THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

May 19, 2020

RECEIVED
JULY 22, 2020
CLERK OF THE COUNCIL
PRINCE GEORGE'S COUNTY, MD

Crofton, MD 21114
Timothy Branch, Inc.
2124 Priest Bridge Drive, Suite 18

Re: Notification of Planning Board Action on
Comprehensive Design Plan CDP-0902-01
Villages At Timothy Branch

Dear Applicant:

This is to advise you that, on **May 14, 2020,** the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-523, the Planning Board's decision will become final 30 calendar days after the date of the final notice **May 19, 2020** of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or

2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Acting Clerk of the County Council, 301-952-3600.

Please be advised that, pursuant to Council Resolution 10-2020, adopted on March 17, 2020, the District Council suspended certain time periods that may be applicable to an appeal of the matter approved by the Planning Board in the attached resolution. For questions concerning your right to appeal, please contact the Office of the County Clerk at Clerkofthecouncil@co.pg.md.us.

Very truly yours,
James R. Hunt, Chief
Development Review Division

By: Adam Bossi
Reviewer

Attachment: PGCPB Resolution No. **2020-64**

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

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2020-64 File No. CDP-0902-01

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on April 23, 2020, regarding Comprehensive Design Plan CDP-0902-01 for The Villages at Timothy Branch, the Planning Board finds:

1. **Request**: The application requests amendments to certain residential development standards and recreational facilities of the previously approved comprehensive design plan (CDP).

2. **Development Data Summary:**

	PREVIOUSLY APPROVED	**APPROVED**
Zone(s)	R-M/M-I-O	R-M/M-I-O
Use(s)	Residential	Residential
Gross Acreage	262	261.75
Acreage in the 100-year floodplain	38	38
Adjusted gross acreage (minus 50% floodplain)	243	242.75
Number of Dwelling Units	1,069	1,069

OTHER DEVELOPMENT DATA—Dwelling Units by Housing Types

	PREVIOUSLY APPROVED		APPROVED	
Dwelling Types	Approximate % of Total Units	Number of Units	Approximate % of Total Units	Number of Units
R-M Zone				
Single-family Detached	9.45	101	17.7	189
Townhouses	34.42*	368	47.4*	507
One-Family Semi-Attached Duplex	7.48	80	5.4	58
Two-Family Attached (Two-Over-Twos)	29.18	312	6.7	72
Multifamily	19.45**	208	22.7**	243
Total Units in the R-M Zone	99.98 or approximately 100%	1,069	99.9 or approximately 100%	1,069

Notes: *Not to exceed 50 percent
**Not to exceed 25 percent

3. **Location**: The subject property is located on the east side of US 301 (Robert Crain Highway), southeast of its intersection with MD 381 (Brandywine Road), in Planning Area 85A, Council District 9.

4. **Surrounding Uses:** This portion of the Villages at Timothy Branch development is zoned Residential Medium Development (R-M) and is bounded to the north by an existing warehouse in the Planned Industrial/Employment Park (I-3) and Employment and Institutional Area (E-I-A) Zones, the Local Activity Center (L-A-C) zoned portion of the Timothy Branch development and Brandywine and Shortcut Roads. The Timothy Branch stream valley bounds the subject site to the east. US 301 and a single, developed property zoned Commercial Miscellaneous and vacant land in the I-3 Zone bounds the western portion of the site. To the south, vacant land and light industrial uses in the Mixed Use-Transportation Oriented and Commercial Shopping Center Zones borders the subject site.

5. **Previous Approvals:** The 1978 Brandywine-Mattawoman Section Map Amendment rezoned the property from the Rural-Residential Zone to the I-3 and E-I-A Zones. The 1993 *Subregion V Approved Master Plan and Sectional Map Amendment* retained the property in the E-I-A and I-3 zoning categories. There were no conditions associated with these previous zoning approvals. Zoning Map Amendment A-9987-C, approved by the Prince George's County District Council on June 6, 2008, rezoned the property from the I-3 and E-I-A Zones to the R-M Zone.

On October 7, 2010, the Prince George's County Planning Board approved CDP-0902 (PGCPB Resolution No. 10-110) for the R-M-zoned portion of the Timothy Branch development. The District Council affirmed this decision on November 4, 2013. The Planning Board approved a reconsideration of Conditions 20-27 on March 19, 2015 (PGCPB Resolution No. 10-110(A)), to adjust findings and conditions related to the provision of off-site recreational facilities. Variances were also approved with the CDP to allow for a maximum of 50 percent of dwelling units to be townhouses and a maximum of 25 percent of dwelling units to be multifamily.

On October 28, 2010, the Planning Board approved Preliminary Plan of Subdivision PPS 4-09003 (PGCPB Resolution No. 10-117(A/1)), which provided for the creation of 580 lots, 68 parcels to support the development of up to 1,200 dwelling units. It was later reconsidered twice.

On October 23, 2014, the Planning Board approved Specific Design Plan SDP-1304 (PGCPB Resolution No. 14-116) for rough grading and development of basic infrastructure, as well as dedication and construction of Mattawoman Drive, in the R-M and L-A-C zoned areas of the Timothy Branch development.

On September 14, 2017, the Planning Board approved Specific Design Plan SDP-1701 (PGCPB Resolution No. 17-119) for the first phase of development of Timothy Branch. A total of 323 dwelling units were approved for development within residential pods RM-1 and RM-2. The first amendment to this SDP was approved by the Planning Board on July 12, 2018 and provided for an increase in maximum lot coverage and for the approval of architectural modifications. The second revision, SDP-1701-02 added architecture for two new home models.

6. **Design Features:** The approximately 262-acres of land comprising this CDP includes Mattawoman Drive extended, a six-lane arterial classification roadway, which will provide a diagonal southwestern to northeastern spine through the development with five residential pods grouped on either side. These pods are referred to as RM-1 through RM-5. Sections RM-1 and RM-2 are located east of Mattawoman Drive. Sections RM-3, RM-4, and RM-5 are located on the west side of Mattawoman Drive. Multifamily units are in the most southwesterly portion of the development (RM-5). The residential dwelling types in the central pods (RM-1, RM-2, RM-3 and RM-4) of the development, on either side of Mattawoman Drive, include single-family detached, single-family semidetached (duplex), single-family attached (townhouses), and two-family attached (two-over-twos). Stormwater management is planned to be handled by six ponds, four proposed ponds located on the most eastern section of the R-M zoned area, and one existing pond created in conjunction with the previously anticipated industrial park. One pond is located on the western side of existing Mattawoman Drive.

All of these features were included in the CDP as originally approved and remain unchanged. Amendments provided in CDP-0902-01 are summarized as follows: relocation of a playground and change in phasing schedule for recreational facilities; revisions to residential development standards and adjustment to quantities of proposed residential unit types.

On-site private recreation facilities provided in the original approval of CDP-0902 include:

a. A community building and recreation center including:

(1) A 25-meter pool
(2) A wading pool
(3) Bathhouse/pool facilities with community meeting space;

b. One preschool-age playground (2,500 square feet);

c. One school-age playground (5,000 square feet);

d. Three multi-age playgrounds (7,500 square feet);

e. One 100-foot by 200-foot open play area;

f. Approximately 5,600 linear feet of an eight-foot-wide hiker/biker trail with a four-foot-wide cleared earth/turf equestrian sidepath.

This amendment requests to relocate one 7,500-square-foot multi-age playground from its approved location in residential development pod RM-5 to RM-4. The applicant has proposed to provide separate private recreation facilities for the multifamily development in RM-5. These facilities would be provided in addition to those listed above. The Planning Board finds this amendment is reasonable if recreation facilities are provided within RM-5 for the use of those residents.

This amendment requests to revise the quantities of residential unit types to be provided, while maintaining adherence to the total number and percentage limitations of the mix of units previously approved. The Planning Board approves this requested amendment as it does not alter previous findings of conformance regarding the total quantity and percentage limitations for residential units.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9987:** Zoning Map Amendment A-9987-C was approved by the District Council on June 6, 2008. One condition is relevant to this CDP amendment, as follows:

Land Use Types and Quantities:

A-9987:

Total area:	**Approximately 262 acres**
Land in the 100-acre floodplain:	**19 acres**
Adjusted gross area:	**243 acres**
Density permitted under the R-M	**3.6–5.7 dwelling units per**
Permitted Dwelling Unit Range:	**874.8-1,385.1 dwelling units**

Proposed Land Use Types and Quantities:

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

The approved CDP proposed 1,069 residential units, or approximately 4.4 units per acre. This proposed density is within ranges approved in the basic plan and includes the uses prescribed by the Basic Plan. The amendments requested by the applicant do not change this finding. All relevant findings and recommendations provided by the approved CDP relative to A-9987-C, remain unchanged.

8. **Prince George's County Zoning Ordinance:** As one of the comprehensive design zones, the R-M Zone allows the applicant to establish its own design standards and to earn additional density if certain criteria have been met in the development review process, subject to Planning Board approval. The subject application has been reviewed for compliance with the requirements in the R-M and Military Installation Overlay (M-I-O) Zones of the Zoning Ordinance

   a. Military Installation Overlay Zone: A portion of the subject site is located within the Noise Impact Zone (60-74 dBA noise contour) of the M-I-O Zone. At the time of SDP, a Phase II noise study is required for areas within the noise contour, and plans will be evaluated for conformance with Section 27-548.55 Requirements for Noise.

   b. **Sections 27-507 through 27-509:** The Planning Board determined the subject project was found to conform to the requirements of Sections 27-501 through 27-509, except with respect to the maximum allowable percentages of townhouses and multifamily dwellings, for which a variance was previously approved with CDP-0902.

   c. **Sections 27-179 through 27-198:** The subject project was previously found in conformance with the requirements of Sections 27-179 through 27-198. The requested amendment does not alter these findings.

   d. Section 27-521(a) of the Zoning Ordinance includes the following required findings for approval of a CDP:

(1) **The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The subject CDP is in conformance with Basic Plan A-9987-C, as discussed in Finding 7 above.

(2) **The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The comprehensive design zones provide much greater flexibility in design. Compared with regulations in conventional zones, this development will achieve more green open spaces and amenities that contribute to a better built environment.

(3) **Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

The subject project includes design elements and provides recreational facilities and amenities for the project's residents including the provision of open space, special attention to protecting environmental features, attention to views and an enhanced multimodal pedestrian system throughout the subdivision, and a generous private recreational facilities package within each pod of development, which remain unchanged with the subject amendment.

(4) **The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**

The subject amendment does not change the finding of compatibility with existing land use made with the original CDP approval.

(5) **Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

(A) **Amounts of building coverage and open space;**
(B) **Building setbacks from streets and abutting land uses; and**
(C) **Circulation access points;**

While the subject amendment proposes changes to the residential development standards, it does not change the building setbacks from streets. It does change the building coverage on each lot, but overall, it does not propose an increase in building coverage of the whole site, as the number of units does not change. No changes are proposed to the circulation access points.

(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;

While the subject amendment proposes changes to the phasing of the recreational facilities, the proposed timing is still sufficient in creating an environment of continuing quality and stability.

(7) The staging of development will not be an unreasonable burden on available public facilities;

The proposed amendments to residential development standards and recreational facilities will not impact the previous findings relative to public facilities.

(8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:

(A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;

(B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;

(C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;

The CDP does not involve any adaptive uses. This requirement is not applicable to this application.

(9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a)(11), where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);

The plan is consistent with this requirement by incorporating the applicable site design guidelines in the development standards for the residential dwellings, as

previously approved in CDP-0902. No changes are proposed for the townhouse development standards.

(10) **The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

The development was found to be in conformance with Type 1 Tree Conservation Plan TCPI-151-90-02 at the time of approval of CDP-0902. This amendment has no impact on the previous findings regarding the tree conservation plan.

(11) **The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5).**

Based on the level of design information shown on the CDP, and the statement of justification that does not request any additional environmental impacts, the amended CDP demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24-130-(b)(5).

(12) **Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

Section 27-226(f)(4) of the Zoning Ordinance is the District Council procedure for approving a comprehensive design zone application as part of a sectional map amendment. This provision is not applicable to the subject application because the property was rezoned to the comprehensive design zone through a basic plan application, not through a sectional map amendment.

(13) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because The Villages at Timothy Branch is not a regional urban community.

9. **Comprehensive Design Plan CDP-0902:** This application is limited to the amendments described in Finding 6. All previous findings and conditions, except for those modified in this application, remain valid and govern the development of the R-M-zoned section of The Villages at Timothy Branch. The requested amendments alter the previous CDP conditions of approval as follows:

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

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

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

RESIDENTIAL USES—R-M Zone[1]

	One-family detached	Two-family attached	Single-family semidetached [8, 9]	Single-family attached[3, 8, 9]	Multifamily
Minimum Net Lot Area	6,000 sq.ft.	N/A	3,600 sq. ft.	1,800 sq.ft.	N/A
Minimum frontage at street R.O.W	60	N/A	36 feet	20 feet	N/A
Minimum frontage at Front B.R.L.	60	N/A	36 feet	20 feet	N/A
Minimum frontage – corner lot	70	N/A	40 feet	30 feet	N/A
Maximum Lot Coverage (%)	30	35[4]	35	35[4]	50[4]
Minimum building setback from Mattawoman Drive	50 feet	50 feet	50 feet	50 feet	50 feet
Minimum building setback from Robert Crain Highway (US 301)	TBD[10]	TBD[10]	TBD[10]	TBD[10]	200 feet[10]
Minimum front setback[5]	25	N/A	20 feet	[3, 6]	[7]
Minimum side setback[5]	10	N/A	10 feet	[6]	[7]
Minimum rear setback[5]	20	N/A	20 feet	[6]	[7]
Minimum side setback to street[5]	25	N/A	20 feet	[6]	[7]
Maximum residential building height[11]	40	55 feet	45 feet	45 feet	80 feet
Maximum percentage of total units	N/A	N/A	N/A	50[2]	25[2]
Minimum frontage on cul-de-sac	40	N/A	N/A	N/A	N/A

[1] **All parking is governed by Part 11 of the Zoning Ordinance.**

[2] **Variance requested from the maximum townhouse and multifamily dwelling unit percentage, which allows a maximum 30 and 10 percent respectively of units in the R-M Zone.**

[3] **Applies to both front and rear loaded garage townhouses. Rear-load garage townhomes shall have a minimum 25-foot front yard setback in order to reduce the length of the driveway.**

[4] This percentage is for building coverage (and not for lot coverage) of the overall net tract area

[5] Stoops and/or steps may encroach into yard area.

[6] Minimum yard area of 800 square feet to be allocated for front, side, or rear yard. May be reduced to 500 square feet for providing stoops, steps, and terraces which may project into yard area. Decks may project into rear yards only.

[7] For multifamily buildings, the minimum building setback along a street shall be 25 feet, except for Mattawoman Drive, which requires a 50-foot setback unless it is deemed that a lesser BRL provides sufficient area to adequately buffer the units.

[8] Fences and retaining walls up to six feet high may be constructed anywhere in a rear yard without meeting setback requirements.

[9] On lots consisting of one acre or less, fences in the front yard shall not be more than four feet high.

[10] The minimum building setback for one-family detached, two-family detached, single-family semidetached, single-family attached and multifamily from Robert Crain Highway (US 301) shall be determined at the time of SDP review.

[11] These height limits may be increased if a variance and/or modification is granted by the Planning Board at the time of SDP.

This CDP amendment requests to introduce one new development standard requiring a minimum distance between buildings for one-family detached and single-family semidetached dwellings; add two additional footnotes to the development standards table and; amend the following residential design standards, with all other previously approved standards remaining applicable:

	Previously Approved for One-family detached	**APPROVED for One-family detached**
Minimum Net Lot Area	6,000 square feet	5,200 square feet
Minimum frontage at street R.O.W.	60 feet	44 feet
Minimum frontage at Front B.R.L.	60 feet	50 feet
Maximum lot coverage (%)	30 percent for One-family detached; 35 for single-family semidetached	60 percent for both
Minimum side setback	10 feet for One-family detached and single-family semidetached	5 feet for both
Minimum distance between buildings (new)	None	12 feet for One-family detached and single-family semidetached
Minimum side setback to street	25 feet	20 feet
Minimum frontage on cul-de-sac	40 feet	30 feet

The CDP amendment also proposes to revise Footnote 3 to require rear-load garage townhomes to have a minimum 20-foot front yard setback, instead of the previously approved 25 feet, in order to reduce the length of the driveway. In addition, two new footnotes were added on the certified CDP-0902 in accordance with other conditions of approval as follows:

12 At the time of SDP, these distances may be modified if it is determined by the Planning Board, that adequate measures are provided to protect all residential buildings from the traffic nuisances of Mattawoman Drive.

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

The applicant requests these amendments to better conform to market demand and ensure consistency with the SDP approvals. These revised standards are designed to provide deeper back yards with reduced lot widths for single-family products, which results in a reduced minimum net lot area. The proposed standards are consistent with other recently approved R-M zoned properties, such as Parkside, Beechtree, and Bevard East. The Planning Board finds the requested amendments approvable.

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

CDP-0902 - PHASING OF AMENITIES		
FACILITY	**BOND**	**FINISH CONSTRUCTION**
7,500 sq. ft. multiage – RM1	**Prior to the issuance of any residential unit permit**	**Complete by 200th overall* residential unit permit**
7,500 sq. ft. multiage – RM3	**Prior to the issuance of any residential unit permit within RM3**	**Complete by 450th overall residential unit permit**
20,000 sq. ft. Open play area – RM 4	**Prior to the issuance of any residential unit permit within RM4**	**Complete by 600th overall residential unit permit**
Min. 4,200 square-foot Community building and 25 meter swimming pool – RM2	**Prior to the issuance of 500th overall* residential unit permit**	**Complete by 750th overall residential unit permit**
2,500 sq. ft. tot-lot – RM2	**Prior to the issuance of 500th overall residential unit permit**	**Complete by 750th overall residential unit permit**
5,000 sq. ft. per teen – RM2	**Prior to the issuance of 500th overall residential unit permit**	**Complete by 750th overall residential unit permit**
7,500 sq. ft. multiage – RM5	**Prior to the issuance of any residential unit permit with RM5**	**Complete by 1,000th overall residential unit permit**
Timothy Branch Stream Valley Trail1 (approx. 5,600 L.F.) or other recreational trail	**Prior to the issuance of any residential unit permit for the adjacent pod**	**Complete with adjacent pod development**
It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25 percent, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units. *** "Overall" means CDP-0901 (LAC Zone) and CDP-0902 (RM Zone)** **1 Unless the District Council amends the Basic Plan condition requiring the same**		

The CDP amendment requests to update the established timing and order to complete construction of the above referenced recreation facilities. Since the CDP was originally approved, the planned phasing for the overall development of Timothy Branch evolved. The requested revision is intended to bring the schedule for providing individual

recreation facilities in-line with the development of each residential pod and proposes the following amendments (added text underlined, deleted text strikethrough):

FACILITY	BOND	FINISH CONSTRUCTION
7,500 sq. ft. multiage – ~~RM3~~ RM4	**Prior to the issuance of any residential unit permit within ~~RM3~~ RM4**	**Complete by ~~450th~~ 700th overall residential unit permit**
20,000 sq. ft. Open play area – RM 4	**Prior to the issuance of any residential unit permit within RM4**	**Complete by ~~600th~~ 650th overall residential unit permit**
7,500 sq. ft. multiage – ~~RM5~~ RM3	**Prior to the issuance of any residential unit permit with ~~RM5~~ RM3**	**Complete by ~~1,000th~~ 775th overall residential unit permit**

The applicant states that the above changes relocate several facilities and the timing for finish of construction. The multi-age playground was moved out of RM5 as the multifamily development will provide its own amenity package. In addition, RM4 will be developed before RM3 due to its proximity to Mattawoman Drive. The Planning Board finds the amendments approvable as the number and type of proposed facilities does not change.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** The amendments proposed have no impact on previous findings regarding the site's conformance with the requirements of both the Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance.

11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions, which was limited due to the scope of the amendment. The referral comments are included herein by reference, and major findings are summarized, as follows:

    a. **Community Planning**—The Planning Board reviewed a memorandum dated March 23, 2020 (Greene to Bossi) incorporated herein by reference, which noted that the application conforms to the standards intended to implement the development concept recommended by the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*.

    b. **Transportation Planning**—The Planning Board reviewed a memorandum dated March 30, 2020 (Masog to Bossi) incorporated herein by reference, which noted that no significant changes to access or circulation are proposed and that a new traffic study was not required. The change in residential unit mix provided slightly exceeds the trip cap limits established by the original CDP. However, Condition 2 of CDP-0902 allowed for the reallocation of trips between the subject R-M-zoned portion of Timothy Branch (CDP-0902) and the L-A-C-zoned portion (CDP-0901). The applicant presented data to

show the intended future trip intensity for the L-A-C area will be significantly lower than provided for in previous approvals. As development densities are modified, trips may be reallocated between these sections of the development provided the overall trip cap of 1,269 AM and 1,775 PM trips is not exceeded.

c. **Environmental Planning**—The Planning Board reviewed a memorandum dated April 1, 2020 (Finch to Bossi) incorporated herein by reference, which indicated that based on the level of design information currently shown on the CDP, the application is in conformance the previously approved Type 1 Tree Conservation Plan, TCP1-151-90-02.

d. **Trails**—The Planning Board reviewed a memorandum dated March 23, 2020 (Smith to Bossi) incorporated herein by reference, which noted that prior approvals for the subject site include conditions related to pedestrian and bicycle transportation facilities. This CDP amendment does not alter the conditions relevant to the alignment, design, or other provisions required for trail, bicycle and other transit facilities.

e. **Subdivision**—The Planning Board finds that the proposed amendments provided in CDP-0902-01 do not alter the previous findings and conditions relevant to the PPS.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Comprehensive Design CDP-0902-01 for the above described land, subject to the following conditions:

1. Prior to certificate approval of this comprehensive design plan (CDP), the applicant shall provide a note on the CDP stating:

   "Private recreation facilities are to be provided in the multifamily RM-5 development, in addition to the eight facilities included in this CDP approval."

2. All previous conditions of approval of Comprehensive Design Plan CDP-0902 remain applicable, except as specifically modified herein.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * * * * * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner and Hewlett voting in favor of the motion at its regular meeting held on Thursday, April 23, 2020 in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of May, 2020.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: April 27, 2020