



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

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

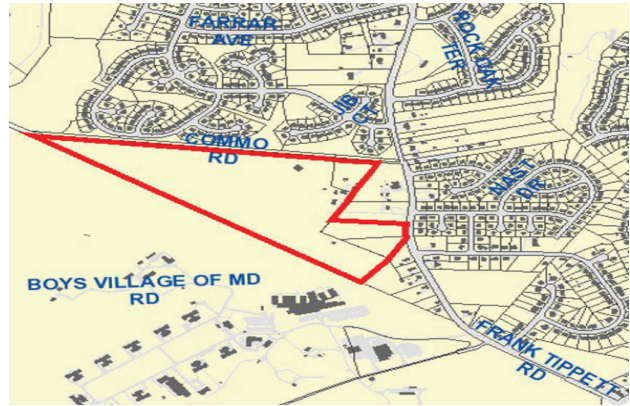
Zoning Map Amendment

Smith Lake Estates

ZMA-2022-003

REQUEST	STAFF RECOMMENDATION
To rezone the property from the Residential, Rural (RR) Zone to the Residential Planned Development (R-PD) Zone.	With the conditions recommended herein: <ul style="list-style-type: none"> • Approval of Zoning Map Amendment ZMA-2022-003

Location: West of Frank Tippett Road, approximately 600 feet from its intersection with Commo Road.	
Gross Acreage:	62.52
Zone:	RR
Prior Zone:	R-R
Gross Floor Area:	N/A
Dwelling Units:	150
Planning Area:	82A
Council District:	09
Municipality:	N/A
Applicant/Address: D.R. Horton, Inc. 181 Harry S. Truman Parkway, Suite 250 Annapolis, MD 21401	
Staff Reviewer: Dominique Lockhart Phone Number: 301-952-3411 Email: Dominique.Lockhart@ppd.mncppc.org	



Planning Board Date:	05/18/2023
Planning Board Action Limit:	N/A
Staff Report Date:	05/04/2023
Date Accepted:	02/27/2023
Informational Mailing:	05/18/2022
Acceptance Mailing:	02/17/2023
Sign Posting Deadline:	04/18/2023

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

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section
Development Review Division

FROM: Dominique Lockhart, Planner III, Zoning Section
Development Review Division

SUBJECT: **Zoning Map Amendment ZMA-2022-003
Smith Lake Estates**

REQUEST: **To rezone the property from the Residential, Rural (RR) Zone to the
Residential Planned Development (R-PD) Zone.**

RECOMMENDATION: **APPROVAL with conditions**

NOTE:

The Prince George's County Planning Board will hear the application on the agenda date of May 18, 2023 and will provide a recommendation to the Zoning Hearing Examiner. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. Requests to become Persons of Record should be submitted electronically, by email to: ZHE@co.pg.md.us. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

- 1. Location and Site Description:** The subject property is 62.52 acres, and is located west of Frank Tippett Road, approximately 600 feet from its intersection with Commo Road. The property consists of four deed parcels known as Parcels 10, 18, 20, and 62 recorded in the Prince George’s County Land Records in Liber 42875 at folio 528. The proposed access to the property is provided from one point on Frank Tippett Road. The property is located within the Residential, Rural (RR) Zone. The applicant has requested to rezone the subject property from the RR Zone to the Residential Planned Development (R-PD) Zone, pursuant to Section 27-3602 of the Prince George’s County Zoning Ordinance, for development of a maximum of 150 single-family detached and townhouse dwelling units.
- 2. History:** The property was the subject of two previously approved preliminary plans of subdivision (PPS) and one detailed site plan (DSP). PPS 4-05035, Smith Property, was approved by the Prince George’s County Planning Board (PGCPB Resolution No. 05-267) on December 15, 2005, for 60 lots and 5 parcels, for the development of 60 single-family detached dwellings. PPS 4-09042, Smith Lake Estates, was approved by the Planning Board (PGCPB Resolution No. 11-13) on February 3, 2011, for six lots for the development of six single-family detached dwellings. DSP-07002, Smith Property, was approved on November 9, 2011, by the Development Review Division, as designee of the Planning Director, for private recreation facilities to accompany 59 single-family detached dwelling units. However, development did not proceed in accordance with these approvals, and the applications have since expired.

On November 29, 2021, the Prince George’s County District Council approved Prince George’s County Council Resolution CR-136-2021, the Countywide Sectional Map Amendment (“CMA”), which reclassified the subject property from the Rural Residential (R-R) Zone to the RR Zone, effective April 1, 2022. The subject property is mostly undeveloped and wooded. Currently, 11 structures exist on the site, including 3 collapsed buildings, 3 dwellings, 2 barns, a frame garage, covered pavilion, and a woodshed. The site was previously used for agriculture and features a large, farm pond on the eastern portion of the site, which has developed into a wetland area.

- 3. Neighborhood and Surrounding Uses:** The following uses and roadways immediately surround the site:

North— Commo Road and the Tippett Estates Subdivision in the RR Zone.

East— Frank Tippett Road and single-family detached homes in the RR Zone.

South— Boys Village of Maryland Juvenile Detention Center in the RR Zone.

West— Vacant land in the RR Zone.

- 4. Request:** This application seeks to rezone the subject property from the RR Zone to the R-PD Zone, pursuant to Section 27-3602, for development of a maximum of 150 single-family detached and townhouse dwelling units.
- 5. General and Master Plan Recommendations:** Pursuant to Section 27-4301(d)(1)(A), General Standards for All Planned Development Zones; and Section 27-4302(a)(2),

R-PD Zone Use Standards, of the Zoning Ordinance, the proposed zoning map amendment (ZMA) is in conformance with the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and the vision of the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan and SMA).

Land Use

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

Plan 2035 places the subject property in the Established Communities Growth Policy Area. Established Communities are most appropriate for context-sensitive infill and low- to medium-density development. This Growth Policy area also recommends enhancing existing public services, facilities, and infrastructure throughout these communities (page 20; also refer to Map 1, Prince George's County Growth Policy Map, page 18).

The subject property, as depicted in the graphic below, is also part of the Future Water and Sewer Service Area. Development in this area is largely determined by the availability and capacity of water and sewer services. The site is currently in Water Sewer Category 3.

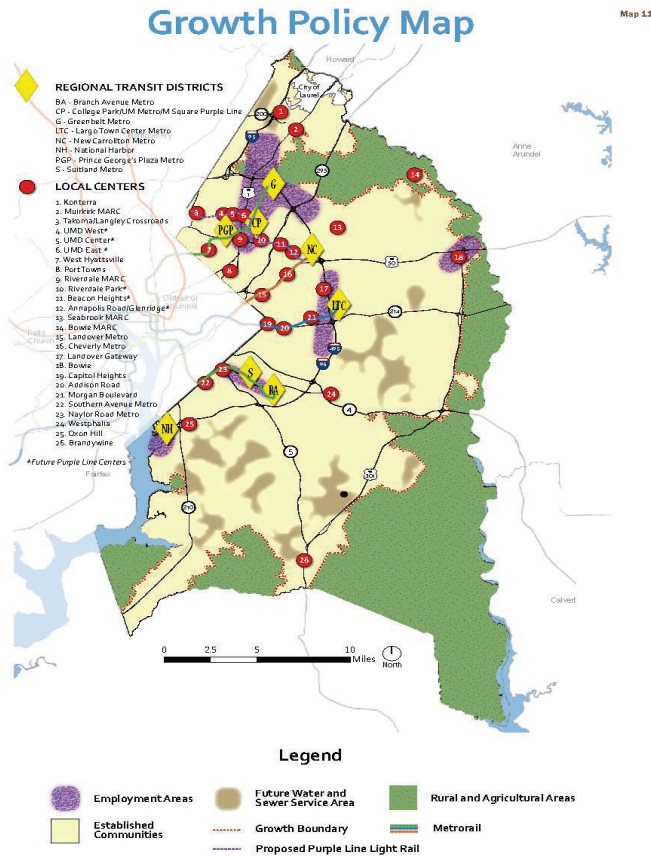


Figure 1: Plan 2035 Growth Policy Map (Subject property represented by the black dot)

2013 Approved Subregion 6 Master Plan and Sectional Map Amendment

The Subregion 6 Master Plan and SMA recommends residential low land use on the subject property. Residential low is described as “residential areas of up to 3.5 dwelling units per acre. Primarily single-family detached dwellings” (page 40). The proposed development will

contain a maximum of 150 dwelling units, or 2.39 dwelling units per acre. The dwelling types will be a mix of single-family detached and townhouse dwellings.

Scenic and Historic Roads

Frank Tippet Road is not designated as a scenic or historic roadway in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

Summary of Master Plan and SMA Conformance

The proposed ZMA is in conformance with Plan 2035 and the Subregion 6 Master Plan and SMA because the application proposes single-family detached homes and townhouses of similar character and density to the surrounding community, as prescribed by the guidance of Plan 2035, for properties located in the Established Communities Growth Policy Area.

- 6. **Compliance with Applicable Provisions of the Zoning Ordinance:** This finding is provided to evaluate all applicable zoning provisions, as it pertains to the proposed rezoning of the subject property from the RR Zone to the R-PD Zone.

Section 27-3602(b)(7)(A) – Review and Recommendation by Advisory Board or Official

(A) The Planning Board shall make a recommendation on the application in accordance with Section 27-3602(c), Planned Development (PD) Decision Standards, and transmit its recommendation to the ZHE. The Planning Board may suggest revisions to the PD Basic Plan and PD Conditions of Approval. The Planning Board’s recommendation shall address:

(i) Whether the application complies with Section 27-3602(c), Planned Development (PD) Decision Standards;

The subject application is found to conform with the Planned Development Decision Standards found in Section 27-3602(c), as detailed in the subsequent section below.

(ii) The need and justification for the PD zone;

The subject property is currently zoned RR, which requires a minimum of 20,000 square feet of lot area and a minimum lot width of 100 feet for single-family detached dwellings. The allowable density in the RR Zone is 2.17 dwelling units per acre, which would result in 130 single-family dwelling units. The RR Zone also does not permit townhouse dwellings, so there would not be a mix of dwelling types on the site.

The flexibility of the R-PD Zone will allow the applicant to include both single-family detached and townhouse dwellings within the development. The proposed maximum density of 2.5 dwelling units per acre would result in a total of 150 dwelling units, only 20 dwelling units above what is permitted in the base RR Zone. The R-PD Zone will also allow the applicant to develop lots with a reduced lot area and lot width, creating a more compact and inclusive residential development, while working with the existing environmental habitat.

The site contains environmental constraints including streams, wetlands, and floodplain areas. The proposed development is an environmentally sensitive design that preserves and protects the various environmental features of the site. The existing pond will be converted into a stormwater management (SWM) facility. Woodland on-site will also be retained, to the extent practicable, and placed within a woodland conservation easement.

(iii) The effect of the PD zone, if any, on the land subject to the proposed PD and on surrounding neighborhoods; and

The R-PD Zone will not negatively or adversely affect the subject property or the surrounding neighborhoods. The site is surrounded to the north and east by residential subdivisions beyond Commo Road and Frank Tippet Road. The site also directly abuts two single-family dwellings to the east. Vacant and wooded land is to the west of the site and, to the south, is the state-owned Boys Village of Maryland Juvenile Detention Center.

The site will have one access point off Frank Tippet Road that will lead to the internal street network. The proposed dwelling units, along the north side of the property, will be buffered from the adjacent Commo Road and residential subdivision beyond by landscaped areas and natural environmental features. The portion of the site that directly abuts residential dwellings to the east will have proposed dwellings set further away from the property line, to reduce any potential impacts to the adjacent residential uses.

(iv) The relationship of the proposed PD zone to the purposes of this Ordinance, the General Plan, and the applicable Area Master Plan or Sector Plan, with appropriate consideration as to whether the proposed PD zone will further the purposes of this Ordinance, the General Plan, and the applicable Area Master Plan or Sector Plan.

The proposed R-PD Zone will further the purposes of this Ordinance, the General Plan, and the area master plan. The health, safety, and welfare of the future inhabitants of the development will be protected and promoted by providing high-quality development that features both passive and active recreation amenities. The mix of dwelling types proposed will enhance the established character of the surrounding residential communities and provide options for families of various sizes. The existing pond on-site will serve as a centralized gathering place for the community, with convenient access through pedestrian walkways and trails. Potential amenities, such as a pocket park and playground area, will be provided for active recreation.

The development also ensures the provision of open space, to protect the scenic and natural features surrounding the site. The required open space set-aside amount is 20 percent of the development site area. The proposed basic plan shows that 31 percent of open space will be provided. The subject property is also near Maryland-National Capital Park and Planning Commission (M-NCPPC) owned Piscataway Creek Stream Valley Park and

Cheltenham Park for additional recreation options. Environmentally sensitive design practices shall be implemented, to reduce impacts to the PMA and adequately buffer regulated areas from the proposed residential development.

Several policies outlined in Plan 2035 are furthered by the proposed development. One of the six principles that guides the Plan 2035 vision is the concentration of future growth (page 14). The proposed development is utilizing the flexibility provided in the R-PD Zone to create a compact residential community, while simultaneously preserving the sites existing environmental features. The existing pond will be used as a SWM management facility and as a site amenity. A pedestrian pathway will surround the pond to provide active recreation.

In addition, Policy 4 of Plan 2035 (page 113) states to “Phase new residential development to coincide with the provision of public facilities and services.” Several public facilities will serve the proposed development. Cheltenham Wetlands Park is adjacent to the property, and Cheltenham Woods Community Park and Cheltenham Wildlife Management Area are located within a half-mile of the property. Just northwest of the property is the M-NCPPC Piscataway Creek Steam Valley Park II. Fire Station 840 is located less than five miles from the property, and the Clinton Police Station is located approximately seven miles from the site. The property is designated in water and sewer Category 3, and proposed lots are to be served by public water and sewer connections. School-age children of future residents will be served by the Rosaryville Elementary School, the Gwynn Park Middle School, and the Frederick Douglass High School.

Section 27-3602(c) – Planned Development (PD) Decision Standards

Prior to the approval of the PD zone, the applicant shall demonstrate to the satisfaction of the District Council that the entire development:

- (1) Is in conformance with the General Plan, the applicable Area Master Plan or Sector Plan, or any applicable Functional Master Plan;**

The subject property is located within the Subregion 6 Master Plan and SMA, which recommends residential low land use. The residential low land use area is described as “residential areas of up to 3.5 dwelling units per acre, primarily single-family detached dwellings” (page 40). In addition, the Subregion 6 Master Plan and SMA indicates one of the purposes of the plan is “to implement the policies and recommendations contained in the 2002 *Prince George’s County Approved General Plan*” (page 5). The 2002 General Plan placed the subject property in the Developing Tier (page 8, Map 2: County Tiers). The land use recommendations for the residential densities in the development tier are primarily residential low and residential low medium. The Developing Tier is envisioned as an area of low- to moderate-density suburban residential communities, distinct commercial centers, and transit-serviceable employment areas. Growth policies in the Developing Tier encourage compact residential neighborhood design and limit commercial uses to designated centers (Subregion 6 Master Plan and SMA, page 7).

The proposed development, with a density range of 1.0–2.5 dwelling units per acre, is well under the recommended maximum density of 3.5 dwelling units per acre for the residential low land use area. The development contains both single-family detached homes and townhouses that are in harmony with the surrounding developments.

(2) Meets the purposes of the proposed PD zone;

The purposes of the R-PD Zone are provided in Section 27-4302(a)(1) of the Zoning Ordinance, in which the application demonstrates conformance by providing flexibility in design, comprehensive pedestrian and bicycle circulations, integrated open spaces, compatibility with the surrounding uses, and environmentally sensitive design features. An analysis of how the proposed development meets the criteria for the R-PD Zone is provided below.

(3) Satisfies all applicable standards of the proposed PD zone; and

Per Section 27-4302(a)(2), the specific uses allowed in an individual R-PD Zone shall be established in the planned development (PD) basic plan. The proposed uses of single-family detached and townhouse dwellings are permitted uses. The uses are also consistent with the recommended land uses in Plan 2035 and the Subregion 6 Master Plan and SMA. The intensity and dimensional standards for the R-PD Zone are found in Section 27-4302(a)(3) of the Zoning Ordinance and are to be established with the PD basic plan. All standards are shown on Sheet 1 of the proposed basic plan and conform to the intensity and dimensional standards of the R-PD Zone.

Additional standards, provided in Section 27-4302(a)(3), state that the minimum area must be 20 gross acres, if the gross density is less than 5 units an acre; the property must be located in a residential base zone; and each lot and attached unit in the development shall have direct access to the street. The proposed development meets each of the previously stated required criteria. The subject property has a gross acreage of 62.52 acres, with 2.5 dwelling units per acre proposed. The property is located in the RR base zone, and the basic plan shows that each lot in the development will have direct access to a street.

(4) Will not adversely impact the surrounding properties.

The proposed development will not adversely affect the surrounding properties.

Rezoning the subject property to the R-PD Zone will allow for a more efficient use of land and higher-quality development while respecting existing environmental features and surrounding neighborhood character.

The subject property is 62.52 acres and is located west of Frank Tippett Road, approximately 600 feet from its intersection with Commo Road. To the north, across Commo Road, is a subdivision of single-family detached homes on approximately 0.25 acre lots in the RR Zone known as Tippett Estates. To the east are single-family detached homes on approximately 3-acre parcels in the RR Zone. Further east,

across Frank Tippet Road, is Terraco Acres, a subdivision of single-family detached homes on approximately 0.25 acre lots, in the RR and Residential, Single-Family-95 Zones. South and west of the property is the 930+ acre Cheltenham Youth Facility, in the RR Zone, owned by the State of Maryland.

The applicant proposes a development of 130–150 units consisting of single-family detached and townhouse dwellings. The R-PD Zone will allow the property to develop with townhouse dwellings, which is currently not permitted in the RR Zone. The mix of housing types are compatible with the area, on lot sizes comparable to surrounding lots. The proposed density range of 1.0–2.5 dwelling units per acre will remain in character with the surrounding subdivisions. The proposed density is also aligned with what is recommended for properties within the residential low land use area, which is a maximum of 3.5 dwelling units per acre.

Section 27-4301(a). – General Purposes of Planned Development Zones.

The Planned Development (PD) zones are established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other County goals and objectives by:

- (1) Reducing the inflexibility of zone standards that sometimes results from strict application of the zone development, form, and design standards established in this Ordinance;**

The proposed R-PD Zone will allow for multiple housing types and smaller lot sizes, while providing a comparable maximum density to the underlying RR Zone. The RR base zone allows a maximum of 2.17 dwelling units per acre. The proposed development provides a maximum density of 2.5 dwelling units per acre. The R-PD Zone allows the flexibility to achieve a density in line with the surrounding area, while concentrating development in a smaller area. The compact design minimizes impacts to the existing environmentally sensitive areas and features.

- (2) Allowing greater freedom and flexibility in selecting:**

- (A) The form and design of development;**

Smaller lot sizes allow for a more compact development, allowing access to the various environmental features that will be preserved on the property.

- (B) The ways by which pedestrians, bicyclists, transit users, and motorists circulate;**

Residents will be connected to internal and external recreation activities via a multimodal system of streets, bike lanes, and pathways.

- (C) The location and design of the development respective and protective of the natural features of the land and the environment;**

The proposed development features woodland conservations areas, a trail system surrounding an existing pond, and stream preservation. All residents will have direct access to the active and passive recreation areas.

(D) The location and integration of open space and civic space into the development; and

Approximately 22 acres of open space (31 percent of the site) are set aside, in accordance with Part 27-6 of the new Zoning Ordinance. Most of the open space is preserved for woodland conservation, and the remaining areas are for active and passive recreation. Park areas, a playground, and a trail circuit will be provided for active recreation. Sitting areas around the existing pond and in other areas provide passive recreative activities. These amenities are connected to the residential dwellings through a pedestrian and bicycle path network, allowing easy access to community areas.

(E) Design amenities.

The R-PD Zone has allowed the applicant to preserve the natural environmental features of the site, while simultaneously providing a connected residential development.

(3) Where appropriate, allowing greater freedom in providing a well-integrated mix of uses in the same development, including a mix of nonresidential development, housing types, lot sizes, and densities/intensities;

The proposed uses will include single-family detached and townhouse dwellings, which are both permitted uses in the R-PD Zone. The minimum lot size areas will also range from 2,200 square feet to 5,300 square feet. There is a maximum proposed density of 2.5 dwelling units per acre, which results in 150 dwelling units.

(4) Allowing more efficient use of land, with coordinated and right-sized networks of streets and utilities;

The proposed development will be served by one access point, from Frank Tippett Road. The development site will include an internal street and sidewalk network for pedestrians and vehicles. Adequacy will be determined in subsequent applications.

(5) Promoting development forms and patterns that respect the character of established surrounding neighborhoods and other types of land uses;

The area is developed with the nearby single-family subdivisions of Terraco Acres and Tippett Estates. Single-family detached homes and the adjacent Boys Village of Maryland Juvenile Detention also surrounds the property. The proposed development offers a mix of single-family detached dwellings and townhouses, designed to fit into the surrounding community.

(6) Improving community services and facilities and enhancing functionality of vehicular access and circulation; and

The R-PD Zone allows for a more efficient use of land, while keeping in mind the community's vehicular circulation patterns and access. Internal circulation will be provided by public and private roads, with a full system of sidewalks, increasing the connectivity and pedestrian accessibility with an internal trail system and lake. The on-site vehicular, pedestrian, and bicycle circulation system will connect to Frank Tippet Road, which is classified as a master plan collector road with planned shared lanes.

- (7) Promoting development forms that respect and take advantage of a site's natural, scenic, and man-made features, such as rivers, lakes, wetlands, floodplains, trees, historic features, and cultural and archeological resources.**

The subject property was surveyed for archeological resources in 2008. Five archeological sites were identified on the property. All sites were significantly disturbed by plowing and other 20th century activities on the property. No intact cultural features were identified in any of the five sites, and no further archeological investigations are recommended.

The site includes floodplain, streams and associated buffers, steep slopes, and wetlands with their associated buffers. The existing pond will feature an on-site trail system for pedestrian use. Woodland on-site shall be retained, to the extent practicable, and be placed within a woodland conservation easement.

Section 27-4301(d). – General Standards for All Planned Development Zones.

Before approving a PD zone classification, the District Council shall find that the application for the PD zone classification, as well as the PD Basic Plan and Conditions of Approval, comply with the following standards:

- (1) PD Basic Plan.**

- (A) Establish a statement of planning and development goals for the zone that is consistent with the General Plan and the applicable Area Master Plan or Sector Plan and purposes of the PD Zone;**

As stated in the applicant's statement of justification (SOJ), the planning and development goal for the proposed development is to create a community of single-family detached and townhouse dwellings that are compatible to the area and consistent with Plan 2035 and the Subregion 6 Master Plan and SMA. The proposed development includes a maximum of 150 dwelling units (or 2.5 dwellings per acre), on lot sizes at a density commensurate with others in the area. The development is also complete with bicycle and pedestrian lanes and paths, a playground area, and a centralized gathering space around the existing pond.

- (B) Establish the specific principal, accessory, and temporary uses permitted in the zone. They shall be consistent with the Principal Use Tables (and may only be selected from uses identified as Allowable in the desired PD zone) in Section 27-5101(e), Principal Use Table for Planned Development Zones, and the purposes of the particular type of**

PD zone, and be subject to applicable use-specific standards identified in the PD Basic Plan, and any additional limitations or requirements applicable to the particular type of PD zone;

The principal uses for the development will be single-family detached and townhouse dwellings, with permissible accessory structures. No temporary uses are proposed, except for the on-site construction offices. These uses are permitted per Section 27-5101(e) of the Zoning Ordinance.

- (C) Establish the general location of each development area in the zone, its acreage, types and mix of land uses, number of residential units (by use type), nonresidential floor area (by use type), residential density, and nonresidential intensity. The residential density and nonresidential intensity shall be consistent with the general purposes of the PD zone and the specific requirements of the individual PD zone;**

Two development pods are proposed. The first development pod contains single-family detached dwellings on 5.41 acres, surrounding the existing pond. The second development pod contains townhouse dwellings on 1.54 acres.

The number of each dwelling type (single-family detached and townhouse dwellings) is not yet specified, but there will be a maximum of 150 dwelling units, or 2.5 dwelling units per acre. Nonresidential uses include a pocket park, playground area, trails, paths, and sitting areas. The development is concentrated in approximately 30 acres in the south-central, central, and eastern portions of the property. The remaining +/- 30 acres are proposed to be undisturbed and/or included, as shown on the open space set-aside exhibit submitted with this application.

- (D) Establish the dimensional standards that apply in the PD zone. The dimensional standards shall be consistent with the requirements of the individual PD zone, and its purposes;**

The proposed dimensional standards are shown on the basic plan and are consistent with the dimensional standards noted in Section 27-4302(a)(3). The dimensional standards noted include density, net lot area, lot width, lot coverage, front yard depth, side yard depth, rear yard depth, and principal structure height.

- (E) Where relevant, establish the standards and requirements that ensure development on the perimeter of the PD zone is designed and located to be compatible with the character of adjacent existing or approved development. Determination of compatible character shall be based on densities/intensities, lot size and dimensions, building height, building mass and scale, form and design features, location and design of parking facilities, hours of operation, exterior lighting, siting of service areas, and any other standards deemed appropriate by the District Council;**

Buffers will be proposed in subsequent applications, along the property's perimeter, as required by the 2010 *Prince George's County Landscape Manual* (Landscape Manual), ensuring compatibility with existing residential parcels to the east and north. Along the southern and western property boundary, lots are buffered from the adjoining properties by existing woodland.

(F) Establish the general location, amount, and type (whether designated for active or passive recreation) of open space, consistent with the purposes of the individual PD zone;

Section 27-6403 of the Zoning Ordinance states that the set-aside amount, for residential developments in an R-PD Zone, is 20 percent. The basic plan shows conformance with the requirement, noting the proposed open space set-aside is 31 percent. The open space will consist of a large, activated pond area, woodland conservation, and stream preservation. The pond is envisioned as an amenity area and central focal point for the community.

(G) Identify the general location of environmentally sensitive lands, resource lands, wildlife habitat, and waterway corridors, and ensure protection of these lands consistent with the purposes of the individual PD zone and the requirements of this Ordinance;

The general location of environmentally sensitive lands, resource lands, wildlife habitat, and waterway corridors are shown on the basic plan. The applicant shall meet the woodland conservation requirements on-site, minimize impacts to primary management areas (PMAs) and specimen trees, and adequately buffer the on-site stream system from the proposed residential development.

(H) Identify the general location of existing on-site and adjacent historic sites and districts and archeological and cultural resources;

The subject property was surveyed for archeological resources in 2008. Five archeological sites were identified on the property: 18PR927—an early 20th century house site; 18PR928—a late 19th to mid-20th century African American farmstead; 18PR929—a prehistoric lithic scatter; 19PR930—a prehistoric lithic scatter and 19th century artifact scatter; and 18PR931—an early to late 19th century woodland short-term prehistoric camp. All sites were significantly disturbed by plowing and other 20th century activities on the property. No intact cultural features were identified in any of the five sites. No further archeological investigations were recommended by the applicant's consultant archeologist due to extensive modern disturbance. Staff agree that no additional investigations are necessary.

(I) Identify the general on-site pedestrian circulation system, including any existing on-site and adjacent pedestrian circulation systems (pedestrian and bicycle pathways, and trails), and how it will connect to off-site pedestrian systems in ways that are consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;

A circulation exhibit was submitted which shows the proposed development will be served by one access point from Frank Tippett Road. While a single point of access is undesirable given the number of lots being proposed, the on-site environmental constraints and overall topography make additional points of access a challenge. The initial layout of the site shows a series of nodes and links resulting in a connectivity index of 1.5. Table 27-6206(f)(1), of the Zoning Ordinance, shows that this index is deemed acceptable.

- (J) Identify the general design and layout of the on-site transportation circulation system, including the general location of all public and private streets, existing or projected transit corridors, and how they interface with the pedestrian circulation system, and connect to existing and planned County and regional systems in a manner consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;**

Residents will be connected to internal and external activities via a multimodal system of streets, bike lanes, and paths.

Staff recommend that the implementation of complete streets be considered at the time of the comprehensive design plan or future phases for the subject property. In addition, staff recommend that pedestrian and bicycle facilities be provided, consistent with the Subregion 6 Master Plan and SMA pedestrian and bicycle policies, to provide additional connections and facilities that promote multimodal transportation. This property is subject to the MPOT, which recommends a planned shared roadway along Frank Tippett Road and Commo Road.

- (K) Identify the general location of on-site potable water and wastewater facilities, and how they will connect to existing and planned County and regional systems in a manner consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;**

The proposed SWM facilities and their connections are shown on the basic plan.

- (L) Identify the general location of on-site storm drainage facilities, and how they will connect to existing and planned County systems, in a manner consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;**

The on-site storm drainage facilities and their connections are shown on the basic plan.

- (M) Identify the general location and layout of all other on-site and off-site public facilities serving the development (including any municipal public facilities, when the subject property is located within a municipality), and how they are consistent with the purposes of the individual PD zone. The other on-site and off-site public facilities**

considered shall include—but not limited to—parks, schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid waste management;

The subject property is not located within a municipality. A number of public facilities will serve the development. Cheltenham Wetlands Park is adjacent to the property. Cheltenham Woods Community Park and Cheltenham Wildlife Management Area are located within a half-mile of the property. Just northwest of the property is the Maryland-National Capital Park and Planning Commission’s Piscataway Creek Stream Valley Park II. Fire Station 840 is located on Brandywine Road, less than five miles from the property, and the Clinton Police Station is located one block off of Brandywine Road, approximately seven miles from the site.

(N) Establish provisions addressing how transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development;

The property is designated Water and Sewer Category 3, and proposed lots are to be served by public water and sewer connections. The on-site vehicular and pedestrian circulation system will connect to Frank Tippet Road, which is classified as a master-planned collector road, with planned shared lanes. The school-age children of future residents will be served by the Rosaryville Elementary School, the Gwynn Park Middle School, and the Frederick Douglass High School.

(O) Establish the development standards that will be applied to development in accordance with Section 27-4301(d)(2), Development Standards.

Compliance with these standards will be fully detailed and evaluated in future stages of the review process, but general descriptions of the development standards are noted below. No modifications to the development standards are proposed at this stage.

Section 27-4302(a)(1) – Residential Planned Development (R-PD) Zone Purposes

The purposes of the Residential Planned Development (R-PD) Zone are:

(A) To provide flexibility for the design of innovative, high-quality, planned residential communities that include a mix of residential use types along with a range of complementary and mutually supporting nonresidential land uses that serve the needs of the residents of the development;

Maintaining the character of the surrounding community is a key purpose and goal of the R-PD Zone. The proposed development provides a mix of housing types on the site, including wide townhouse dwellings, otherwise referred to commonly as “villas.” These units will be between 26 feet and 32 feet wide, and generally 2 stories in height. The combination of

single-family detached and townhouse dwellings will provide the mix of housing types within the development envisioned in the R-PD Zone.

The flexibility provided by the R-PD Zone allows the applicant to provide a variety of single-family detached and townhouse dwellings, in various sizes, to achieve a higher quality of development. With the proposed mix of housing sizes and types, the development is envisioned as a multigenerational development, accessible to first time homeowners and also those seeking a home to age in place. These features are keeping in character with the area, which also includes a range of homes on varying sized parcels as seen in the Terraco Acres and Tippett Estates subdivisions that surround the project.

(B) To ensure and support the development of comprehensive pedestrian and bicycle circulation networks, which are separated from vehicular roadways and link residential, commercial, open space, and recreation areas;

The proposed development makes efficient use of land, while keeping in mind the community's vehicular circulation patterns and access, and the impact on the environment. The internal circulation will be provided by public and private roads with a full system of sidewalks, augmenting the connectivity and pedestrian focus with an internal trail system and lake. The on-site vehicular, pedestrian, and bicycle circulation system will connect to Frank Tippett Road, which is classified as a master-planned collector road with planned shared lanes.

The subject property falls within the Developing Tier of the Subregion 6 Master Plan and SMA, which requires sidewalks on both sides of all new internal roads. As development occurs within the proposed area, staff will further evaluate bicycle and pedestrian transportation facilities.

(C) To preserve and support well-integrated open spaces and recreation facilities for the use of the residents of the planned residential community;

The existing pond on-site will serve as a centralized gathering place for the community with convenient access through pedestrian walkways and trails. Potential amenities such as a pocket park and playground area provided for active recreation; sitting areas around the existing pond providing passive recreation activities.

(D) To ensure that the planned residential community is developed in a manner that does not adversely impact the surrounding communities; and

The subject property is located in the Cheltenham Community, on the south side of Commo Road, west of its intersection with Frank Tippet Road. North, across Commo Road, is the Tippett Estates subdivision. Abutting the property to the east are single-family detached homes. Further east, across

Frank Tippet Road, is the Terraco Acres subdivision. Southwest of the property is the 930+ acre Cheltenham Youth Facility, owned by the State of Maryland. The facility abuts the entire southwestern boundary of the property.

The development proposes 130–150 dwelling units consisting of a mix of single-family detached and townhouse dwellings, in character with the surrounding subdivisions, with a density aligned with that allowed in the RR Zone, approximately 2.2–2.5 dwellings per acre. The RR Zone currently allows a maximum density of 2.17 dwelling units per acre and does not allow townhome development. The R-PD Zone will allow the property to develop with single-family detached and townhouse dwelling units that are compatible to the area, on lot sizes more in line with surrounding lots, and while allowing a density similar to the existing allowable density in the RR Zone.

(E) To ensure the planned residential community respects the topographic and other environmental characteristics of the site on which it is located.

The Smith Lake Estates property is comprised of varying environmental features that include old agricultural fields, a forested stream valley and associated floodplain, an abandoned farm pond, upland woodlands, and wetlands. The topography varies throughout the site but generally slopes downwards to the north and west towards the existing farm pond and stream valleys.

The proposed development preserves, to the fullest extent practical, the existing environmental features. Specifically, streams and slopes, and an existing pond, are seen as a valuable asset for the future community. Views into the environmental features are focal points in the development along streets and at intersections. A full environmental review is contained in Finding 7 of this technical staff report.

Part 27-6 - Applicable Development Standards

Per Section 27-3602(a)(5)(H), Planned Development Map Amendment Submittal Requirements, of the Zoning Ordinance, a PD map amendment application shall include a proposed PD basic plan and proposed PD conditions of approval addressing all requirements and standards set forth in Section 27-4300, Planned Development Zones, of the Zoning Ordinance. Per Section 27-4301(d)(2), General Standards of All Planned Development Zones, of the Zoning Ordinance, before approving a PD zone classification, the District Council shall find that the application for the PD zone classification, as well as the PD basic plan and conditions of approval, comply with the development standards in Part 27-6. Development standards and the Landscape Manual shall apply to all development in each PD zone. Conformance with the development standards will also be further evaluated at the time of DSP.

Conformance with the development standards of the Zoning Ordinance, as described in the applicant's SOJ dated January 25, 2023, is incorporated herein by reference. The following discussion is offered:

(a) Section 27-6200 Roadway Access, Mobility, and Circulation

A circulation plan was provided demonstrating sufficient vehicular, pedestrian and bicycle access and circulation. The proposed development will be served by one access point from Frank Tippet Road only. While a single point of access is undesirable, given the number of lots being proposed, the on-site environmental constraints and overall topography make additional points of access a challenge. The initial layout of the site shows a series of nodes and links resulting in a connectivity index of 1.5. Table 27-6206(f)(1) shows that this index is deemed acceptable.

(b) Section 27-6300 Off-Street Parking and Loading

The proposed development consists of townhouse dwellings and single-family detached housing. Parking will be provided both on- and off-street to accommodate the proposed development.

(c) Section 27-6400 Open Space Set-Asides

Section 27-6403 states that the set-aside amount, for residential development in an R-PD Zone, is 20 percent. The proposed development includes a number of open space types, including a large, activated pond area and woodland conservation and stream preservation. The existing pond will be designed within the development to “serve as a centralized gathering place for the community with convenient access through pedestrian walkways and trails.

(f) Section 27-6700 Exterior Lighting

Section 27-6706(c)(1) of the Zoning Ordinance allows a maximum illumination of 0.5-foot candles at the property lines for single-family detached, and 1.0-foot candles for townhouse development. Section 27-6703 of the Zoning Ordinance requires a light plan to be prepared and submitted at the time of site plan or building permit. Energy-saving light fixtures shall be utilized and light minimization will be evaluated by the Urban Design Section, with subsequent development review applications.

(g) Section 27-6800 Environmental Protection and Noise Controls

A natural resources inventory (NRI) is required as part of a zoning amendment application, per Section 27-6802 of the Zoning Ordinance. NRI-010-05-03, which was approved and covers the land area, was included in the application and referenced on Sheet 2 of the civil plan set. If the proposed ZMA is approved to rezone the property from RR to R-PD, the forest conservation threshold under the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance would remain the same, at 20 percent. The applicant shall strive to meet the woodland conservation requirements on-site, minimize impacts to PMAs and specimen trees, and adequately buffer the on-site stream system from the proposed residential development. Woodland conservation, SWM, specimen trees, and PMA shall be evaluated with subsequent development applications.

A noise study will be conducted for the development at the appropriate stage of development.

(h) Section 27-6903 Multifamily, Townhouse, and Three-Family Form and Design Standards

New multifamily, townhouse, or three-family development with 20 or more dwelling units shall have at least one secondary point of vehicular access to or from the site to ensure emergency vehicle access, if feasible. The applicant has stated in the submitted SOJ that a secondary access point is not feasible, and design specific will be presented at the DSP stage. A stream valley and steep slopes do exist along Commo Road and the initial design meets the connectivity index.

(i) Section 27-61200 Neighborhood Compatibility Standards

As noted above in Finding 5, the surrounding area is developed with the single-family subdivisions of Terraco Acres and Tippett Estates. A few single-family homes on larger parcels and state and federal facilities make up the local neighborhood. The proposed development offers a mix of single-family detached and townhouse dwellings thoughtfully designed to fit with the surrounding neighborhood and uses.

(l) Section 27-61500 Signage

One gateway sign at the entrance to the property will be proposed in subsequent applications.

(m) Section 27-61600 Green Building Standards

The applicant shall strive to utilize green building techniques applicable for the proposed residential development. Green building techniques will be evaluated by the Urban Design Section, with subsequent development proposals.

7. **Environmental Review:** This finding is provided to describe the existing site features on the property and the impact of the requested rezoning as it pertains to environmental conformance.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George's County Code because the development proposal will be required to file a new PPS application to reflect changes proposed under the development proposal.

Site Description

This site is generally triangular in shape and is mostly wooded. A stream is present on-site, which coincides with the northern property boundary, branching out into the property at two locations. This site was previously used for agriculture and features a large farm pond on the eastern portion of the site, which has developed into a wetland area. Floodplain is present on-site in conjunction with the stream system. The site lies within the Middle Potomac watershed, Piscataway Creek. Unsafe soils containing Marlboro Clays or Christiana

Complexes are not present on-site. The site contains regulated and evaluation areas, as designated in the *Countywide Green Infrastructure Plan* of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan). The site is located within Planning Area 82A. Based on the Sensitive Species Project Review Area (SSPRA) GIS layer prepared by the Maryland Department of the Environment, Heritage and Wildlife Service, forest interior dwelling species are present on-site. The site is within a SSPRA and falls within the drainage to Piscataway Creek, which is known to support important fish species, including the state-listed threatened American Brook Lamprey. This site is within a Tier II catchment area identified as Piscataway Creek 1 and 2.

Plan Prince George's 2035 Approved General Plan

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map and has a Growth Policy of Established Communities as designated by Plan 2035.

Master Plan Conformance; Approved Subregion 6 Master Plan and Sectional Map Amendment Environmental Infrastructure

The Environmental Infrastructure Section of the Subregion 6 Master Plan and SMA outlines nine policies for protecting, preserving, and restoring regulated environmental features (REF), in which the subject development demonstrates conformance.

The applicant proposes to retain the majority of the PMA, with impacts proposed to the existing farm pond to convert into a SWM facility. The applicant proposes to provide an on-site recreation trail around the existing farm pond. Based on the provided open space set-aside plan, the applicant proposes to retain the majority of the PMA within a woodland conservation area.

2017 Countywide Green Infrastructure Plan

The majority of the site is mapped within the green infrastructure network, as delineated in accordance with the Green Infrastructure Plan. The regulated area is mapped along the streams and REFs, and the evaluation area is mapped on the remainder of the site as existing forest contiguous to the stream. The plans, as submitted, generally show the preservation of the regulated areas; however, more detailed information will be evaluated during the subsequent applications. The ZMA request demonstrates conformance with the Green Infrastructure Plan.

Existing Conditions/Natural Resource Inventory

Per Section 27-6802, an NRI is required as part of a zoning amendment application. NRI-010-05-03, which covers the land area, was included in the application and referenced on Sheet 2 of the civil plan set.

Woodland Conservation

The woodland conservation threshold will remain as 20 percent with the proposed R-PD Zone. All future applications will require tree conservation plans in accordance with the current regulations.

Specimen Trees

A forest stand delineation report was submitted with the NRI, which was submitted as a required document with this ZMA. The forest stand delineation indicates that 111 specimen

trees are located on-site. A variance request for the proposed removal of specimen trees shall be submitted with the acceptance of the PPS or associated case. Every effort shall be made to preserve specimen trees to the fullest extent practicable.

Regulated Environmental Features

There is PMA, comprised of REF, which includes floodplain, streams and associated buffers, steep slopes, and wetlands with their associated buffers. Section 27-6808 of the Zoning Ordinance refers to Section 24-4300 of the Prince George's County Subdivision Regulations, which establishes that subdivisions shall be designed to minimize the impact of development on the land and on REFs. Section 24-4303(d)(5) of the Subdivision Regulations establishes that, for land located outside of the Chesapeake Bay Critical Area Overlay Zone, the PPS shall demonstrate the preservation and/or restoration of REFs in a natural state, to the fullest extent possible.

Stormwater Management

A site development concept will be reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), and the approved concept shall be submitted for review with the acceptance of the PPS.

Erosion and Sediment Control

This site is within a Tier II catchment area. Tier II waters are high-quality waters within the State of Maryland, as designated by the Maryland Department of Environment, that are afforded special protection under Maryland's Anti-degradation policy. A 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams, in accordance with the Prince George's Soil Conservation District (PGSCD) requirements. Redundant erosion and sediment control measures may be required on the Erosion and Sediment Control Plan, reviewed by the PGSCD.

Summary

As described in Section 27-6404(a) of the Zoning Ordinance, natural features are to be included on the open space set-aside exhibit, which has been added as a condition herein. This section defines features considered natural features and establishes that primary management area is counted under natural features, which count towards the open space set-aside requirement, and should be clearly indicated on the exhibit.

The applicant shall meet the woodland conservation requirements on-site, minimize impacts to PMA and specimen trees, and adequately buffer the on-site stream system from the proposed residential development. Woodland conservation, SWM, specimen trees, and PMA shall be evaluated with subsequent development applications.

- 8. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and major findings are summarized, as follows:

- a. **Historic Preservation**—In a memorandum dated March 06, 2023 (Stabler to Lockhart), the Historic Preservation Section indicated that the subject property was surveyed for archeological resources in 2008. Five archeological sites were identified on the property, and no intact cultural features were identified in any of the five sites. Historic Preservation staff concur that no additional investigations are necessary on sites 18PR927, 18PR928, 18PR929, 18PR930, or 18PR931.

- b. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 29, 2023 (Giles to Lockhart), DPIE offered numerous comments that will be addressed in subsequent applications and the permitting process. They indicated that the subject application is consistent with the SWM concept plan filed under DPIE case number 42748-2004-02, approved on December 19, 2013 and expired on December 19, 2016. The SWM concept shall be extended, prior to approval of ZMA-2022-003, which has been added as a condition herein.
- c. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated March 31, 2023, DPR indicated the subject site was previously reviewed as part of PPS 4-0035, 4-05035, 4-08065, 4-09042, and DSP-07002 where DPR staff recommended the provision of on-site recreation facilities to fulfill the parkland dedication requirement. The property is 50 feet south of the Piscataway Stream Valley Park, the Piscataway Creek Trail, and approximately 600 feet east of the 75-acre Cheltenham Park. Southwest of the property is the 930+ acre Cheltenham Youth Facility, owned by the State of Maryland, which abuts the entire southwestern boundary of the property.

Per the applicant’s SOJ, the existing pond will be designed within the development to “serve as a centralized gathering place for the community with convenient access through pedestrian walkways and trails. Potential amenities such as a pocket park and playground area provided for active recreation; sitting areas around the existing pond will provide a peaceful respite for passive recreative activities.”

Given the proposed density of the development and the proximity to M-NCPPC owned land, DPR staff recommend the provision of land conveyance and on-site recreation within the development to meet the parkland dedication requirement. DPR is evaluating the western area (Sheet 2) of the property, south of Como Road adjacent to the Cheltenham Youth Facility for future conveyance. At the time of the evaluation of the PPS, DPR staff will review the recommendations and requirements of the R-PD Zone, the Subregion 6 Master Plan and SMA, and the Subdivision Regulations, as they pertain to the provision of public parks and recreation facilities.

- d. **Subdivision**—In a memorandum dated April 17, 2023 (Heath to Lockhart), the Subdivision Section provided a review of the subject application and noted the property was the subject of two previously approved PPS applications. Development, however, did not proceed in accordance with these approvals, and both preliminary plans have since expired.

A new PPS and a certificate of adequacy will be required for the division of land if this application is approved. The proposed site layout and lotting pattern will be further evaluated with the PPS and must comply with all development standards contained in the Subdivision Regulations. A final plat of subdivision is required following the approval of a PPS before any permits may be approved for development of this site.

- e. **Transportation**—In a memorandum dated April 20, 2023 (Burton to Lockhart), the Transportation Planning Section noted the proposed development will be served by

one access point from Frank Tippett Road only. While a single point of access is undesirable, given the number of lots being proposed, the on-site environmental constraints and overall topography make additional points of access a challenge. The initial layout of the site shows a series of nodes and links resulting in a connectivity index of 1.5. Table 27-6206(f)(1) shows that this index is deemed acceptable.

- f. **Environmental**—In a memorandum dated April 24, 2023 (Kirchhof to Lockhart), the Environmental Planning Section included a discussion of relevant previous conditions of approval, which have been incorporated into Finding 7 above, and recommends approval of the ZMA, subject to conditions that have been included in the Recommendation section of this technical staff report.
- g. **Community Planning**—In a revised memorandum dated April 28, 2023 (Green to Lockhart), the Community Planning Division indicated that Subregion 6 Master Plan and SMA conformance is required for this application and provided the following summarized comments:

The Subregion 6 Master Plan and SMA recommends residential low land use on the subject property. Residential low land use is described as “residential areas of up to 3.5 dwelling units per acre. Primarily single-family detached dwellings” (page 40).

Plan 2035 places the subject property in the Established Communities Growth Policy Area. Established communities are most appropriate for context-sensitive infill and low- to medium-density development.

Pursuant to Sections 27-4301(d)(1)(A) and 27-4302(a)(2), this application is consistent with and furthers the goals, policies, and vision of the Subregion 6 Master Plan and SMA and Plan 2035. The development proposes densities consistent with the recommended residential-low land use of the master plan and SMA. The proposed uses of single-family detached homes and townhouse dwellings are of similar character to the surrounding community, and are context-sensitive, as prescribed in Plan 2035, for properties in the Established Communities Growth Policy area.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Zoning staff recommend that the Planning Board adopt the findings of this report and recommend APPROVAL of Zoning Map Amendment ZMA-2022-003, for Smith Lake Estates, subject to the following conditions:

1. Prior to certification of this zoning map amendment, the applicant shall correct the open space set side exhibit to include the existing farm pond primary management area as part of the natural features.
2. At the time of preliminary plan of subdivision:
 - a. The woodland conservation threshold of 20 percent shall be met on-site.

- b. Extend the Stormwater Management Concept Plan (42748-2004-02) approved by the Prince George's County Department of Permitting, Inspections and Enforcement on December 19, 2013 and expired on December 19, 2016.

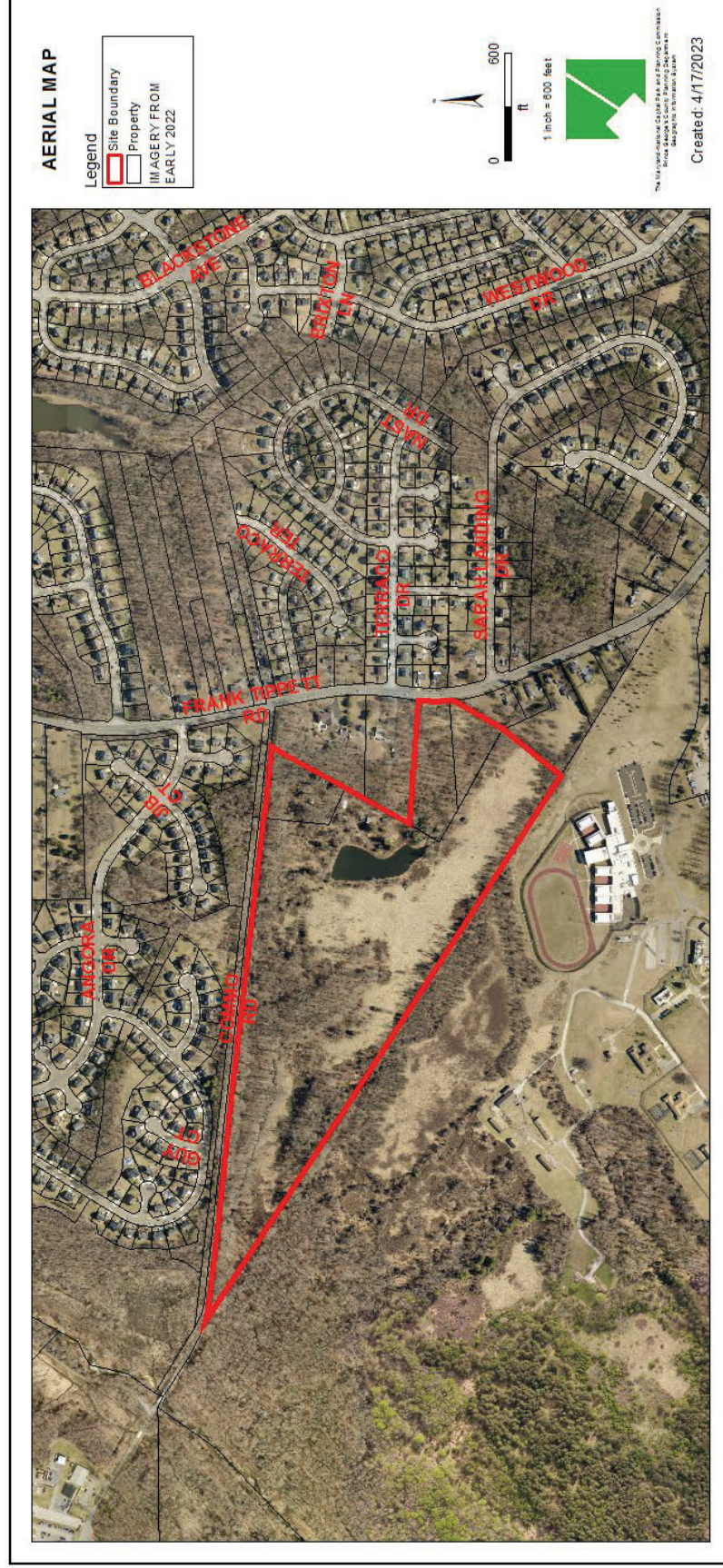
Considerations:

1. Additional areas for passive recreation should be incorporated into the site design, or the proposed passive recreation areas should be enlarged and centrally located for easy access to all residents. The project will be required to demonstrate mandatory dedication of parkland, at the time of preliminary plan of subdivision, which may be met through land dedication, fee in-lieu, and/or private recreational facilities.

SMITH LAKE ESTATES

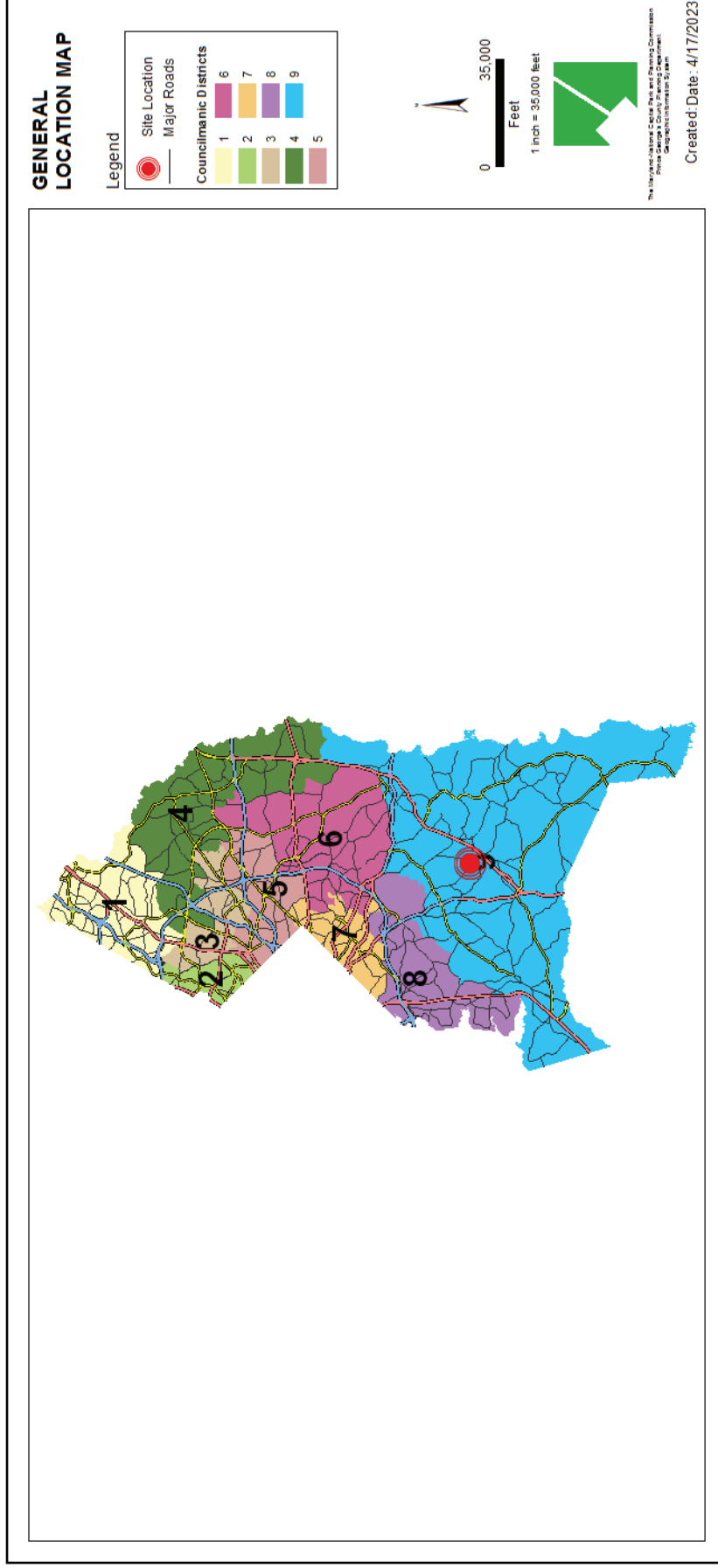
Zoning Map Amendment

Staff Recommendation: APPROVAL with conditions

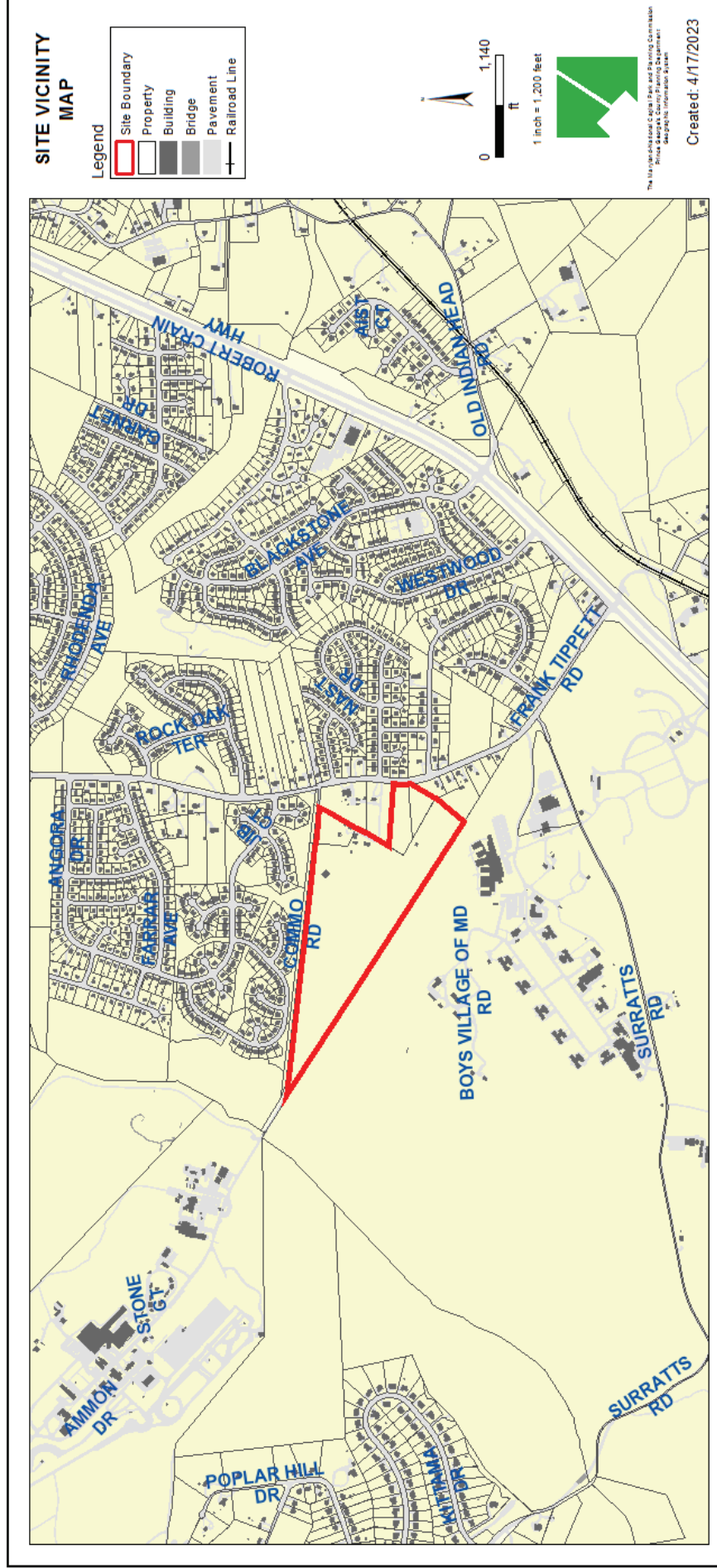


GENERAL LOCATION MAP

Council District: 09
Planning Area: 82A



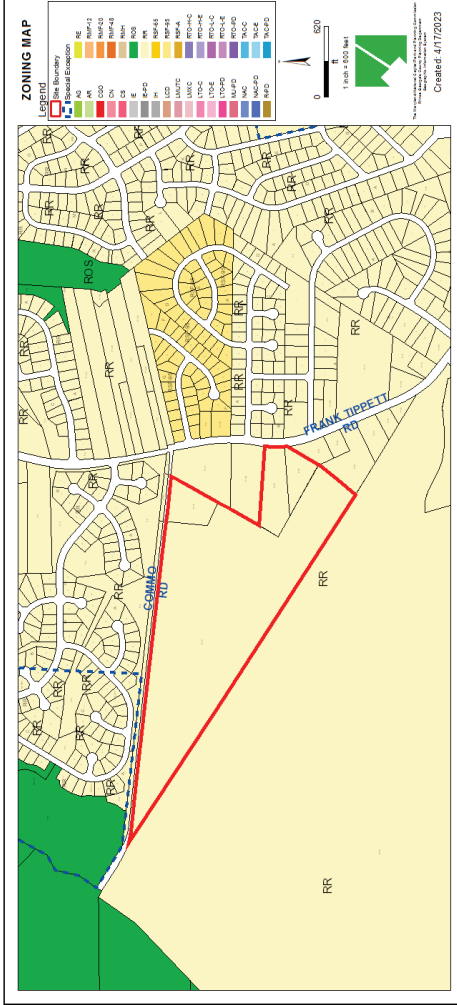
SITE VICINITY MAP



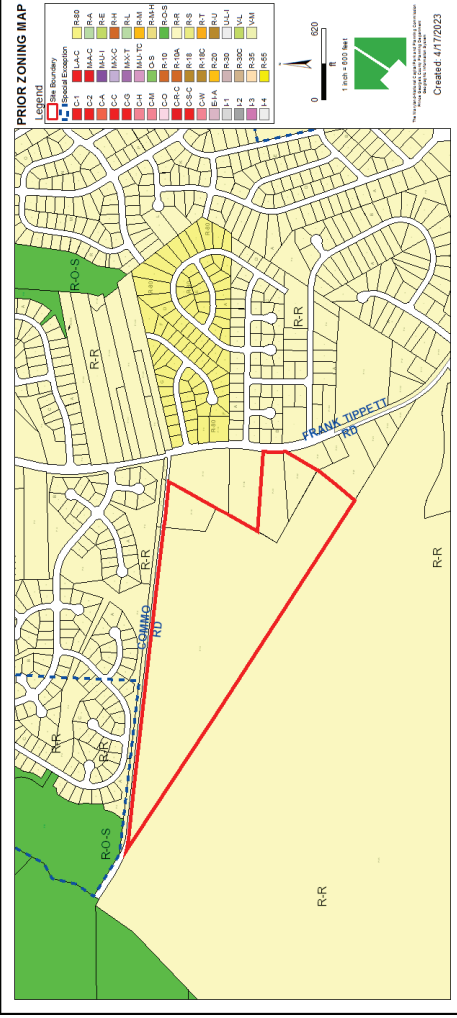
ZONING MAP (CURRENT AND PRIOR)

Property Zone: RR

CURRENT ZONING MAP

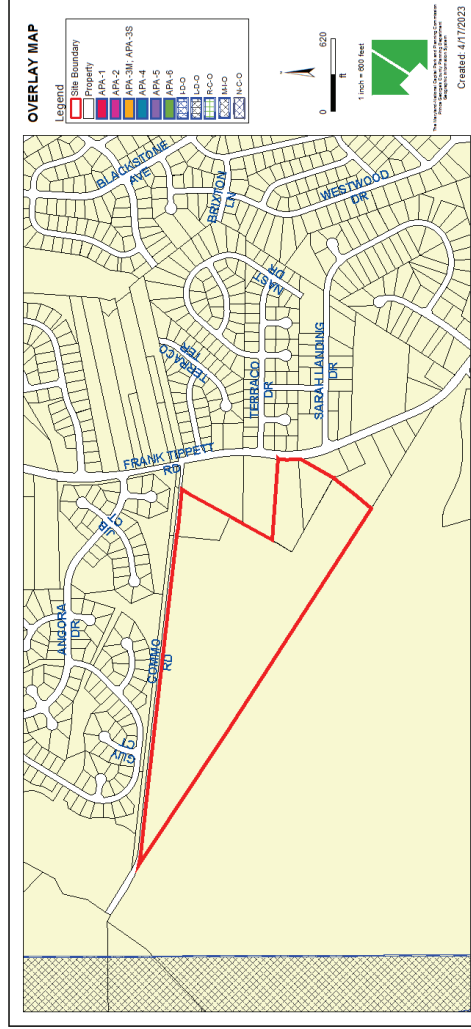


PRIOR ZONING MAP

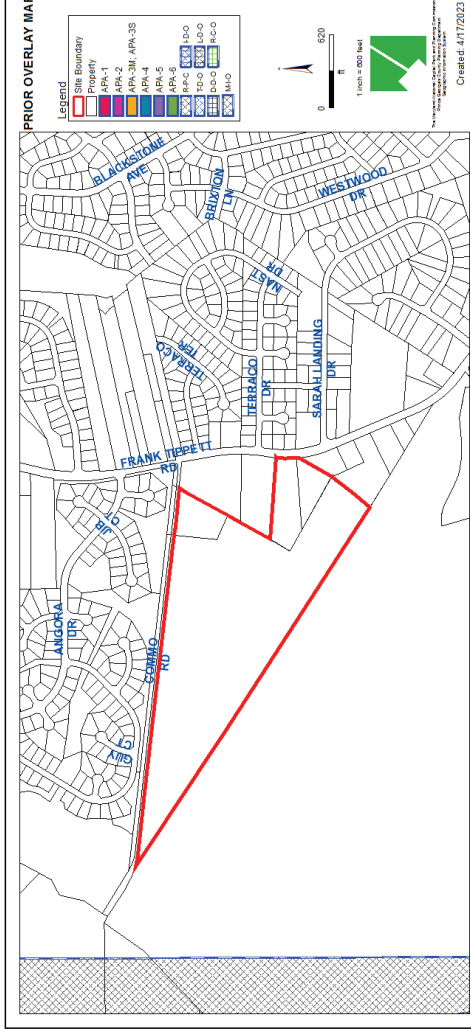


OVERLAY MAP (CURRENT AND PRIOR)

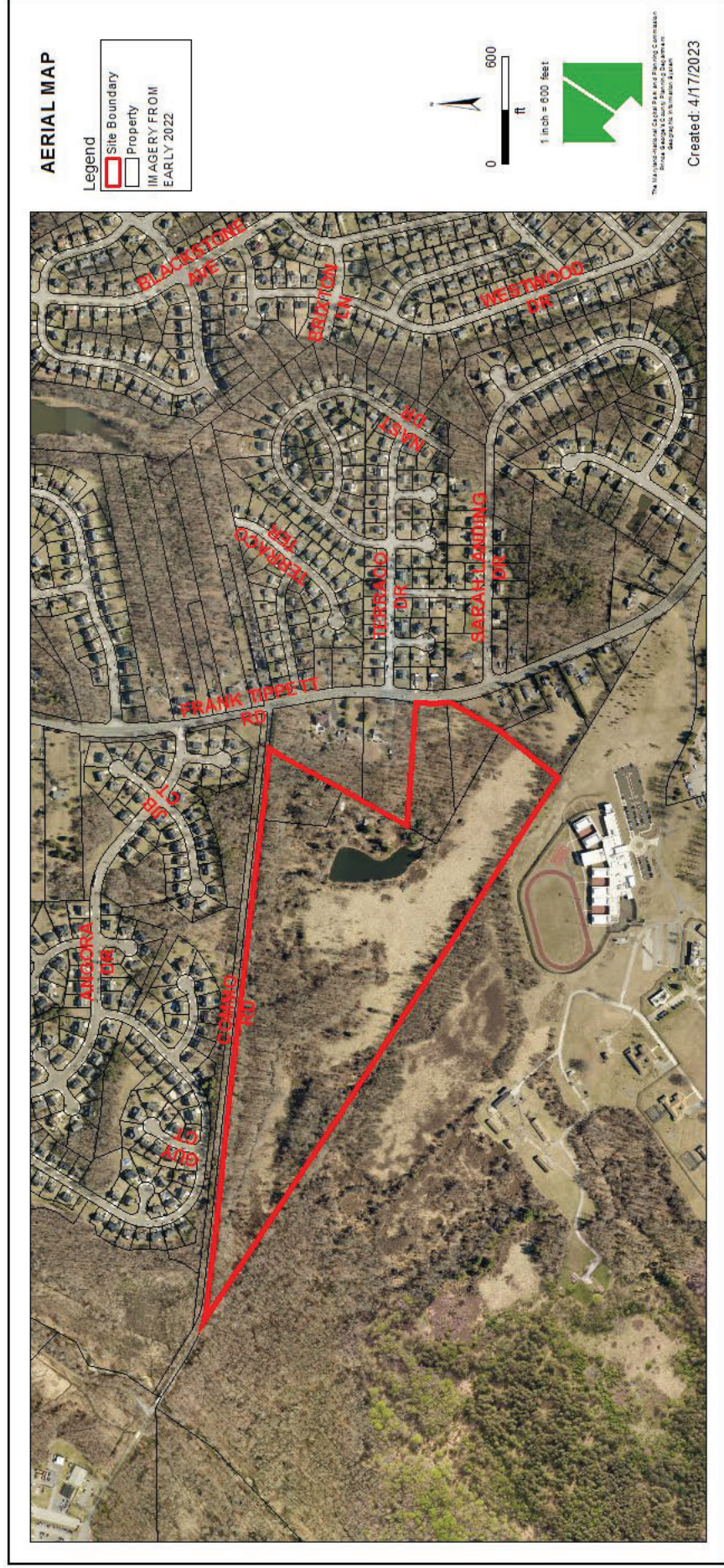
CURRENT OVERLAY MAP



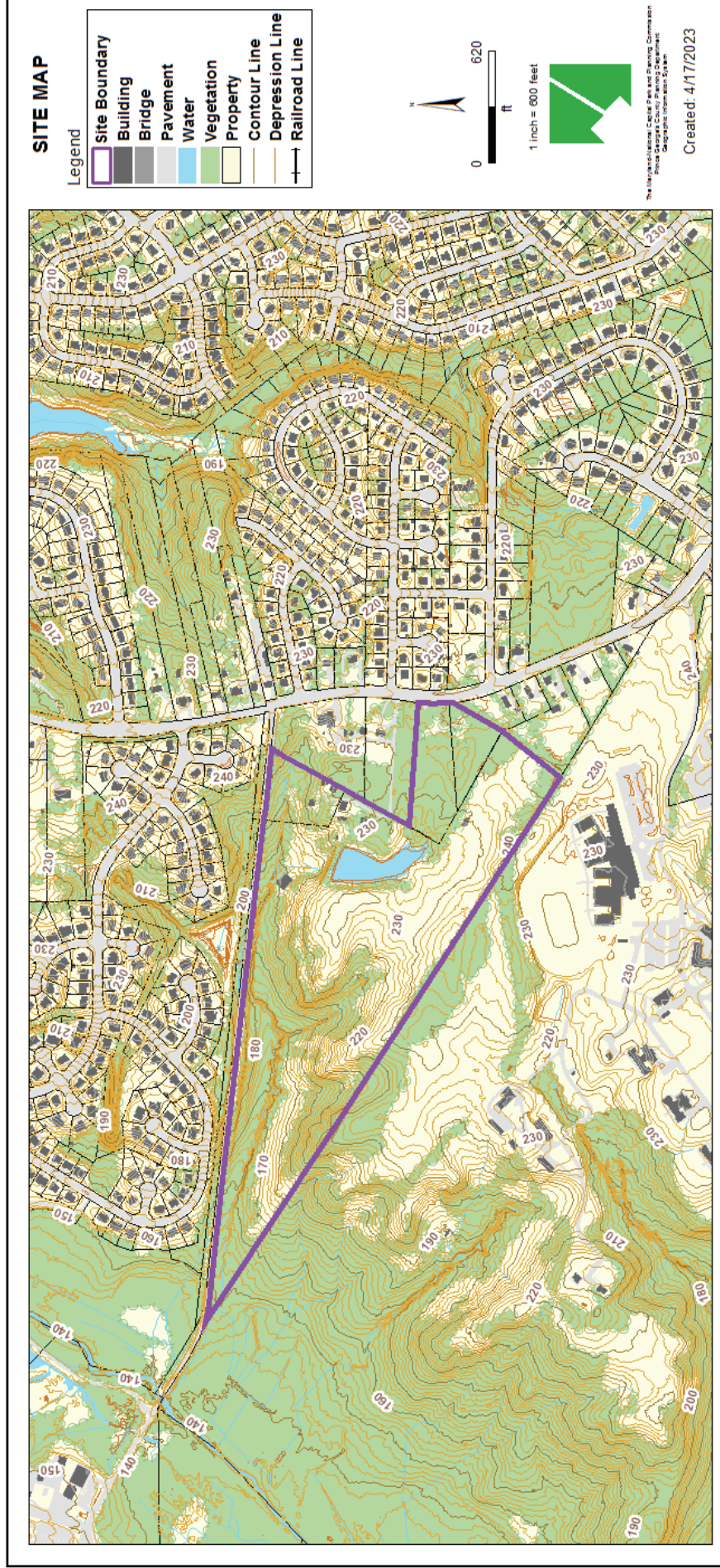
PRIOR OVERLAY MAP



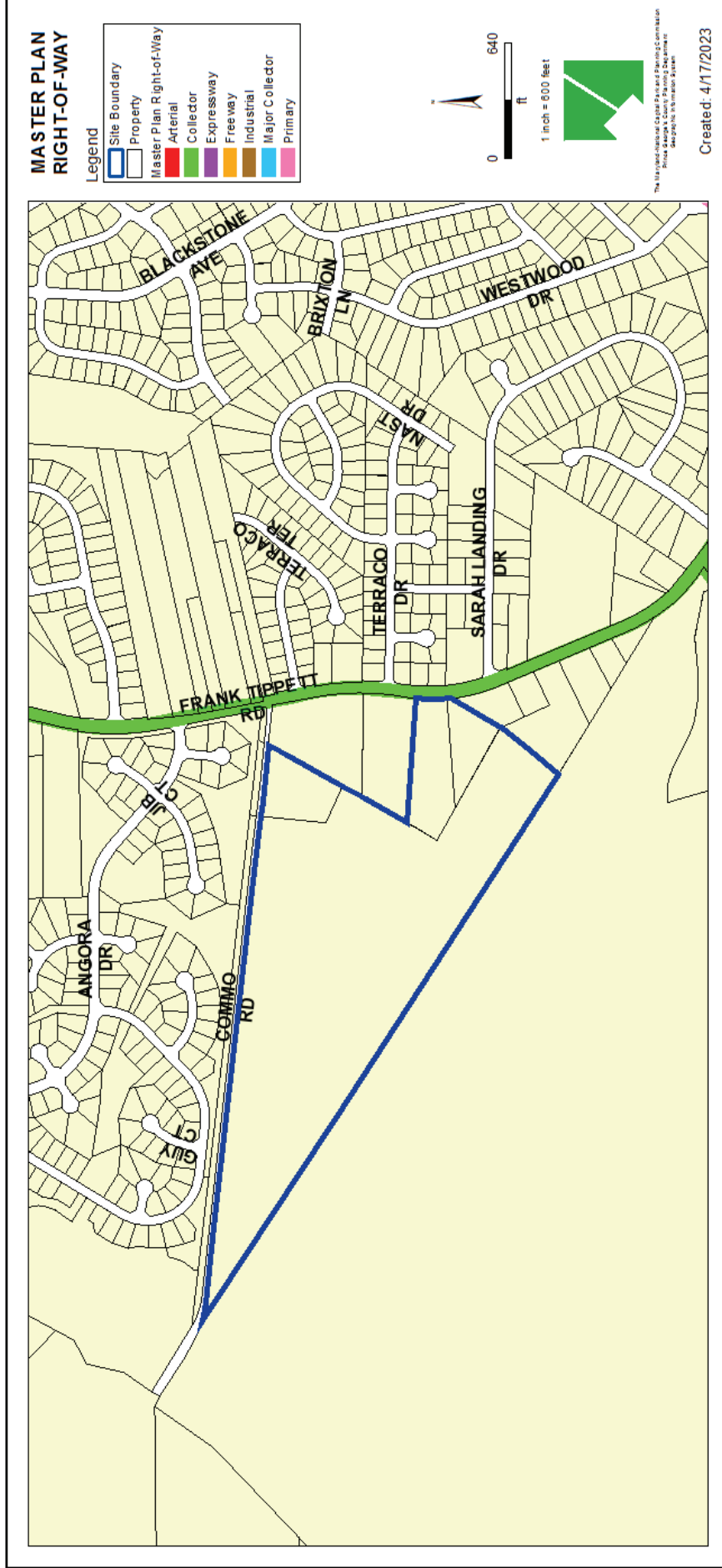
AERIAL MAP



SITE MAP



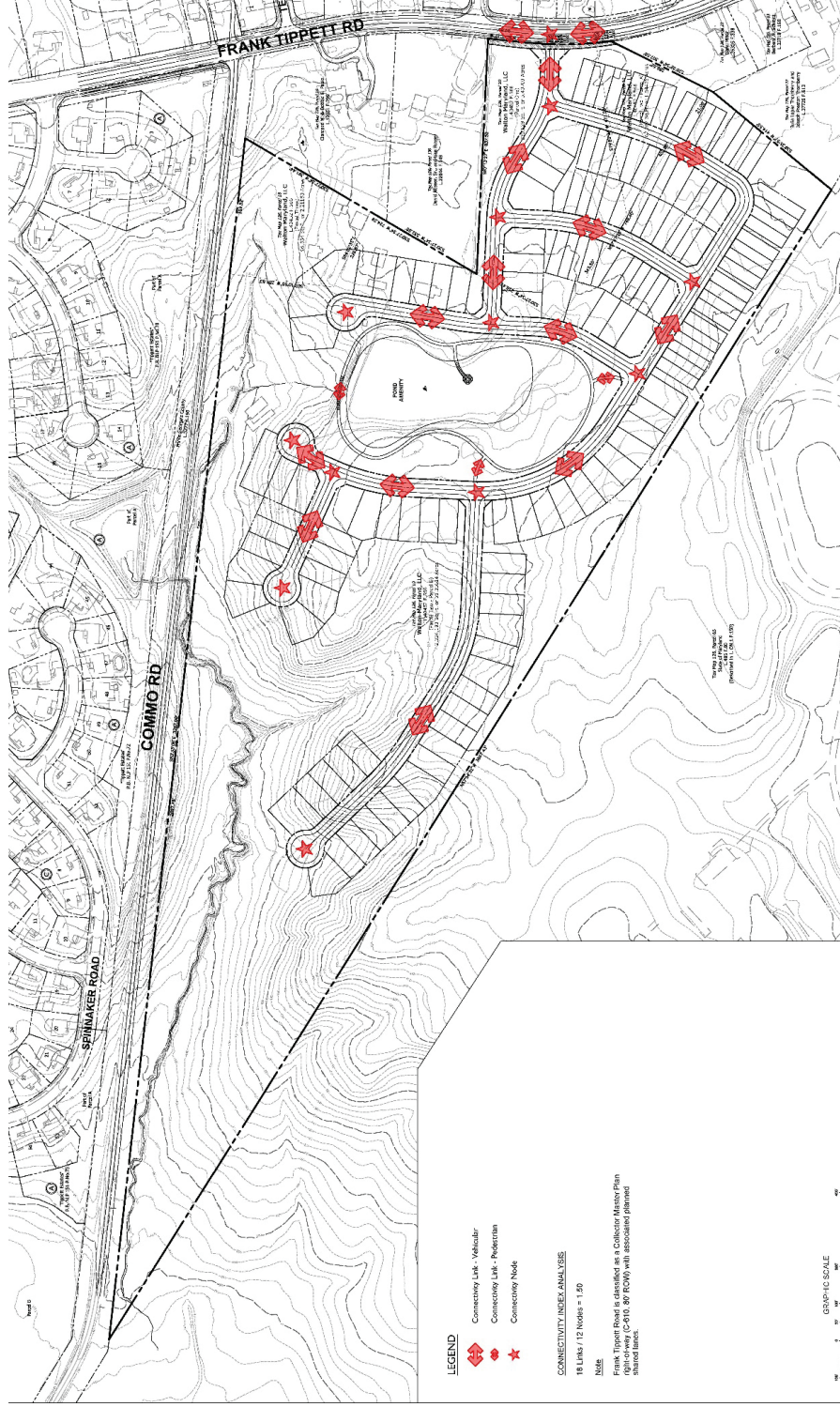
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

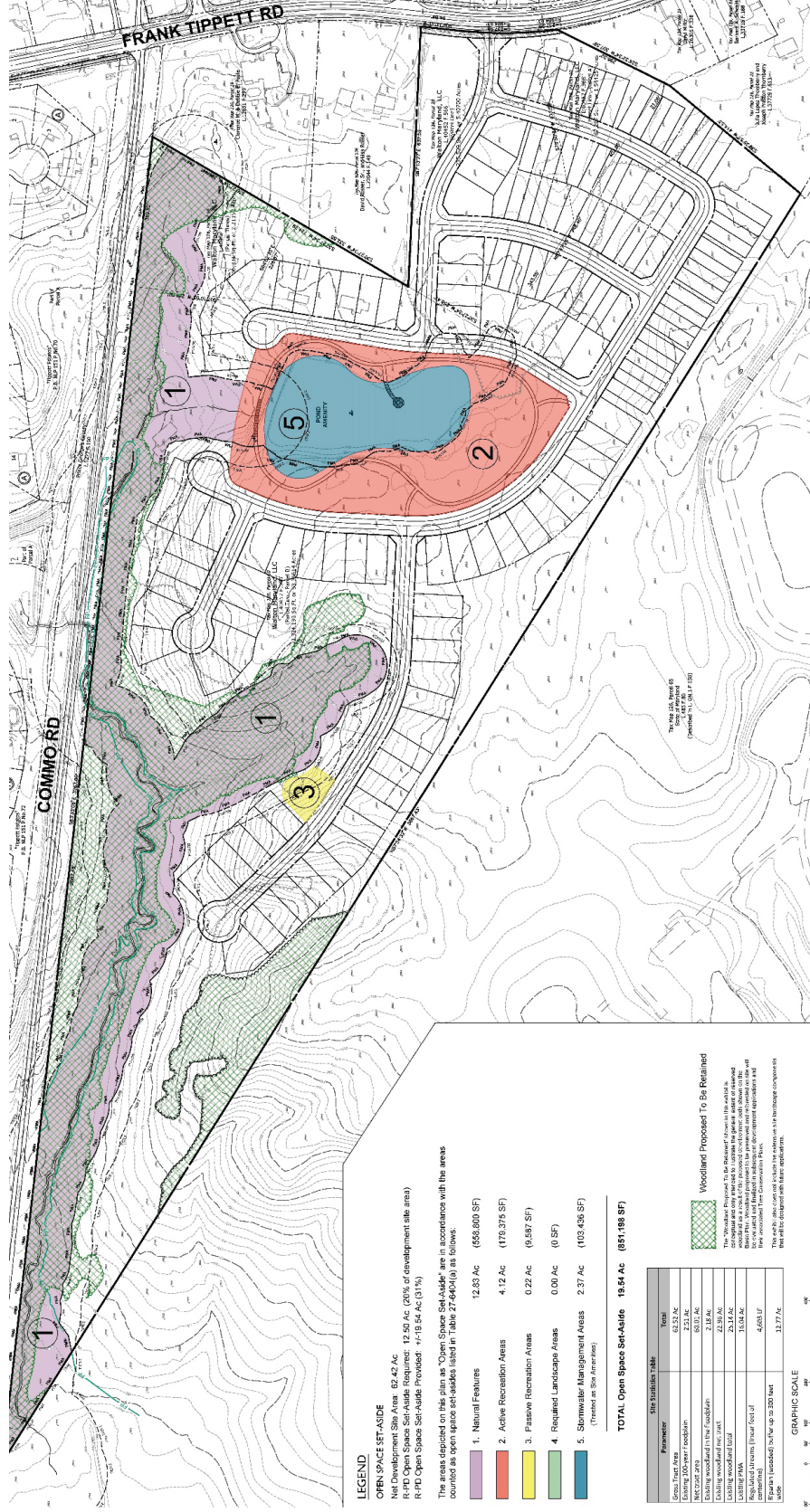


CIRCULATION PLAN





OPEN SPACE SET ASIDE EXHIBIT



LEGEND

OPEN SPACE SET-ASIDE

R-PO Open Space Set-Aside: 62.92 Ac
R-PD Open Space Set-Aside Required: 12.50 Ac (20% of development site area)
R-FD Open Space Set-Aside Provided: 11.93 Ac (31%)

The areas depicted on this plan as "Open Space Set-Aside" are in accordance with the areas outlined as open spaces set-asides listed in Table 27-44(5)(d) as follows:

- 1. Natural Features 12.83 Ac (658,800 SF)
- 2. Active Recreation Areas 4.12 Ac (179,375 SF)
- 3. Passive Recreation Areas 0.22 Ac (9,587 SF)
- 4. Recreated Landscapes Areas 0.00 Ac (0 SF)
- 5. Stormwater Management Areas 2.37 Ac (103,436 SF)
(Treated as Site Area)

TOTAL Open Space Set-Aside 19.54 Ac (851,188 SF)

Parameter	Site	Total
Open Space Area	19.54 Ac	851,188 SF
Required Open Space	12.50 Ac	542,375 SF
Existing woodlands	2.18 Ac	95,822 SF
Existing woodlands to be retained	2.18 Ac	95,822 SF
Existing woodlands to be removed	0.00 Ac	0 SF
Recreated Landscapes	0.00 Ac	0 SF
Stormwater Management Areas	2.37 Ac	103,436 SF
Natural Features	12.83 Ac	542,375 SF
Active Recreation Areas	4.12 Ac	179,375 SF
Passive Recreation Areas	0.22 Ac	9,587 SF
Total	19.54 Ac	851,188 SF

Woodland Proposed To Be Retained

Woodland areas proposed to be retained on the site are depicted on this plan as "Woodland Proposed To Be Retained". To be retained, the woodland must be a minimum of 100 feet wide and must be a minimum of 20 feet tall. The woodland must be a minimum of 20 feet wide and must be a minimum of 20 feet tall. The woodland must be a minimum of 20 feet wide and must be a minimum of 20 feet tall.

GRAPHIC SCALE
0 5 10 15 20 Feet

STAFF RECOMMENDATION

APPROVAL with conditions

- ZMA-2022-003

Major/Minor Issues:

- No Major Issues

Applicant Required Mailings:

- Informational Mailing: 5/18/2022
- Acceptance Mailing: 2/17/2023

STATEMENT OF JUSTIFICATION

SMITH LAKE ESTATES ZMA-2022-003

~~December 21, 2022~~
Revised: January 25, 2023

I. *INTRODUCTION*

Located approximately 800 feet southwest of the intersection of Frank Tippett Road and Commo Road in the unincorporated area of Cheltenham, the property ("Property") comprises Parcels 10, 18, 20, and 62, Tax Map 126, Grid F-3, for a total of approximately 62.52 gross acres of land. The entire Property is located within Water and Sewer Categories W-3 and S-3.

On April 1, 2022, the new Countywide Zoning Map became effective, along with the new Zoning Ordinance. Prior to the effectuation of the same, the Property was in the R-R (Rural Residential) Zone of the prior Zoning Ordinance; subsequently, and pursuant to the Countywide Map Amendment, the property was rezoned to the new RR (Residential, Rural) Zone. Notwithstanding, —the current RR Zone is essentially (or generally) the same as the old R-R Zone. The current RR Zone permits the same maximum density of 2.17 dwelling units per acre as the prior R-R Zone. Given the net tract area of approximately 62.52 acres, the RR zone would ordinarily result in a maximum of 135 lots, but due to the existing environmental features and development regulations on the oddly shaped property, the actual yield would be significantly reduced to only (at best) 62 lots, with a resulting density of 1.01 dwelling units/acre.

The RR Zone requires a minimum of 20,000 square feet of net lot area and a minimum lot width of 100 feet for single-family detached dwellings. These dimensional standards are ill-equipped to provide for the type of housing that is sought and needed in the area specifically, and the County overall. Two Preliminary Plans, 4-05035 and 4-09042, were originally approved in 2005 and 2011, respectively, and were both valid until December 31, 2021. These preliminary plans have not proven salable since the 20,000-square-foot lot sizes are out of character in the area, and the validity periods for these two approvals have now expired.

To achieve a density comparable to that of the RR Zone, D.R.Horton, (the "Applicant") requests a reclassification/rezoning to the Residential Planned Development (R-PD) Zone. The R-PD Zone is more appropriate since it will allow proportional density, net lot area, and dimensional standards to be established with a Planned Development Basic Plan, which will result in a development that meets many of the purposes of the R-PD Zone. The Property meets the standards of Section 27-4302(a)(4) with its minimum gross area; location within a Residential Base Zone; and a conceptual development design with all lots having direct access to a street. Moreover, the R-PD Zone for this property will allow for a more efficient use of land and higher-quality development while respecting existing environmental habitats and surrounding neighborhood character.

SMITH LAKE ESTATES

ZMA-2022-003

Statement of Justification

January 25, 2023

The roughly triangular Property is located in the Cheltenham Community, on the south side of Commo Road, west of its intersection with Frank Tippet Road. North, across Commo Road, is Tippet Estates, a community of single-family detached homes on approximately one-quarter-acre lots in the RR Zone. Abutting the Property to the east are single-family detached homes on unrecorded large parcels in the RR Zone. Farther east, across Frank Tippet Road, is Terraco Acres, which is also a community of single-family detached homes on approximately one-quarter-acre lots. Terraco Acres is in both the RR and RSF-95 Zones. Southwest of the Property is the 930+ acre Cheltenham Youth Facility, in the RR Zone, owned by the State of Maryland. The extensive Cheltenham Youth Facility property abuts the entire southwestern boundary of the Property.

Into this community pattern, the Applicant proposes a development of approximately 130-150 units consisting of a mix of single family detached and single family attached homes , in character with the surrounding subdivisions, with a density aligned with that which is allowed in the RR Zone, approximately 2.2 to 2.5 dwellings per acre. The R-PD Zone will allow the Property to develop with single-family detached housing, compatible in the area, on lot sizes more in line with surrounding lots, while allowing a density similar to the existing allowable density in the RR Zone.

The existing pond on site will serve as a centralized gathering place for the community with convenient access through pedestrian walkways and trails. Potential amenities such as a pocket park and playground area provided for active recreation; sitting areas around the existing pond provide a peaceful respite for passive recreative activities.

II. General Provisions for All Planned Development Zones

Section 27-4301(a) sets the General Purposes of all Planned Development Zones:

(a) General Purposes of Planned Development Zones

The Planned Development (PD) zones are established and intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other County goals and objectives by:

- (1) Reducing the inflexibility of zone standards that sometimes results from strict application of the zone development, form, and design standards established in this Ordinance;**
- (2) Allowing greater freedom and flexibility in selecting:**
 - (A) The form and design of development;**

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- (B) The ways by which pedestrians, bicyclists, transit users, and motorists circulate;**
 - (C) The location and design of the development respective and protective of the natural features of the land and the environment;**
 - (D) The location and integration of open space and civic space into the development; and**
 - (E) Design amenities.**
- (3) Where appropriate, allowing greater freedom in providing a well-integrated mix of uses in the same development, including a mix of nonresidential development, housing types, lot sizes, and densities/intensities;**
- (4) Allowing more efficient use of land, with coordinated and right-sized networks of streets and utilities;**
- (5) Promoting development forms and patterns that respect the character of established surrounding neighborhoods and other types of land uses;**
- (6) Improving community services and facilities and enhancing functionality of vehicular access and circulation; and**
- (7) Promoting development forms that respect and take advantage of a site’s natural, scenic, and man-made features, such as rivers, lakes, wetlands, floodplains, trees, historic features, and cultural and archeological resources.**

DISCUSSION: The County—in adopting the new zoning ordinance and maps—recognized that standard Euclidian zones are too restrictive and prioritized adherence to standards over form, function, and quality of design. While there were Comprehensive Design Zones that allowed for greater flexibility in the prior Zoning Ordinance, the new R-PD zones establish a forward-thinking framework, placing form and design at the forefront. These purposes allow an applicant for development to be more creative when examining compatibility, pedestrian and bicycle movement, protection of the natural environment, open space and design issues.

In that regard, the Applicant contends that this application meets the purposes of the R-PD Zone. The Applicant considered inclusion of townhouse units in the proposed housing mix, but determined that townhouse units could be out of character with the existing, surrounding community. Maintaining the character of the surrounding community is a key purpose and goal of the R-PD Zone. An even higher level of intensity with multifamily units was also considered to be out of character for the area. The solution, while also trying to provide a unique mix of housing types on the Property and in the area, is the inclusion of wide, attached units, otherwise referred to as “villas”, in the location shown on the Basic Plan. These units are between 26 feet and 32 feet wide, generally 2 stories in height, and are not frequently found in the County. The

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combination of single family detached and attached units will provide the mix of housing types within the development envisioned in this section of the Zoning Ordinance and the *Housing Opportunity for All, the Countywide Housing Strategy (2019)* document. In addition, the inclusion of the wide attached unit type is responsive to the needs and requests to offer products that allow residents to age in place, as many floorplans offer main floor living.

The flexibility provided by the R-PD Zone allows the Applicant to be innovative with variety in single-family detached (and attached) units and/or sizes to achieve a high quality of development. The typical uniform (“cookie cutter”) housing effect is therefore avoided, and higher quality architecture will be introduced at the appropriate entitlement stage. With a mix of housing sizes and types, the proposal is envisioned as a multigenerational development, with homeownership available at a wide price range, accessible to first time homeowners, those seeking to purchase their “golden years” home to age in place, and those in between. All of this is in keeping with the character of the area, which includes a range of homes on large parcels and in the smaller-lot developments of Terraco Acres and Tippett Estates.

The R-PD Zone also allows for more efficient use of land, while keeping in mind the community’s vehicular circulation patterns and access, and the impact on the environment. In this case, internal circulation will be provided by public and private roads with a full system of sidewalks, augmenting the connectivity and pedestrian focus with an internal trail system and lake. The on-site vehicular, pedestrian, and bicycle circulation system will connect to Frank Tippett Road, which is classified as a Master Plan Collector Road with planned shared lanes.

Technical aspects of environmental issues are more fully addressed in Section III below, but the design captures the Applicant’s focus on preserving, to the fullest extent practical, the existing environmental features. Specifically, streams and slopes, and an existing pond, are preserved to the greatest extent possible and are seen as a valuable asset for the future community. Views into the environmental features are focal points in the development along streets and at intersections. Some homes will back to these features, but the features will enjoy long stretches of street frontage, to be shared by all residents, ensuring and increasing community pride and strengthening community cohesion. The environment is as much a part of the design as the lots and streets and hard infrastructure; in fact, it has provided the design’s framework.

III. *ENVIRONMENTAL ISSUES*

The Smith Lake Estates Property is comprised of varying environments that include old agricultural fields, a forested stream valley and associated floodplain, an abandoned farm pond, upland woodlands, and wetlands. The topography varies throughout the site but generally slopes downwards to the north and west towards the existing farm pond and stream valleys.

The woodlands observed on site account for 25.14+/- acres of the sites 62.52+/- acres. The successive stages of the forest vary with exposure to moisture and sunlight. Over 100 (111)

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specimen trees were observed on-site ranging from tulip poplars to American sycamores to southern red oaks. Six forest stands were identified during the Natural Resource Inventory process. These stands range from early successional oak-pine forest to mid-successional oak-hickory forest. Dominant species found in the upland areas of the forest stands consist of willow oak (*Quercus phellos*), white oak (*Quercus alba*), Virginia pine (*Pinus virginiana*), sweetgum (*Liquidambar styraciflua*), and mockernut hickory (*Carya tomentosa*). Within the lowland forest areas, the tree canopy was dominated by red maple (*Acer rubrum*), American sycamore (*Platanus occidentalis*), pin oak (*Quercus palustris*), willow oak, and sweetgum.

The site contains one perennial and two intermittent stream channels that all drain to the northwest off-site into Piscataway Creek and its adjacent floodplain. The dominant tree size class and understory species increased around these channels and floodplain flats creating diverse habitats for the site's ecosystems. Wetlands identified on site were primarily PFO (*palustrine forested*) and PEM (*palustrine emergent*), specifically around the existing farm pond. The pond itself shows evidence of a groundwater connection as was classified as a PUB (*palustrine unconsolidated bottom*) wetland.

The environmental resources located on-site that contain the highest ecological value are located within the existing stream valleys and floodplain. Of all forest on-site, 11+/- acres of high to medium priority retention forest, and 61 of the 111 specimen trees are located within the stream valleys. The Basic Plan associated with this application not only preserves these areas but offers opportunities in the western portion of the site for meadow establishment or additional afforestation. The existing farm pond and surrounding wetlands will also be preserved in order to continue to provide valuable habitat for flora and fauna. Overall, the proposed Basic Plan takes a prudent approach to preserving high-value ecological areas and maintains a high-level of on-site environmental sensitivity, as envisioned for the R-PD Zone.

On July 12, 2022, the County Council of Prince George's County adopted CR-032-2022 to formally adopt the draft *Climate Action Plan* and to direct that the Department of Environment lead the County's efforts to implement twenty-six priority recommendations for inclusion in the final *Climate Action Implementation Plan*. Although the recommendations of the plan have not yet been codified, the applicant is compelled to address a few items in the plan in an effort to show how the proposed Smith Lake Estates development aligns with the purposes and goals of this substantial regulatory effort.

The first category of recommendations, *Operational Actions To Bring About Transformational Change*, is mainly focused on County-level administrative actions and functions to promote the overall goals of the Climate Action Plan. Recommendation CO-5 "Strengthen land use regulations to better align individual land use decisions with State and County policies related to smart growth, natural resource conservation, and green infrastructure" speaks to the site design based goals of Plan 2035 which we will be implementing with the Smith Lake Estates development. Flood mitigation and preservation of natural assets such as tree canopy, riparian buffers, and wetlands are all critical site design features associated with our approach to the conceptual layout of the subject property. The existing old farm pond will be

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converted to function as part of a thorough stormwater management plan, as well as create a central organizing element around which the new neighborhood's amenity open spaces will be created. The existing environmental features of the site will not only be protected to the greatest extent possible, but they will be visually integrated into the residential spaces as part of the community.

The second category of recommendations, *Mitigating the Cause of Climate Change By Reducing Greenhouse Gas Emissions*, includes recommendations related to power sourcing, power consumption, and related topics. Recommendation M-11, "Enact and enforce 'no net loss' tree conservation regulation and policy to maintain and expand street tree canopy and forest as a land cover", addresses the goal of preserving existing woodlands and expanding the urban tree canopy. The conceptual site plan for Smith Lake Estates, which will be further refined in future development applications, is specifically designed to limit impact to the existing woodlands on the site by concentrating the residential density in the central and eastern portions of the property. The trees impacted by the development footprint are in an area isolated from other natural features and systems, and currently dominated by invasive species. The woodlands to the north and west of the development are part of a connected waterway and tree canopy system and are the priority preservation areas of the site.

The third category of recommendations, *Adapting To Coming Climate Impacts*, has the largest number of recommendations related to site design and development practices. Recommendation A-1, "Integrate climate resilience criteria into long-range County plans, policies, and CIP programs by 2026", suggests a prohibition on development within floodplains. The subject property has a small area of floodplain along the stream in the northern portion of the site, but no development is proposed within or directly adjacent to that delineation. Recommendation A-3, "Prioritize preserving and restoring natural resource areas and agricultural open space to reduce flood risk", speaks to the topics reviewed previously in a slightly different manner. The proposed development at Smith Lake Estates prioritizes the existing natural features on the property and their role in a much wider, interconnected ecosystem. The property was at one time used for small scale agricultural purposes but is long overgrown and surrounded by non-agricultural uses. Development of the property would not be removing a source of local food production from the larger community.

As the recommendations found within the *Climate Action Plan* become implemented into standard regulations and policies, we are confident that the proposed development at Smith Lake Estates, at each future application stage, will be in conformance and support the goals and purposes of this substantial climate change mitigation effort.

IV. *REQUIRED FINDINGS*

27-3602. Planned Development (PD) Map Amendment

(c) Planned Development (PD) Decision Standards

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Prior to the approval of the PD zone, the applicant shall demonstrate to the satisfaction of the District Council that the entire development:

- (1) Is in conformance with the General Plan, the applicable Area Master Plan or Sector Plan, or any applicable functional master plan;**
- (2) Meets the purposes of the proposed PD zone;**
- (3) Satisfies all applicable standards of the proposed PD zone; and**
- (4) Will not adversely impact the surrounding properties.**

DISCUSSION: The Property is located in the *2013 Adopted and Approved Subregion 6 Master Plan and Sectional Map Amendment* (“Master Plan” and “SMA”). It is within the Cheltenham area, an area on which the Master Plan is relatively silent. The predominant recommendation for residential land use in this area is Residential Low density, defined as “Residential areas of up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.” (p. 40)

Approved before the three-tier system established in the 2002 General Plan for Prince George’s County was eliminated (for most purposes) by the 2014 General Plan, *Plan Prince George’s 2035* (“Plan 2035”), the Master Plan includes a description and policies for the Developing Tier, which includes the Property. Policies relating to housing include:

Policy 1

Promote a development pattern that allocates appropriate amounts of land for residential, commercial, employment, industrial, and institutional land uses in accordance with county development goals by considering local and regional needs, the integration of land uses wherever possible, and the impact of development proposals on the economy, environment, equity, and efficiency.

Strategies

1. Maintain low to moderate-density land uses except as part of mixed-use development and planned communities. (p. 58)

Plan 2035 placed the Property in the Future Water and Sewer Service Policy Area and the Established Communities Growth Policy Area. Subsequent to the approval of two prior Preliminary Plans, the Property was placed in the W-3 and S-3 Water and Sewer Categories; therefore, it has effectively been moved out of the “Future Water and Sewer Service” policy area and is suitable for development. The Established Communities area areas where residential development should be context sensitive infill with a maximum density of 3.5 dwellings per acre. Of course, Plan 2035 ultimately directs us back to the applicable Master Plans for density recommendations. In this case, the Master Plan concurs: its Land Use recommendation is residential density up to 3.5 dwellings per acre.

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The proposed development, with densities hovering around the 2.17 dwellings per acre allowed by the RR Zone, well under the maximum of 3.5 dwellings per acre, meets the intent of the Master Plan and Plan 2035 recommendations. It presents a community of single-family detached and attached homes contextually harmonious with surrounding development, both in terms of density and lot sizes.

The purposes of the R-PD Zone are found in Section 27-4302(a)(1) of the Prince George's County Zoning Ordinance and are generally aimed at ensuring that proposed developments use flexibility in design for innovative, high-quality communities complete with onsite complementary nonresidential uses, including recreation facilities, bike and pedestrian networks, and open space, while respecting the environmental features of the property.

This Property, located in the midst of similar residential communities, is perfect for development in the R-PD Zone. While the Property had two Preliminary Plans approved for development with 20,000 square-foot lots, such developments can scarcely provide the type of community the R-PD Zone can, and the latter creates an opportunity to create development neighborhoods that enjoy better design and function than what is typically provided in standard base zone development. (The very reason for the new Zoning Ordinance including planned development zones). The flexibility provided by the R-PD Zone enables the type of development sought in the County. The proposed Basic Plan shows a development of single family detached and attached homes which, as a result of concentrating allowable density on smaller lots than the RR Zone would permit and in a more focused area than the RR Zone would require, respects the natural environment. It provides active and passive recreational facilities, potentially such as a pocket park, playground area, walking paths, shared bicycle lanes, and sitting areas that would be unsustainable in what the RR Zone development of a property of this size would allow with a fraction of the viable residential units proposed with this Basic Plan.

Finally, the proposed development will not adversely impact the surrounding communities as it is compatible with the surrounding single-family detached residential developments - in that it similarly provides similar densities and lot sizes of single-family detached homes. To the south, is the Cheltenham Youth Facility, a youth correctional facility on 900+ acres with no resulting land use compatibility issues.

V. *PLANNING AND DEVELOPMENT*

Section 27-4301 sets for the General Provisions for All Planned Development Zones. Section 27-4301(d) sets the general standards for R-PD Zones, including the formation of a Planning and Development goal. (Where appropriate, requirements are grouped together for discussion.) For the proposal.

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(d) General Standards for All Planned Development Zones

Before approving a PD zone classification, the District Council shall find that the application for the PD zone classification, as well as the PD Basic Plan and Conditions of Approval, comply with the following standards:

(1) PD Basic Plan

The PD Basic Plan shall:

(A) Establish a statement of planning and development goals for the zone that is consistent with the General Plan and the applicable Area Master Plan or Sector Plan and purposes of the PD Zone;

RESPONSE: The planning and development goal for the proposed development is to create a community of single-family detached and attached housing, compatible in the area, consistent with Plan 2035 and the Subregion 6 Master Plan. To this end, the Applicant proposes up to 150 dwelling units (or 2.5 dwellings per acre) in a well-designed community, on lot sizes and at a density commensurate with others in the area, complete with bicycle and pedestrian lanes and paths, an appropriate playground area, and a centralized gathering area around the existing pond.

No Conditions of Approval are requested at this time.

(B) Establish the specific principal, accessory, and temporary uses permitted in the zone. They shall be consistent with the Principal Use Tables (and may only be selected from uses identified as Allowable in the desired PD zone) in Section 27-5101(e), Principal Use Table for Planned Development Zones, and the purposes of the particular type of PD zone, and be subject to applicable use-specific standards identified in the PD Basic Plan, and any additional limitations or requirements applicable to the particular type of PD zone;

RESPONSE: Principal uses in the development will be single-family detached and attached homes, with permissible accessory structures, such as sheds, detached garages, and the like. Trails and paths are proposed as well. No temporary uses are proposed, except for onsite construction offices. These uses are permitted in Section 27-5101(e).

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(C) Establish the general location of each development area in the zone, its acreage, types and mix of land uses, number of residential units (by use type), nonresidential floor area (by use type), residential density, and nonresidential intensity. The residential density and nonresidential intensity shall be consistent with the general purposes of the PD zone and the specific requirements of the individual PD zone;

RESPONSE: Only one development pod is proposed, essentially surrounding (on three sides) a large existing pond. With a maximum of 150 single-family dwellings, only one vehicular access point to the dwellings is necessary; it will be from Frank Tippet Road. Nonresidential uses include a pocket park, playground area, trails, paths, and sitting areas. The development is concentrated in approximately 30 acres in the south-central, central, and eastern portions of the Property. The remaining +/- 30 acres are proposed to be undisturbed and/or included in the open space set asides as shown in an exhibit included with this application.

(D), (E), and (O)

(D) Establish the dimensional standards that apply in the PD zone. The dimensional standards shall be consistent with the requirements of the individual PD zone, and its purposes;

(E) Where relevant, establish the standards and requirements that ensure development on the perimeter of the PD zone is designed and located to be compatible with the character of adjacent existing or approved development. Determination of compatible character shall be based on densities/intensities, lot size and dimensions, building height, building mass and scale, form and design features, location and design of parking facilities, hours of operation, exterior lighting, siting of service areas, and any other standards deemed appropriate by the District Council;

(O) Establish the development standards that will be applied to development in accordance with Section 27-4301(d)(2), Development Standards, 27-4302(a)(3).

RESPONSE: Regarding Section 27-4300(d)(1)(D), (E), and (O), the following dimensional standards, compatible with surrounding uses, are proposed:

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DEVELOPMENT STANDARDS	SFD	TH
Minimum Density	1 du/acre	
Maximum Density	2.5 du/acre	
Minimum Net Lot Area	5,300 sq ft	2,200 sq ft
Minimum Lot Width at BRL	50 feet	28 feet
Minimum Lot Width at Street	50 feet	28 feet
Front Yard Setback Depth	15 feet	15 feet
Side Yard Setbacks Depth (one side/total)	5 feet / 10 feet	0 feet
Rear Yard Setback Depth	15 feet	15 feet
Maximum Lot Coverage (%)	40%	60%
Maximum Principal Structure Building Height	40 feet	40 feet

In addition, buffers will be proposed along the Property’s perimeter as required by the Prince George’s County Landscape Manual, ensuring compatibility with existing residential parcels to the east. Along the southern boundary, lots are buffered from the adjoining property, though this state-owned property is not likely to ever develop with homes.

Section 27-4301(d)(2) also sets forth the development standards for review at the time of Planned Development Basic Plan. While compliance with these standards will be fully detailed in future stages of the review process, we note here that no modifications are expected at this stage. Some of the standards will not apply, namely those concerned with non-residential uses, but standard compliance with others is expected. Generally, the purposes of these standards are:

- **General Site Layout (PART 24-4: Subdivision Standards)**

Section 24-113:

The purpose and intent of this Subtitle is to establish procedures and standards relating to the subdivision of land within Prince George’s County for development purposes, as well as to establish standards for access, circulation, streets, and other infrastructure provided as part of subdivisions or other new development.

The proposed layout was developed with the new Subdivision Regulations in mind. No variations to these regulations is expected.

- **Roadway Access, Mobility, and Circulation (Sec. 27-6200)**

The purpose of this Section is to ensure that developments are served by a coordinated multimodal transportation system that permits the safe and efficient

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movement of motor vehicles, emergency vehicles, transit, bicyclists, and pedestrians within the development and between the development and external transportation systems, neighboring development, and local destination points such as places of employment, schools, parks, and shopping areas.

Residents will be connected to internal and external activities via a multimodal system of streets, bike lanes and paths. The property abuts Commo Road to the north and fronts Frank Tippet Road to the east. One access point is proposed from Frank Tippet Road only. Commo Road is the main access from Frank Tippet Road to both a Prince George's County Fire Department Fire/EMS training facility and a Federal Law enforcement Training Center. Access to Commo Road from Smith Lake is not proposed as mixing traffic exiting the Property and traffic accessing the federal training facility would not be appropriate. A vehicular connection to the north would require a stream crossing and associated environmental PMA impact.

- **Off-Street Parking and Loading (including bicycle parking) (Sec. 27-6300)**

The standards in this Section are intended to provide for adequate off-street parking and loading while supporting transit-oriented development and walkable areas in appropriate locations, and allowing the flexibility needed to accommodate alternative parking solutions

The proposed development is single-family attached (townhouses) and detached housing. Parking is provided both on- and off-street to accommodate SFD and Townhouse development. At the site plan stage, conformance with the standards of this section will be demonstrated.

- **Open Space Set-Asides (Sec. 27-6400)**

Open space set-asides are intended for the use and enjoyment of a development's residents, employees, or users. Open space set-asides serve numerous purposes, including preserving natural, historical, and archeological resources, ensuring resident access to open areas and active recreation (incorporating land dedicated as parkland in accordance with Subtitle 24: Subdivision Regulations, Section 24-4600, Parklands and Recreation Facilities, as open space set-asides), reducing the heat island effect of developed areas, providing civic and meeting spaces, enhancing storm water management, and providing other public health benefits.

Section 27-6403 sets the set aside for residential development in an R-PD Zone at 20 percent. The applicant proposes a number of open space types, including a large, activated pond area and woodland conservation and stream preservation. Exact totals are not known at this time, but it is anticipated that the total open space provided will exceed 20 percent. No modification is necessary.

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- **Landscaping (Section 27-6500)**

All development shall comply with the requirements of the Prince George’s County Landscape Manual, which is incorporated herein by reference, and made a part of this Ordinance with the same force and effect as the regulations set forth herein.

Section 27-6500 does not include a purpose statement. It simply states that all development must comply with the Landscape Manual. The Applicant intends to comply with Landscape Manual requirements.

- **Fences and Walls (Sec. 27-6601)**

Unless exempted in accordance with Section 27-6601(b) below, the standards in this Section shall apply to all construction, reconstruction, or replacement of fences or walls.

For residential development in an R-PD Zone, Section 27-6603 allows a 4-foot high fence in the front yard and 6-foot high fences in rear and side yards. Fences are not allowed within rights-of-way, public utility easements (unless approved), and may not be placed where they could cause traffic sight-line issues. Fences in the development, if approved, will comply with all fence standards.

- **Exterior Lighting Sec. 27-6700)**

Section 27-6701 provides:

The purpose and intent of this Section is to regulate exterior lighting to:

- (a) Ensure all exterior lighting is designed and installed to maintain adequate lighting levels on site;**
- (b) Assure that excessive light spillage and glare are not directed at adjacent lands, neighboring areas, and motorists;**
- (c) Curtail light pollution, reduce skyglow, and preserve the nighttime environment;**
- (d) Conserve energy and resources to the greatest extent possible; and**
- (e) Provide security for persons and land.**

Section 27-6706(C)(1) allows a maximum illumination of 0.5 foot candles at the property lines for single-family detached and 1.0 foot candles for townhouse development. Section 27-6703 requires a light plan to be prepared and submitted at the time of site plan or building permit. The lighting plan will be presented at the appropriate time and will comply with the requirements of 27-6706(C)(1).

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- **Environmental Protection and Noise Controls (Sec. 27-6800)**

Section 27-6801 provides:

The purpose of this Section is to ensure that development complies with County environmental protection regulations referenced in Sections 27-6802 through 27-6809 and the noise control standards of Section 27-6810, Noise Control, below.

The section requires a Natural Resources Inventory which has been included in this Basic Plan submission. Also required to be addressed are:

Woodland Conservation
Floodplain Management
Erosion and Sediment Control
Stormwater Management
Chesapeake Bay Critical Area
Regulated Environmental Features
Noise Control

As a residential development, site generated noise is not expected to be a concern. Environmental features will be protected to the fullest extent possible. Other issues above will be complied with at the appropriate stage in the development review process.

- **Multifamily, Townhouse, and Three-Family Form and Design (Sec. 27-6900)**

The purpose and intent of these multifamily, townhouse, and three-family form and design standards are to:

(a) Establish a minimum level of development quality for multifamily, townhouse, and three-family residential development;

(b) Promote greater compatibility between multifamily, townhouse, and three-family residential development and other allowable uses; and

(c) Provide landowners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for developing land. (Section 27-6901)

These purposes are realized through a series of standards mostly related to design. While they are similar to standards found in Section 27-61200 (below), they are more specific to the building design and orientation, façade offsets, parking and garages.

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The standard established for access to townhouse developments is:

At least one secondary point of vehicular access to or from the site to ensure emergency vehicle access, if feasible. [27-6903(a)(1)]

The proposal includes one access from Frank Tippett Road. While the Property also abuts a long stretch of frontage on Commo Road, Commo Road is the main access to county fire and federal law enforcement training facilities and no other uses access it. Residential traffic is incompatible with these facilities. This requirement acknowledges that sometimes secondary access is not feasible; and in such cases the secondary access point is not required. In this case, it is neither feasible nor appropriate. Therefore, the Applicant contends that one access point for this Property satisfies this requirement. The Applicant does not propose any modifications to any of these standards at this time and will present design specifics during the Detailed Site Plan stage.

- **Nonresidential and Mixed-Use Form and Design (Sec. 27-61000)**

This standard does not apply.

- **Industrial Form and Design (Sec. 27-61100)**

This standard does not apply.

- **Neighborhood Compatibility (Sec. 27-61200)**

The purpose of these neighborhood compatibility standards is to provide a proper transition and ensure compatibility between single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in the single-family residential zones, and other more intense forms of development. (Section 27-61201)

This section also aims to:

(a) Provide effective transitions between single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in the single-family residential zones, and more intense uses;

(b) Protect the character of existing neighborhoods consisting of primarily single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in the single-family residential zones from potentially-adverse impacts resulting from more intense and incompatible adjacent forms of development;

(c) Limit the excessive consumption of available land through the utilization of large vegetated buffers in favor of development form and design treatments; and

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(d) Establish and maintain vibrant pedestrian-oriented areas where differing uses can operate in close proximity to one another.

To achieve these goals, the sections included standards for maximum building height; minimum setbacks; building orientation, design, fenestration and materials; loading and service areas, lighting; signs and open space.

As noted, the area is developed with the single-family subdivisions of Terraco Acres and Tippett Estates. A few single family homes on larger parcels and state and federal facilities round out the local neighborhood. Smith Lake offers a mix of single-family detached dwellings and townhouses, thoughtfully designed to fit easily into this broader community. No modifications to the Neighborhood Compatibility standards are anticipated, and the specifics of compliance with the myriad standards will be determined at the appropriate stage of development.

- **Agricultural Compatibility (Sec. 27-61300)**
- **Urban Agriculture Compatibility (Sec. 27-61400)**

These two sections apply to properties that either are former farms or are adjacent to existing farms. Surrounding uses are residential to the north and east, and a state-run youth facility to the south and west; they are not farms. Part of the Property was at one time farmed, but it has not been a farm for some time now. Development of the Property will have no impact on the County's agriculture or agricultural legacy.

- **Signage (Sec. 27-61500)**

The purpose of sign regulations is to enhance visual communication in a safe manner while minimizing adverse impacts and sign proliferation. (Section 27-61501)

One gateway sign at the entrance to the property will be proposed in subsequent applications and no other signs than those required are proposed. Section 27-61506(b) sets the standards for residential gateway (monument) signs, including location, number area, height, materials, lighting, landscaping, and maintenance. Section 27-61506(b)(3) lists the allowed maximum "area" at twelve (12) square feet but lacks a description of what that area includes or excludes. The prior Zoning Ordinance Section 27-624(a)(1) lists the maximum "lettering area" per sign as twelve (12) square feet. Any proposed gateway sign will comply with these standards and no modification to the standards are requested at this time or anticipated if the interpretation above is supported by Staff.

SMITH LAKE ESTATES

ZMA-2022-003

Statement of Justification

January 25, 2023

- Green Building Standards (Sec. 27-61600)

The purpose of this Section is to ensure development in the County includes a minimum degree of green building features as a means of protecting and conserving resources, supporting a healthy lifestyle for citizens, reducing greenhouse gas emissions, and ensuring a high quality of life for County residents. (Sec. 27-61601)

Green building standards cover the gamut of development activities, from grading to construction. A green building point system is established in Section 27-61603. A minimum of 4 points is required for a residential development of more than 25 dwellings. Some green building options that will be considered for this development are listed below and will be reviewed at time of site plan.

Energy Conservation

- ASHRAE standards for lighting
- Energy Star standards
- HERS index
- Stated water heater efficiency
- Air conditioner with stated efficiency
- Energy Star central air conditioners

Passive Solar

- Orientation of single family detached dwellings for maximum passive solar exposure

Water Conservation and Water Quality

- Use of environmental site design to meet SWM requirements of the County Code
- Showerhead, faucets, and toilets with low flow rates

Vegetation

- Retaining 20% of existing pre-development natural vegetation

Universal Design

- Universal design features in certain percentages of total units

(F) Establish the general location, amount, and type (whether designated for active or passive recreation) of open space, consistent with the purposes of the individual PD zone;

RESPONSE: Approximately 22 acres of open space is planned for active and passive recreation. The pocket park is centrally located; this park and the sitting areas strategically located near the existing pond, are connected to the street network by a series of on-street bicycle lanes and off-street pedestrian and bicycle paths. The pond is envisioned as an amenity and a central focal point for the community—its long stretches of street frontage open it up to the entire neighborhood.

SMITH LAKE ESTATES

ZMA-2022-003

Statement of Justification

January 25, 2023

(G) – (L)

(G) Identify the general location of environmentally sensitive lands, resource lands, wildlife habitat, and waterway corridors, and ensure protection of these lands consistent with the purposes of the individual PD zone and the requirements of this Ordinance;

(H) Identify the general location of existing on-site and adjacent historic sites and districts and archeological and cultural resources;

(I) Identify the general on-site pedestrian circulation system, including any existing on-site and adjacent pedestrian circulation systems (pedestrian and bicycle pathways, and trails), and how it will connect to off-site pedestrian systems in ways that are consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;

(J) Identify the general design and layout of the on-site transportation circulation system, including the general location of all public and private streets, existing or projected transit corridors, and how they interface with the pedestrian circulation system, and connect to existing and planned County and regional systems in a manner consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;

(K) Identify the general location of on-site potable water and wastewater facilities, and how they will connect to existing and planned County and regional systems in a manner consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;

(L) Identify the general location of on-site storm drainage facilities, and how they will connect to existing and planned County systems, in a manner consistent with the purposes of the individual PD zone, and the requirements of this Ordinance;

RESPONSE: Regarding Sections 27-4300(d)(1)(G) through (L), environmentally sensitive lands, pedestrian circulation, roads, water and sewer, stormwater management facilities are all depicted on the Basic Plan. No historic resources are identified. A more detailed discussion of these items is found in Section IV of this document.

SMITH LAKE ESTATES

ZMA-2022-003

Statement of Justification

January 25, 2023

(M) and (N)

(M) Identify the general location and layout of all other on-site and off-site public facilities serving the development (including any municipal public facilities, when the subject property is located within a municipality), and how they are consistent with the purposes of the individual PD zone. The other on-site and off-site public facilities considered shall include—but not limited to—parks, schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid waste management;

(N) Establish provisions addressing how transportation, potable water, wastewater, stormwater management, and other public facilities will be provided to accommodate the proposed development;

RESPONSE: Regarding Sections 27-4300(d)(1)(M) and (N), the subject property is not located within a municipality. A number of public facilities will serve the development. Cheltenham Wetlands Park is adjacent to the property, and Cheltenham Woods Community Park and Cheltenham Wildlife Management Area are located within a half-mile of the property. Just northwest of the Property is the MNCPPC Piscataway Creek Steam Valley Park II. Fire Station 840 is located on Brandywine Road less than five miles from the Property, and the Clinton Police Station is located one block off of Brandywine Road, approximately seven miles from the site. The Property is designated Water and Sewer Category 3 and proposed lots are to be served by public water and sewer connections. The on-site vehicular and pedestrian circulation system will connect to Frank Tippett Road, which is classified as a Master Plan Collector Road with Planned Shared Lanes. School-age children of future residents will be served by the Rosaryville Elementary School, Gwynn Park Middle School, and Frederick Douglass High School.

VI. CONCLUSION

Section 27-4302(a) lays out the Purposes of the R-PD Zone:

(1) The purposes of the Residential Planned Development (R-PD) Zone are:

(A) To provide flexibility for the design of innovative, high quality, planned residential communities that include a mix of residential use types along with a range of complementary and mutually supporting nonresidential land uses that serve the needs of the residents of the development;

SMITH LAKE ESTATES

ZMA-2022-003

Statement of Justification

January 25, 2023

- (B) To ensure and support development of comprehensive pedestrian and bicycle circulation networks, which are separated from vehicular roadways and link residential, commercial, open space, and recreation areas;**
- (C) To preserve and support well-integrated open spaces and recreation facilities for the use of the residents of the planned residential communities;**
- (D) To ensure that the planned residential community is developed in a manner that does not adversely impact the surrounding communities; and**
- (E) To ensure the planned residential community respects the topographic and other environmental characteristics of the site on which it is located.**

DISCUSSION: The RR Zone is a static, Euclidean zone that does not lend itself to innovation in design and requires minimum lot sizes that are inconsistent with the surrounding area. Large setbacks from adjacent properties, the continuation of compatible land uses and densities in the area, and the adequacy of public facilities ensure that there will be no adverse impacts to surrounding communities. In fact, the R-PD Zone simply allows the Applicant the flexibility to achieve a density in line with the surrounding area while respecting the natural environment by concentrating development in a smaller area, while minimizing impacts to the existing environmentally sensitive areas and features. Moreover, the Applicant is committed to not only preserving the environmental features to the fullest extent possible, but intends to showcase the environmental elements as a central feature and asset of the community.

Approximately 22 acres of open space are set aside in accordance with Part 27-6 of the new Zoning Ordinance. Much of this area is preserved untouched and the rest is proposed for active and passive recreation. Park area, a playground, and a trail circuit are provided for active recreation; sitting areas around the existing pond and in other areas provide a peaceful respite for passive recreative activities. All of these amenities are connected to dwellings through a pedestrian and bicycle path network, allowing easy access to community areas.

In summary, the R-PD Zone encourages, and provides the appropriate mechanism to realize, environmentally sensitive and compact development, while ensuring compatibility in the residential area. Smith Lake Estates presents a proposed development of single-family detached and attached homes in a compact community that respects the environment and provides lot sizes and uses that are compatible with the surrounding developed neighborhoods and in the Cheltenham area in general. The purposes and provisions of the R-PD Zone are a clear fit for the successful and sustainable residential development of this Property.

In this document, we have provided an overview of the proposal and its relationship to the Master Plan, Plan 2035, the R-PD Zone, and the new Prince George's County Zoning Ordinance. More specific development details will be examined through the following stages of the review process. Having satisfied the requirements for approval and being in harmony with the purposes of the R-PD Zone, we respectfully request approval of rezoning to the R-PD Zone.

SMITH LAKE ESTATES
ZMA-2022-003
Statement of Justification
January 25, 2023

Respectfully Submitted,

MCNAMEE HOSEA, P.A.

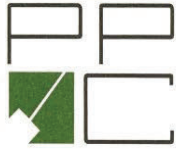
A handwritten signature in blue ink, appearing to read "M. Tedesco".

Matthew C. Tedesco
Attorney for the Applicant

A handwritten signature in blue ink, appearing to read "Joseph Del Balzo".

Joseph Del Balzo, AICP

MN
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3680

March 6, 2023

MEMORANDUM

TO: Dominique Lockhart, Urban Design Section, Development Review Division

VIA: Thomas Gross, Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **AGC**

SUBJECT: ZMA-2022-003 Smith Lake Estates

The subject property comprises 62.52 acres and is located on the west side of Frank Tippet Road, approximately 600 feet from its intersection with Commo Road. The subject property is zoned RR and located within the 2013 *Approved Subregion 6 Master Plan* area. The subject application proposes a Zoning Map Amendment request to rezone the property from RR to R-PD.

The 2013 *Approved Subregion 6 Master Plan* includes goals and policies related to historic preservation (pages 161-174). However, these are not specific to the subject site or applicable to the proposed development.

The subject property was surveyed for archeological resources in 2008. Five archeological sites were identified on the property: 1) 18PR927 – an early 20th century house site; 2) 18PR928 – a late 19th-mid 20th century African American farmstead; 3) 18PR929 – a prehistoric lithic scatter; 4) 19PR930 – a prehistoric lithic scatter and 19th century artifact scatter; and 5) 18PR931 – an Early to Late Woodland short term prehistoric camp. All sites were significantly disturbed by plowing and other 20th century activities on the property. No intact cultural features were identified in any of the five sites. No further archeological investigations were recommended by the applicant's consultant archeologist due to extensive modern disturbance. Historic Preservation staff concurs that no additional investigations are necessary on sites 18PR927, 18PR928, 18PR929, 18PR930, or 18PR931.

The Historic Preservation Section staff recommends approval of ZMA-2022-003, with no conditions.

MEMORANDUM

March 29, 2023

TO: Dominique Lockhart, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE

Re: Smith Lake Estates
Zoning Map Amendment, ZMA-2022-003

CR: Commo Road
CR: Frank Tippet Road

This memorandum is in response to the Zoning Map Amendment (ZMA-2022-003) request to rezone property from RR to R-PD. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is in Cheltenham, MD, located to the west of Frank Tippet Road approximately 600 hundred feet from its intersection with Commo Road.
- Right-of-way dedication and frontage improvements for Commo Road is 60-ft Rural Primary Residential roadway in accordance with the DPW&T standard 100.10. And right-of-way dedication and frontage improvements for Frank Tippet Road is 80-ft Urban Collector roadway in accordance with the DPW&T standard 100.03.
- Full-width, 2-inch mill and overlay along the Commo Road frontage limits are required. The existing culverts on Commo Road are to be analyzed for adequacy.
- The Zoning Map Amendment (ZMA-2022-003) is consistent with the Stormwater Management Concept Plan filed under DPIE Case#42748-2004-02, approved on 12/19/2013 and expired on 12/19/2016. The SWM concept shall be extended prior to the approval of ZMA-2022-003.
- The applicant needs to provide adequate sight distance in accordance with AASHTO standards for all proposed access points contain the site.
- Any proposed and/or existing Master Plan roadways that lie within the property limits must be addressed through coordination between the Maryland-National Capital Park and Planning Commission and DPW&T and may involve rights-of-way reservation, dedication and/or construction in accordance with DPW&T's Specifications and Standards.
- Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay in accordance with the established "DPW&T's Policy and specification for utility Installation and Maintenance Permits are required.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act.

- All storm drainage systems and facilities are to be in accordance with DPW&T's Specifications and Standards.
- Sidewalks are required along all roadways within the property limits in accordance with Section 23-136 of the County Road Ordinance.
- Conformance with DPW&T's Street tree and street lighting Specifications and Standards is required.
- All proposed cul-de-sacs are required to allow, as a minimum, the turning movement for a standard WB-40 vehicle and a standard length fire truck. When considering the turning movement, it is assumed that parking is provided on the outside edge or radius of the cul-de-sac.
- During permitting stage, applicant to provide frontage improvements along Commo Road and Frank Tippett Road frontages, including but not limited to 5' sidewalks.
- During permitting stage, applicant shall be required to provide operational analysis for access.
- The 2018 Water and Sewer Plan designates Parcels 10, 18, 20 & 62 in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, to be developed on the public sewer system.
- A water line in Tippett Road abuts Parcel 20 & Parcel 62. A sewer line in Commo Road is within 500 feet of Parcel 10.
- Water and sewer line extensions are required to service any proposed subdivision and must be approved by the Washington Suburban Sanitary Commission before recordation of a Final Plat.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- FPS 200485 governs. Floodplain easement required.
- A soil investigation report, which includes subsurface exploration and geotechnical engineering evaluation for public streets and structures is required.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.883.5710.

MA: II:AG:

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
 Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
 Salman Babar, CFM, Engineer, S/RPRD, DPIE
 MJ Labban, Engineer, S/RPRD, DPIE
 Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
 D.R. Horton, 181 Harry S. Truman Parkway, Suite 250, Phone:571-329-9470
 Rodgers Consulting, 1101 Mercantile Land, Suite 280, Phone:301-984-4700



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: March 31, 2023

TO: Dominique Lockhart, Planner III
Zoning Section, Development Review Division
Planning Department

VIA: Sonja Ewing, Assistant Division Chief *SE*
Dominic Quattrocchi, Planning Supervisor *DQ*
Park Planning and Development Division
Department of Parks and Recreation

FROM: Ivy Thompson, AICP, Planner III *IRT*
Land Acquisition/Management & Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **ZMA-2022-003 Smith Lake Estates**

The Department of Parks and Recreation (DPR) has reviewed and evaluated this application as it pertains to public parks and recreational facilities.

PROPOSAL

This application is a petition to rezone the 65.52-acre property from Rural Residential (R-R) to Residential Planned Development (R-PD).

BACKGROUND:

The subject property, consisting of Parcels 10, 18, 20, and 62, is located west of Frank Tippet Road approximately 600 hundred feet from its intersection with Commo Road. The site is subject to the 2013 *Approved Subregion 6 Approved Master Plan and Sectional Map Amendment*, the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master Plan for Parks, Recreation, and Open Space*. This property is currently unimproved.

DISCUSSION

The subject site was previously reviewed as part of 4-0035, 4-05035, 4-08065, 4-09042, and DSP-07002 where DPR staff recommended the provision of onsite recreation facilities to fulfill the parkland dedication requirement. The property is 50 feet south of the Piscataway Stream Valley Park, the Piscataway Creek Trail, and approximately 600 feet east of the 75-acre Cheltenham Park. Southwest of the property is the 930+ acre Cheltenham Youth Facility, owned by the State of Maryland, which abuts the entire southwestern boundary of the Property.

The applicant’s proposal is for a development of approximately 130-150 units, a mix of single-family detached and attached dwellings, with a density of approximately 2.2 to 2.5 dwellings per acre. Per the applicant’s Statement of Justification, the existing pond will be designed within the development to “serve as a centralized gathering place for the community with convenient access through pedestrian walkways and trails. Potential amenities such as a pocket park and playground area provided for active recreation; sitting areas around the existing pond will provide a peaceful respite for passive recreative activities.”

Given the proposed density of the development and the proximity to M-NCPPC-owned land, DPR staff recommends the provision of land conveyance and on-site recreation within the development to meet the parkland dedication requirement. DPR is evaluating the western area (Sheet 2) of the property, south of Como Road adjacent to the Cheltenham Youth Facility for future conveyance. The land is within the regulated area of the Green Infrastructure Plan, contains moderate to steep slopes, mature forest and is within the Piscataway Creek Watershed. This section of the property is outside of the proposed residential development area. At the time of the evaluation of the Preliminary Plan of Subdivision, DPR staff will review the recommendations and requirements of the R-PD zone, the Subregion 6 Master Plan and SMA, and the Subdivision Regulations as they pertain to the provision of public parks and recreation facilities.

RECOMMENDATION:

The Park Planning & Development Division of the Department of Parks and Recreation has no objections to the zoning change request and offers the following recommendation:

1. At the time of review of the Preliminary Plan of Subdivision, DPR staff will further evaluate the provision of parkland via land dedication and on-site recreation.

cc: Alvin McNeal
Bridget Stesney

April 17, 2023

MEMORANDUM

TO: Dominique Lockhart, Planner III, Zoning Section
VIA: Mridula Gupta, Planner IV, Subdivision Section *MG*
FROM: Antoine Heath, Planner II, Subdivision Section *AH*
SUBJECT: ZMA-2022-003; Smith Lake Estates

The subject 62.52-acre property is located in Tax Map 126, Grids E2, E3, and F3. The property consists of four deed parcels known as Parcels 10, 18, 20, and 62 recorded in the Prince George's County Land Records in Liber 42875 at folio 528. The property is located within the Rural Residential (RR) Zone. The applicant has requested to rezone the subject property from RR Zone to the Residential Planned Development (R-PD) Zone, pursuant to Section 27-3601 of the Prince George's County Zoning Ordinance, for development of a maximum 150 single-family detached and attached dwelling units.

The property was the subject of two previously approved preliminary plans of subdivision (PPS). PPS 4-05035 Smith Property was approved on December 15, 2005 by the Prince George's County Planning Board (PGCPB Resolution No. 05-267) for 60 lots and 5 parcels for the development of 60 single-family detached dwellings. PPS 4-09042 was approved on February 3, 2011 by the Prince George's County Planning Board (PGCPB Resolution No. 11-13) for 6 lots for the development of 6 single-family detached dwellings. Development, however, did not proceed in accordance with these approvals, and both preliminary plans have since expired.

A new PPS and a certificate of adequacy will be required for the division of land following approval of this application. The proposed site layout and lotting pattern will be further evaluated with the PPS and must comply with all development standards contained in Subdivision Regulations. A final plat of subdivision is required subsequent to approval of this zoning map amendment and following the approval of the PPS before any permits may be approved for development of this site.

Additional Comments

1. The master plan right-of-way (ROW) for master plan collector road C-610 (Frank Tippet Road) is located east of the subject property, and dedication of master plan rights-of-way will be reviewed at the time of PPS.

2. The open space set-aside exhibit proposes one approximately 4-acre centrally located area for active recreation, and one area for passive recreation. The passive recreation area is proposed to be less than 10,000 square feet, and is located in one corner of the development. Either more pockets for passive recreation should be incorporated into the site design, or the proposed area be enlarged and centrally located for easy access by all residents. The project will be required to demonstrate mandatory dedication of parkland at the time of PPS, which may be met through land dedication, fee-in-lieu, private recreational facilities, or a combination thereof.

Recommended Conditions

None.


This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the basic plan and must be consistent with the legal descriptions of the property. There are no other subdivision issues at this time.

April 20, 2023

MEMORANDUM

TO: Dominique Lockhart, Subdivision Review Section, Development Review Division

FROM:  Glen Burton, Transportation Planning Section, Countywide Planning Division

VIA:  Crystal Saunders-Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: ZMA-2022-003, Smith Lake Estates

Proposal

The subject application represents a proposed rezoning of a 63-acre, RR-Zoned property to the new R-PD zone.

Trip Generation and Impacts

A traffic impact study (TIS) was not included with this application, so staff relies on information provided in the applicant's statement of justification (SOJ). This is to evaluate the potential traffic on the neighboring road network. Below is a table that summarizes the trip generation based on the existing and proposed zones.

Comparison of Estimated Trip Generation							
Land Use	Density-Units	AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family (RR Zone)	Max. 62	10	37	47	37	19	56
Total trips existing zone		10	37	47	37	19	56
Single Family (R-PD)	74	11	45	56	44	23	67
Townhomes (R-PD)	68	10	38	48	35	19	54
Total trips new zone		21	83	104	79	42	121
Trip differential		+57			+65		

The table above shows that a change in the zoning will result in a net increase in traffic in the adjoining neighborhood. The full effect of the increase in traffic will be evaluated at the time of the preliminary plan of the subdivision phase, of the development review process. At that phase, a TIS will be required, and all modes of transportation will be analyzed in detail.

Master Plan Recommendations

This property is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which recommends the following facilities:

Planned Shared Roadway: Frank Tippet Road and Common Road.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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

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

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

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The subject property is located in an area where the development policies are governed by the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* makes the following policy recommendations (p.92):

Roadways, Bicycles, and Pedestrian Policies:

- Develop a road network that balances regional mobility and local accessibility needs.
- Ensure that the road system is improved concurrently with development, so that road and intersection capacities match demand.
- Maintain and improve both the arterial and nonarterial systems to provide safe and efficient travel.
- Provide new funding for road improvement and maintenance.
- Ensure that all road improvements follow environmentally sound construction practices
- Expand, encourage, and promote hiker/biker/equestrian recreational activities.
- Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes.
- Provide multiuse trails accommodating hikers, bikers, and equestrians along major stream valley corridors.
- Promote the equestrian heritage of Prince George's County, focusing on trails that facilitate access to the Prince George's Equestrian Center, Jug Bay, and Rosaryville State Park.

Comment: All the subject property falls in the developing tier, which requires sidewalks on both sides of all new internal roads. As development occurs within the proposed area, staff will further evaluate bicycle and pedestrian transportation facilities. Staff recommend that the implementation of complete streets be considered at the time of the Comprehensive Design Plan or future phases for the subject property. Additionally, staff recommend pedestrian and bicycle facilities be provided

consistent with the *Approved Subregion 6 Master Plan and Sectional Map Amendment* pedestrian and bicycle policies including additional connections and facilities to promote multimodal transportation.

Zoning Ordinance

Roadway Access, Mobility, and Circulation (Sec. 27-6200)

The purpose of this Section is to ensure that developments are served by a coordinated multimodal transportation system that permits the safe and efficient movement of motor vehicles, emergency vehicles, transit, bicyclists, and pedestrians within the development and between the development and external transportation systems, neighboring development, and local destination points such as places of employment, schools, parks, and shopping areas.

Comment.

The proposed development will be served by one access point from Frank Tippett Road only. While a single point of access is undesirable, given the number of lots being proposed, the on-site environmental constraints and overall topography make additional points of access a challenge. The initial layout of the site shows a series of nodes and links resulting in a connectivity index of 1.5. Table 27-6206(f)(1) of the new code shows that this index is deemed acceptable.

Conclusion

Based on the preceding findings, transportation staff supports the rezoning of the subject property.

Countywide Planning Division
 Prince George's County Planning Department

301-952-3650

April 24, 2023

MEMORANDUM

TO: Dominique Lockhart, Planner III, Zoning Section, DRD

VIA: Thomas Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Alexander Kirchhof, Planner I, Environmental Planning Section, CWPD *ANK*

SUBJECT: Smith Lake Estates: ZMA-2022-003

The Environmental Planning Section (EPS) has reviewed the above referenced Zoning Map Amendment application accepted on February 27, 2023. Comments were provided to the applicant at a Subdivision and Development Review Committee (SDRC) meeting scheduled March 17, 2023, with revised materials received April 13, 2023. The amendment application meets all applicable environmental requirements. The following comments are provided for your consideration.

Background

The EPS has extensively reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
NRI-010-05	N/A	Staff	Approved	8/15/2005	N/A
PPS-4-05035	TCP1-035-05	Planning Board	Approved	6/8/2007	05-267
NRI-010-05-01	N/A	Staff	Approved	7/18/2008	N/A
PPS-4-08065	N/A	Planning Board	Withdrawn	N/A	N/A
PPS-4-09042	TCP1-035-05-01	Planning Board	Approved	2/3/2011	11-13
NRI-010-05-02	N/A	Staff	Approved	6/23/2011	N/A
DSP-07002	TCP2-014-08	Planning Director	Approved	11/9/2011	N/A
NRI-010-05-03	N/A	Staff	Approved	8/4/2022	N/A
ZMA-2022-003	N/A	Planning Board	Pending	Pending	Pending

Proposed Activity

This application requests to amend the zoning for a 65.52-acres site from the Rural Residential (RR) Zone to Residential Planned Development (R-PD) Zone.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 because the development proposal will be required to file a new preliminary plan application to reflect changes proposed under the development proposal.

Site Description

The subject property is a 62.52-acre site in the Residential, Rural (RR) Zone, located on the west side of Frank Tippett Road, due south of its intersection with Commo Road. This site is generally triangular in shape and is mostly wooded. A stream is present on-site, which coincides with the northern property boundary, branching out into the property at two locations. This site was previously used for agriculture and features a large farm pond on the eastern portion of the site, which has developed into a wetland area. Floodplain is present on-site in conjunction with the stream system. The site lies within the Middle Potomac watershed, Piscataway Creek. Unsafe soils containing Marlboro Clays or Christiana Complexes are not present on-site. The site contains Regulated Areas and Evaluation Areas, as designated on the Countywide Green Infrastructure Plan of the *Approved Prince George's County Resource Conservation Plan* (May 2017). The site is located within Planning Area 82A. Based on the Sensitive Species Project Review Area (SSPRA) GIS layer prepared by the Maryland Department of the Environment, Heritage and Wildlife Service, forest interior dwelling species (FIDS) is present on-site. The site is within a SSPRA and falls within the drainage to Piscataway Creek, which is known to support important fish species, including the state-listed threatened American Brook Lamprey. This site is within a Tier II catchment area identified as Piscataway Creek 1 and 2.

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

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map and has a Growth Policy of Established Communities as designated by *Plan Prince George's 2035 Approved General Plan*.

Master Plan Conformance; Approved Subregion 6 Master Plan and Sectional Map Amendment Environmental Infrastructure

The Environmental Infrastructure Section of the *Approved Subregion 6 Master Plan and Sectional Map Amendment* (July 24, 2013) outlines nine policies for protecting, preserving, and restoring regulated environmental features (REF). The text for the Policy and Strategies are in **bold**, with responses on how the application addresses the master plan policies and strategies in plain text.

The Zoning Ordinance provides guidance regarding the impact and relationship of general plans with master plans and functional master plans. Specifically, 27-3502(j) of the Zoning Ordinance states the following regarding the approval of a general plan, and its effect on a previously approved master plan:

(j) Relationship Between the General Plan, Functional Master Plans, Area Master Plans, and Sector Plans

1. When General Plan amendments and Functional Master Plans (and amendments thereof) are approved after the adoption and approval of Area Master Plans or Sector Plans, the Area Master Plans or Sector Plans shall be amended only to the extent specified by the District Council in the resolution of approval.

2. Any Functional Master Plan (or amendment), Area Master Plan, or Sector Plan shall be an amendment of the General Plan unless otherwise stated by the District Council.
3. Any Area Master Plan or Sector Plan may designate, delete, or amend General Plan center or policy area designations or the County's growth boundary. These actions shall constitute amendments to the General Plan unless otherwise stated by the District Council.

The text in **bold** is the text from the Master Plan and the plain text provides comments on the plan conformance.

Policy 1: Protect, preserve, and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities.

Strategies

1. **Protect priority areas that will meet multiple protection objectives such as those related to green infrastructure, the priority preservation area, and the Patuxent River Rural Legacy Program.**
2. **Update and centralize geographic information from county, state, and other agencies to allow for an efficient, initial evaluation of potential protection measures as they relate to land development proposals and potential sites for acquisition with public funds for conservation easements or passive recreation.**
3. **Protect primary corridors (Patuxent River, Charles Branch, Collington Branch, Piscataway Creek, Mattawoman Creek, and Swanson Creek) during the review of land development proposals to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors to restore and enhance environmental features, habitat, and important connections.**
4. **Preserve and connect habitat areas to the fullest extent possible during the land development process.**
5. **Preserve or restore regulated areas designated in the green infrastructure network through the development review process for new land development proposals.**
6. **Protect portions of the green infrastructure network outside the primary and secondary corridors to restore and enhance environmental features, habitat, and important connections.**
7. **Evaluate land development proposals in the vicinity of SCAs to ensure that the SCAs are not negatively impacted and that green infrastructure connections are either maintained or restored.**

- 8. Preserve and enhance, where possible, grassland habitats that are of critical importance to native and migratory bird species.**

The applicant is proposing to retain the majority of the primary management area (PMA), with impacts proposed to the existing farm pond to convert into a stormwater management (SWM) facility. Woodland on-site shall be retained to the extent practicable and be placed within a woodland conservation easement, and the applicant shall meet the woodland conservation threshold on-site. Impacts to woodlands and PMAs will be evaluated with subsequent development review proposals.

Policy 2: Restore and enhance water quality in degraded areas and preserve water quality in areas not degraded.

Strategies

- 1. Protect and restore groundwater recharge areas such as wetlands and the headwaters areas of streams and watersheds.**
- 2. Develop an interjurisdictional development and management plan with Charles County for the protection of the Mattawoman watershed.**
- 3. Require retrofitting of locations without stormwater management, or with poorly performing facilities, as they are identified during the development review process.**
- 4. Define and identify operations and activities that create stormwater management “hot spots” to adjust development and enforcement as necessary for pollution prevention.**
- 5. Require private developers to perform stream corridor assessments, where one has not already been conducted, when development along stream corridors without completed assessments is proposed. Use the outcome of these assessments to guide restoration requirements upon which development approval will be contingent.**
- 6. Complete stream corridor assessments for all watersheds in the subregion in support of the countywide watershed restoration efforts.**
- 7. Require environmentally-sensitive site design which includes limiting impervious surfaces and implementing best practices in on-site stormwater management to reduce the impact of development on important water resources.**
- 8. Update the county road code and parking standards to reduce impervious surface requirements, without compromising safety, in watersheds where development pressure is great and impervious surface coverage is, or is projected to reach, more than ten percent of the watershed (e.g., Western Branch, Mattawoman, etc.).**

9. Evaluate current right-of-way requirements and opportunities for bioretention and on-site stormwater management in watersheds with ten percent or greater impervious surface.

As noted in Policy 1, the applicant is proposing to retain the majority of the PMA and woodlands. Environmentally sensitive design practices shall be implemented to reduce impacts to the PMA, and adequately buffer the Regulated Areas from the proposed residential development. Impacts to woodlands and PMAs will be evaluated with subsequent development review proposals. The current site plan shows redevelopment of the existing farm pond into a stormwater facility and further improving this area as a recreational amenity. Stormwater design will be evaluated by the Department of Permitting, Inspections and Enforcement (DPIE) during subsequent development review processes. Any proposed impacts to PMA shall be requested at time of preliminary plan of subdivision.

Policy 3: Increase planning and informational data collection efforts at the watershed level, raising the profile and awareness about the importance of shared aquifers and other resources to water quality and supply.

Strategies

- 1. Promote agricultural and other resource industry practices which support environmental restoration such as conservation tillage, intercropping, and crop rotation, integrated pest management, etc., to contribute to healthier waterways and provide wildlife habitat.**
- 2. Centralize and disseminate information to landowners about best practices in land management, as well as financial and other program incentives available to do so.**
- 3. Educate homeowners about alternatives to conventional lawn care to reduce the runoff of nutrients to waterways, including the use of rain gardens to promote bioretention and provide backyard habitat.**
- 4. Require the application of a conglomerate stream buffer, similar to the one that applies in the Patuxent PMA, in all areas of the subregion.**
- 5. Work with the Patuxent River Commission to implement the Patuxent River Policy Plan, a multi-agency effort to protect the river through land management and pollution control practices.**
- 6. Monitor the short- and long-term impact of climate change on the Patuxent River, including increased saltwater intrusion and potential impacts to aquifers and drinking water supplies.**
- 7. Require the use of low-nitrogen septic systems in the Rural Tier portion of the subregion within 1,000 feet of any stream or tributary.**

- 8. Investigate the status and number of monitoring wells in the county to determine if support for a greater number is required.**

Based on the provided open space set aside plan, the applicant proposes to retain the majority of the PMA within a woodland conservation area. This site is located within a Tier II catchment area, with the majority of the development proposed outside of the Tier II buffer. Retaining the woodland or providing reforestation around the stream is critical to adequately buffer the PMA area. The applicant shall strive to implement or promote alternative lawn care methods. Individual septic systems are not proposed, the development will utilize public water and sewer.

Policy 4: Protect, restore, and enhance the Chesapeake Bay Critical Area.

Strategies

- 1. Ensure that the primary buffers and secondary buffers are protected and enforced to the fullest extent possible.**
- 2. Increase enforcement activities as needed within the critical area.**

This site is not within the Chesapeake Bay Critical Area.

Policy 5: Promote compact, walkable development patterns in appropriate locations such as the Town of Upper Marlboro, Marlton, and rural centers and communities such as Baden, Aquasco, Eagle Harbor, Cedar Haven, and Croom.

Strategies

- 1. Design development and redevelopment projects to minimize the need for motor vehicle trips (see Development Pattern/Land Use and Living Area chapters)**
- 2. Provide pedestrian and bicycle facilities (see Transportation System chapter).**
- 3. Provide for extremely limited bus service to Marlton.**

There are master-planned shared roadway trails along both Commo Road and Frank Tippet Road, bordering the site to the north and east. The applicant is proposing to provide an on-site recreation trail around the existing farm pond. Additional factors of walkability will be reviewed by the Transportation Planning Section during subsequent development review proposals.

Policy 6: Increase awareness regarding air quality and greenhouse gas (GHG) emissions and the unique role that the Developing and Rural Tiers in Subregion 6 have to play in this effort.

Strategies

1. **Engage citizens, businesses, and public agencies through educational outreach efforts to raise awareness on how they can address air quality and climate change at the subregion level.**
2. **Encourage the use of clean and renewable energy sources such as biomass and solar and wind power.**

The applicant shall explore the use of alternative energy solutions with subsequent development proposals.

Policy 7: Encourage the use of green building techniques and community designs that reduce resource and energy consumption.

Strategies

1. **Support this subregion plan's policy of redevelopment and infill development in existing and planned development areas rather than "green field" development (See Development Pattern/Land Use chapter).**
2. **Initiate a project that meets the full standards of the LEEDND in the subregion. Consider this for a development/redevelopment project near Upper Marlboro (see Living Areas chapter).**

The applicant shall strive to utilize green building techniques applicable for the proposed residential development. Green building techniques will be evaluated by the Urban Design Section with subsequent development proposals.

Policy 8: Reduce energy usage from lighting, as well as light pollution and intrusion into residential, rural, and environmentally sensitive areas.

Strategies

1. **Encourage the use of alternative and energy-saving lighting technologies for athletic fields, shopping centers, gas stations, and car lots so that light intrusion on adjacent properties is minimized. Limit the amount of light output from these uses.**
2. **Require the use of full cut-off optic light fixtures for all proposed uses to reduce sky glow.**

Energy saving light fixtures shall be utilized and light minimization will be evaluated by the Urban Design Section with subsequent development review applications.

Policy 9: Reduce adverse noise impacts to meet acceptable state noise standards.

Strategies

1. **Evaluate development and redevelopment proposals using Phase I noise studies and noise models where noise levels exceed 65 dBA.**
2. **Provide for adequate setbacks for development exposed to existing and proposed noise generators and roadways of arterial classification or greater.**
3. **Provide for the use of approved attenuation measures when noise issues are identified.**
4. **Continue to work with JBA to promote compatible land development in areas subject to aircraft noise and accident potential.**
5. **Require development within Ldn 65 dBA and greater noise exposure areas to be properly protected from the transmission of noise through the use of appropriate site designs, the use of barriers that affect sound propagation, and/or the use of sound absorbing materials in construction.**
6. **Work with the State Highway Administration to ensure that as state roads such as MD 4 and US 301 are upgraded, appropriate noise reduction measures are incorporated into the roadway design.**

Noise and adequate buffers will be addressed by the Development Review Division with subsequent development applications.

Conformance with the Green Infrastructure Plan

The majority of the site is mapped within the Green Infrastructure Network, as delineated in accordance with the *Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan* (2017). The Regulated Area is mapped along the streams and regulated environmental features (REF), and the Evaluation Area is mapped on the remainder of the site as existing forest contiguous to the stream. The plans, as submitted, generally show the preservation of the Regulated Areas; however, more detailed information will be evaluated during the subsequent applications. The amended Zone can be found in conformance with the *Green Infrastructure Plan*.

COMPLIANCE WITH PREVIOUSLY APPROVED CONDITIONS

Preliminary Plan of Subdivision 4-05035

Preliminary Plan of Subdivision 4-09042

Detailed Site Plan DSP-07002

All prior cases were for a different development proposal. As such, conditions relative to those approvals are not applicable to this subject application.

Environmental Review

Existing Conditions/Natural Resource Inventory (NRI)

An NRI is required as part of a zoning amendment application per 27-6802; and approved NRI-010-05-03 covering the land area was included in the application and referenced on sheet 2 of the civil plan set. No further information is needed at this time.

Woodland Conservation

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27. The Woodland Conservation Threshold will remain 20 percent with the proposed R-PD Zone. All future applications will require tree conservation plans in accordance with the current regulations.

Specimen Trees

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

A Forest Stand Delineation (FSD) report was submitted with the NRI, which was submitted as a required document with this ZMA. The FSD indicates that 111 specimen trees are located on-site. A variance request for the proposed removal of specimen trees shall be submitted with the acceptance of the PPS or associated case. Every effort shall be made to preserve specimen trees to the extent practicable.

Regulated Environmental Features

There is PMA, comprised of REF, which include floodplain, streams and associated buffers, steep slopes, and wetlands with their associated buffers. Under Section 27-6808 of the Zoning Ordinance refers to Subdivision Regulations 24-4300(a), which establishes that subdivisions shall be designed to minimize the impact of development on the land and on REF. Section 24-4303(d)(5) establishes that land located outside of the Chesapeake Bay Critical Area Overlay (CBCAO), the PPS shall demonstrate the preservation and/or restoration of REF in a natural state, to the fullest extent possible, consistent with the Environmental Technical Manual, established in accordance with Subtitle 25: Trees and Vegetation, of the County Code. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required, in accordance with Subtitle 27: Zoning Ordinance, of the County Code, for the reasonable development of the lot outside the regulated feature. A letter of justification with exhibits shall be submitted for review prior to the acceptance of the PPS, or associated case, for any impacts proposed to REFs.

Stormwater Management

A Site Development Concept will be reviewed by the DPIE, and the approved concept shall be submitted for review with the acceptance of the PPS.

Erosion and Sediment Control

This site is within a Tier II catchment area. Tier II waters are high-quality waters within the State of Maryland, as designated by the Maryland Department of Environment (MDE), that are afforded special protection under Maryland's Anti-degradation policy. A 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams, in accordance with the Prince George's

Soil Conservation District (PGSCD) requirements. Redundant erosion and sediment control measures may be required on the Erosion and Sediment Control Plan, reviewed by the PGSCD. The limits of development on the Erosion and Sediment Control Plans must match the limits of development on the Site Development Plan and the tree conservation plans.

Scenic and Historic Roads

This site is not located in the vicinity of any roads identified as scenic or historic.

Summary

If the proposed Zoning Map Amendment is approved to rezone the property from RR to R-PD, the forest conservation threshold under the Woodland Conservation Ordinance (WCO) would remain the same at 20 percent. The applicant shall strive to meet the woodland conservation requirements on-site, minimize impacts to PMA and specimen trees, and adequately buffer the on-site stream system from the proposed residential development. Woodland conservation, SWM, specimen trees, and PMA shall be evaluated with subsequent development applications.


The EPS provides the following conditions for consideration with the approval of ZMA-2022-003.

1. As described in 27-6404(a), natural features are to be included on the open space set aside exhibit. This section defines features considered natural features and establishes that primary management area is counted under natural features, which count towards the open space set aside requirement, and should be clearly indicated on the exhibit. Correct the open space set side exhibit to include the existing farm pond PMA area as part of the natural features.
2. The woodland conservation threshold of 20 percent shall be met on-site.

April 28, 2023

REVISED MEMORANDUM

TO: Dominique Lockhart, Planner III, Zoning Section, Development Review Division

From: David A. Green, Planner IV, Long Range Planning Section, Community Planning Division 

SUBJECT: ZMA-2022-003, Smith Lake Estates (PB)

FINDINGS

Community Planning Division staff finds that, pursuant to 27-4301(d)(1)(A) General Standards for All Planned Development Zones and 27-4302(a)(2) Residential Planned Development (R-PD) Zone Use Standards, of the Zoning Ordinance, this application is consistent with the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Master Plan) and the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035).

BACKGROUND

Application Type: Zoning Map Amendment

Location: West of Frank Tippet Road approximately 600 feet from its intersection with Commo Road.

Planning Area: 82A

Community: Rosaryville

Size: 62.52 acres

Existing Use: Vacant

Proposal: Zoning Map Amendment request to rezone property from RR to R-PD.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) places the subject property in the Established Communities Growth Policy Area. "Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the

Regional Transit Districts and Local Centers as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas such as sidewalks) to ensure that the need of the existing residents are met.” (p. 20)

Master Plan: The 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* recommends residential low land use on the subject property. Residential low land use is described as “residential areas of up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.” (p. 40)

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

SMA/Zoning: On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (“CMA”) which reclassified the subject property from R-R (Rural Residential) Zone to RR (Residential, Rural) Zone effective April 1, 2022.

ZONING MAP AMENDMENT ANALYSIS

Community Planning Division staff finds that, pursuant to 27-4301(d)(1)(A) General Standards for All Planned Development Zones and 27-4302(a)(2) Residential Planned Development (R-PD) Zone Use Standards of the Zoning Ordinance, this application is consistent with the Master Plan and Plan 2035 because this application proposes densities consistent with the Master Plan recommended “residential low” land use and proposes single-family attached and detached homes of similar character to the surrounding community (context sensitive) as prescribed by Plan 2035 for properties in the Established Communities Growth Policy Area. In addition, the application proposes housing densities allowed in the RR Zone.

CC: Long-Range Notebook

Sarah Benton, AICP, Supervisor, Long Range Planning Section, Community Planning Division