site primary management area impacts per Condition 6 of PGCPB Resolution No. 10-117(A).”
 - b. Note the lots which contain yard areas impacted by noise levels exceeding 65 dBA Ldn.
3. Prior to grading permit approval, except for grading permits issued in accordance with a specific design plan and Type II tree conservation plan (TCPII) for infrastructure only, woodland conservation easements shall be recorded in the land records for all proposed woodland conservation areas on-site. Copies of the recorded easements shall be submitted to the Environmental Planning Section, M-NCPPC, for inclusion in the tree conservation plan file, and the liber and folio of the recorded easements shall be added to a note placed on the TCPII plan prior to signature approval.

4. Prior to issuance of building permits for Phase 1 (except for building permits for any model homes), all afforestation/reforestation planting, permanent tree protection fencing, and signage shall be installed and completed on adjacent parcels.
5. Prior to issuance of building permits for any residential lot located in Phase 1 and identified within the tracking chart on Sheet C-13, an acoustical shell certification for the required mitigation identified in the Phase II noise analysis shall be submitted. The results of the Phase II noise analysis have been based upon the proposed site plan, building layout, architectural plans (exterior wall dimensions and construction; window and door dimensions, room dimensions, building elevation, floor plans), and roadway/railway information available at the time of this analysis. If these elements are modified during the planning, design, or construction phases of development, additional analysis will be required to determine if the results and recommendations presented are still capable of maintaining interior and outdoor noise levels in compliance with Prince George's County's Noise Policy guidance for residential development.
6. Prior to issuance of building permits, a list of the building materials for residential lots that will be impacted by noise levels above 65 dBA Ldn shall be submitted to the acoustical engineer for review for conformance with Condition 11 of Preliminary Plan of Subdivision 4-09003.
7. Prior to issuance of the use and occupancy permit for the clubhouse, the applicant shall install the two interpretive signs detailing the findings of the Phase I and II archeological surveys and provide proof of its installation to the Historic Preservation Section.

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. 17-119
File No. SDP-1701
Page 61

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 14, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of September 2017.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:JK:rpg