

R E S O L U T I O N

WHEREAS, GDC MC LLC is the owner of a 5.21-acre parcel of land known as Lot 6, Block A, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned Mixed Use–Transporation Oriented; and

WHEREAS, on September 21, 2016, SDLM, LLC filed an application for approval of a Preliminary Plan of Subdivision for 69 lots and 8 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16015 for Glenn Dale Commons Phase 4 was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on February 16, 2017, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on February 16, 2017, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-003-02-05, and APPROVED a Variance from Section 27-548(h), and further APPROVED Preliminary Plan of Subdivision Preliminary Plan of Subdivision 4-16015 and Alternative Compliance AC-16017, including a Variation to Section 24-128(b)(7)(A), for 69 lots and 8 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - a. Correct General Note 1 to add to the existing lot information, Lot 6, Block A.
 - b. Revise the labeling of Parcels A–H to indicate they are to be conveyed to the homeowners association.
 - c. Add the maintenance easement abbreviation, ME, to the legend.
 - d. Relocate the bearing and distance along the northern boundary of the site so that it legible and add bearings and distances to all proposed lots and parcels.

- e. Correct General Note 15 to indicate that the minimum required lot size is 1,800 square feet and indicate that a variance from Section 24-548(h) of the Subdivision Regulations is approved for 49 lots and list the lots.
 - f. Replace General Note 18 to indicate that the property is not within the Military Installation Overlay (M-I-O) Zone.
 - g. Correct General Note 22 to indicate that the mandatory dedication requirement is met by private recreational facilities on Detailed Site Plan DSP-15001, Parcel D.
 - h. Add a general note to state the site will be served by a private road and private alleys, and that a variation to Section 24-128(b)(7)(A) is approved for Lots 1–14, Block C.
 - i. Relocate the inset reference shown north of Aerospace Road for right-of-way to be vacated so that the leader extends to the area of the inset.
 - j. Label the existing driveway along Forbes Boulevard to be removed.
 - k. Label the disposition of the existing gas lines within the site.
 - l. Revise General Note 25 to indicate: Type 1 Conservation Plan: Yes.
 - m. Add to General Note 16 that the minimum lot width for end units in building groups over six units is 24 feet.
 - n. Add to General Note 17 that the minimum lot width provided for end units in building groups over six units is 24 feet, and that a variance from Section 24-548(h) of the Subdivision Regulations is approved for five building groups containing seven units and two building groups containing eight units.
 - o. Add to General Note 14 the maximum allowable floor area ratio (1.4 FAR) and provide the calculations for the FAR proposed with this development.
2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:
- a. Revise the sheet index to be representative of the total number of sheets in the plan set.
 - b. Revise the scale of Sheet 3 to match the scale of the PPS.
 - c. Have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.

3. Total development within the subject site shall be limited to uses within the M-X-T Zone which generate no more than 49 AM and 56 PM peak-hour vehicle trips. Any development that is determined to generate more peak-hour vehicle trips than identified herein shall require a new preliminary plan of subdivision with a new determination of adequacy for transportation facilities.
4. A substantial change to the uses or site layout on the subject property that affects Subtitle 24 adequacy findings shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
5. Development of this site shall be in conformance with an approved Stormwater Management Concept Plan and any subsequent revisions. The final plat shall note the Stormwater Management Concept Plan number and approval date.
6. The applicant and the applicant's heirs, successors, and/or assignees shall provide adequate off-site recreational facilities on Detailed Site Plan DSP-15001, Parcel D (HOA) (the centralized recreational area adjacent to the stormwater management pond), in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines* and Conceptual Site Plan CSP-06001-01.
7. Prior to submission of final plats for Phase 4, the applicant and the applicant's heirs, successors, and/or assignees shall submit an amendment to the current recreational facilities agreement (RFA) recorded in Liber 38654 folio 473 to reflect the construction of the recreational facilities off-site on Detailed Site Plan DSP-15001, Parcel D, in stage with the development of Phases 1, 3, and 4 of Glenn Dale Commons. A draft of the amended RFA shall be submitted to the Subdivision Section for review and, upon approval, three executed original recreational facilities agreements shall be submitted to the Development Review Division (DRD). Upon approval by DRD, the RFA shall be recorded among the County Land Records and the Liber and folio shall be reflected on the final plat prior to recordation. The RFA revisions shall include, but not be limited to, the following trigger:
 - a. The facilities currently identified in Section 1.a.i.(2) of the RFA shall be constructed prior to issuance of the 35th building permit in Phase 4.
8. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public and private rights-of-way as delineated on the approved preliminary plan of subdivision.
9. The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-003-02-05), or as modified by the Type 2 Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is

subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission.”

10. Approval of this preliminary plan of subdivision shall supersede Preliminary Plans of Subdivision 4-87050 (PGCPB Resolution No. 87-189) and 4-83117 (PGCPB Resolution No. 83-262) for the development of Phase 4 of Glenn Dale Commons.
11. Prior to approval of the final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Development Review Division to ensure that the rights of the Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department are included. The covenants shall include the purpose, rights, and responsibilities for use of the maintenance easement delineation of the preliminary plan of subdivision. The liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.
12. Prior to approval of the 25th building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land consistent with the approved preliminary plan of subdivision and detailed site plan (DSP). Land to be conveyed shall be subject to the following:
 - a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD), Upper Marlboro.
 - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to an HOA shall be in accordance with an approved DSP. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to an HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD in accordance with the approved DSP.

- f. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
13. Prior to approval of the final plat, in accordance with Section 24-112 of the Subdivision Regulations, the applicant shall vacate that portion of the dedicated public right-of-way of Aerospace Road no longer necessary to support the lotting pattern reflected on the approved detailed site plan.
14. At the time of DSP review, the following revisions shall be made to the landscape plan in accordance with the approved Alternative Compliance (AC-16017):
 - a. Along the western and southern property lines, replace 50 percent of the Honey Locusts with another species, and River Birch with species such as Black Gum and Oak.
 - b. Revise the Section 4.10 schedules to indicate the length of street frontage and trees required in accordance with Alternative Compliance AC-16017.
15. Prior to approval of any building permits for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
 - a. One off-site bus shelter installation that is within one-half mile walking or biking distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section 24-124.01(c) of the Subdivision Ordinance.
 - b. At the time of detailed site plan (DSP), provide an exhibit that illustrates the location and limits of the off-site bus shelter improvement, subject to the standards of the operating agencies. This exhibit shall show the location of the off-site pad or bus shelter installation, as well as any other associated improvements. If at the time of DSP approval alternative off-site improvements are proposed, the applicant shall demonstrate that the substitute improvements shall comply with the facility types contained in Section (d), be within one-half mile walking or biking distance of the subject site, within the public right-of-way, and within the limits of the cost cap contained in Section (c). The Planning Board shall find that the substitute off-site improvements are consistent with the bicycle and pedestrian impact statement adequacy finding made at the time of preliminary plan of subdivision.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located in the southwest quadrant of the intersection of Aerospace Road and Forbes Boulevard and is known as Lot 6, Block A, recorded among the Prince George's County Land Records in NLP 136-48 (1987) pursuant to approval of Preliminary Plan of Subdivision (PPS) 4-87050 (PGCPB Resolution No. 87-189). The site was previously developed in accordance with Light Industrial (I-1) zoning and approval of PPS 4-87050. Previously existing structures were razed and the site is currently vacant. The area of the property is 5.21 acres and was rezoned to the M-X-T (Mixed Use-Transportation Oriented) Zone by the 2006 *East Glenn Dale Area Approved Sector Plan and Sectional Map Amendment* (East Glenn Dale Area Sector Plan and SMA).

This PPS is approved for 69 single-family attached lots and 8 parcels for townhouse development. The orientation of the lots provides 23 units fronting along the abutting public streets, Aerospace Road to the north and Forbes Boulevard to the east, which will be rear-loaded units accessed by alleys internal to the site. One vehicular access is provided via a private street to Aerospace Road. Internal circulation is provided through private streets and alleys, which will provide a continuous loop through the development. The private streets accommodate on-street visitor parking and the alleys provide a 22-foot-wide pavement width to accommodate vehicular circulation. Fourteen of the internal townhouse units front the centrally-located green area within Phase 4 and will be rear-loaded from the internal alleys. The remaining 32 lots front on the internal private street and will be front-loaded. The private streets and central green area in Phase 4 will be improved with a network of sidewalks that provide connectivity to the abutting public streets and shared recreational facilities to the north. The shared recreational facilities located north of the site will serve Phase 4 and adjacent Phase 1 to the northwest and Phase 3 to the north. A detailed site plan (DSP) will be required for the development of this site in accordance with the requirements of the underlying M-X-T Zone.

The applicant has filed an application for Alternate Compliance (AC-16017), along with this PPS, from the requirements of Sections 4.7 and 4.10 of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The lot layout approved with this application affects the required bufferyard width pursuant to Section 4.7 and street tree location pursuant to Section 4.10 of the Landscape Manual. The approved lotting pattern does not provide enough area to meet the spatial requirements of the Landscape Manual, and this AC request was filed to reduce bufferyard widths and street tree locations. The Planning Board approves the AC request, as set forth herein.

The lots approved in this application are to be accessed via a network of internal private streets and alleys. Section 24-128(b)(7)(A) of the Subdivision Regulations requires lots, which are served by alleys, to have frontage on and pedestrian access to a public right-of-way. Lots 1–14, Block C, are served by alleys and have frontage on the central green area within Phase 4, as opposed to a public street. The Planning Board approves a variation for Lots 1–14, Block C, as set forth herein.

The applicant has also filed a variance from the requirements of Section 27-548(h) of the Zoning Ordinance, which requires that townhouse lots in the M-X-T Zone be a minimum of 1,800 square feet and that no more than six townhouse units be provided per building group, unless it is demonstrated that more than six townhouse units (but not more than eight) would create a more attractive living environment. This provision further requires that building groups containing more than six units not exceed 20 percent of the total building groups in the development. The Planning Board approves a variance for lot sizes less than 1,800 square feet and more than six townhouse units in a row for 70 percent of the building groups in Phase 4, as set forth herein.

3. **Setting**—The property is located on Tax Map 36, Grid A-1, in Planning Area 70 and is zoned M-X-T. Development surrounding this site includes: Aerospace Road to the north; Forbes Boulevard to the east; a nine-story office building in the I-1 Zone to the south; and a self-storage building in the I-1 Zone to the west. The overall area of Glenn Dale Commons is 74.56 acres (Conceptual Site Plan CSP-06001-01) distributed in five phases. The subject application is for Phase 4 (5.21 acres). Phase 1 is located northwest of the subject site and is approved for single-family attached and two-family attached development. Phase 3 is located north of the subject site and approved for single-family detached development. Phases 2 and 5 are located east of the subject site, separated by intervening industrial development, and are approved for multifamily and retail/commercial development, respectively.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	APPROVED
Zone	M-X-T	M-X-T
Use(s)	Vacant	Single-Family Attached Residential
Acreage	5.21 acres	5.21 acres
Lots	1	69
Outlots	0	0
Parcels	0	8
Dwelling Units:	0	69
Public Safety Mitigation Fee	No	No
Variance	No	Yes Section 27-548(h)
Variation	No	Yes Section 24-128(b)(7)(A)
Alternative Compliance	No	Yes Sections 4.7 and 4.10

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on October 7, 2016. The requested variation to Section 24-128(b)(7)(A) of the Subdivision Regulations was accepted on December 7, 2016 and was heard at the SDRC meeting on December 16, 2016, as required by Section 24-113(b) of the Subdivision Regulations. The variance request was accepted on November 10, 2016.

5. **Previous Approvals**—The property is the subject of a previous PPS 4-87050, which was approved in 1987 (PGCPB Resolution No. 87-189). Pursuant to PPS 4-87050, the Planning Board approved a final plat of subdivision for Lot 6 (the subject property), recorded in Plat Book NLP 136 at Plat 48. The approval of this PPS application, 4-16015, supersedes the previous PPS for the development of this site, and a new final plat is required.

On February 1, 2007, the Planning Board approved Conceptual Site Plan CSP-06001 and, on December 10, 2015, approved CSP-06001-01 (74.56 acres) which included the subject property (5.21 acres). The conditions of the CSP approvals (PGCPB Resolution Nos. 06-282 and 15-127) which are applicable to this PPS are evaluated below:

CSP-06001 and 01 Revision

2. **Prior to approval of each detailed site plan (DSP) for the project, the following information shall be provided, or the issues shall be properly addressed as follows:**
- a. **If the front façade of the buildings shall be oriented toward all public roadways and other side elevations fronting public roadways shall be treated as highly-visible elevations to include the following:**
- (1) **A predominant use of brick and masonry, or any combination of both finish materials.**
 - (2) **Objectively well-designed façades with regular and attractive patterns of fenestration. For the vertically mixed-use buildings, the ground level shall be predominantly store fronts.**
 - (3) **Use of architectural detail such as, but not limited to, tower elements, keystone arches, or decorative lintels on the elevations.**
 - (4) **For the side elevations, a minimum of three architectural features shall be provided.**
 - (5) **A varied roofline.**

The lots have been oriented with frontage along public streets, Aerospace Drive to the north and Forbes Boulevard to the east. Conformance with the specific architectural requirements of Condition 2.a. will be reviewed and determined at the time of DSP.

- b. Identify the green building techniques to be used in this project and/or provide evidence that green building certification will be obtained.**
- c. In the areas of the development which are to be used for pedestrian corridors and/or as gathering places for people, adequate attention shall be paid to human-scale, high-quality urban design, shade trees and landscaping types and textures of paving materials, street furniture, trash facilities, and lighting.**
- d. Full cut-off lighting fixtures shall be used.**

Conformance with Conditions 2(b–d) will be reviewed and determined at the time of DSP.

- e. The applicant shall demonstrate to the Planning Board that the on-site private recreational facilities will be properly developed and maintained to the benefit of future residents through covenants, a recreational facilities agreement, or other appropriate means, and that such instrument is legally binding upon the subdivider and the subdivider's heirs, successors, and/or assignees.**

The majority of the private recreational facilities approved with the CSP are not located in this phase of development and are within Phase 3 covered under DSP-15001. At the time of final plat, the applicant shall submit a revised recreational facilities agreement (RFA) and declaration of covenants to ensure the construction and accessibility of the shared private on-site (CSP-06001) recreational facilities are available to serve the residents of Phase 4.

- f. Provide bicycle parking at appropriate locations for the proposed nonresidential and multifamily buildings.**

Conformance with Condition 2(f) will be reviewed and determined at the time of DSP.

g. The following standards shall apply to the development:

Standards

	SFA	SFD	MF
Lot Size	1,800 sf	5,000 sf	N/A
Minimum width at front street R-O-W	N/A	50 feet	N/A
Minimum frontage on culs-de-sac	N/A	25 feet	N/A
Maximum lot coverage	N/A	60%	60%
Minimum front setback from R-O-W	15 feet	20 feet*	30 feet
Minimum side setback	None	5 feet**	30 feet
Minimum rear setback	None	20 feet**	50 feet
Minimum corner setback to side street R-O-W	10 feet	12 feet	N/A
Maximum residential building height	50 feet	35 feet	60
Minimum Green area	N/A	N/A	60 %

Footnote: Modifications to any of the standards may be permitted on a case-by-case basis by the Planning Board at the time of detailed site plan if circumstances warrant.

*** To be determined at Detailed Site Plan review**

**** Garages may be as close as 4 feet**

Section 24-121(a)(1) of the Subdivision Regulations requires that all lots be designed in conformance with the Zoning Ordinance. Section 27-548(h) of the zoning Ordinance sets forth townhouse lot standards for M-X-T-zoned properties.

The applicant has filed for a variance from the 1,800-square-foot lot size standard for single-family attached dwellings for approximately 70 percent of the units. The need for a variance is not absolved by the above condition of the CSP and is required at this time in order to find conformance with zoning. However, at the time of DSP, further review and approval for modifications to the lot sizes as approved with the CSP may be required.

h. Provide standard sidewalks along all internal roads, excluding alleys.

i. Explore the possibility to establish a complete internal pedestrian network, pedestrian safety features/locations, and additional neighborhood connections among different pods of the proposed development.

In regard to Conditions 2(h) and 2(i), sidewalks are being provided along both sides of the internal roads. Additional sidewalk segments provide connections from the Phase 4 development to Aerospace Road, Forbes Boulevard, and around the central green area provided within Phase 4. Sidewalks exist along the subject site's frontage of both Forbes Boulevard and Aerospace Road. Directly north of Aerospace Road, across from Phase 4, is the Glenn Dale Commons stormwater

management pond and central recreational facilities. The internal sidewalks for Phase 4 will connect to Aerospace Road to provide pedestrian access to the Glenn Dale Commons central recreational facilities located on Parcel D. The pedestrian network will be further analyzed at the time of DSP review.

- 3. At the time of detailed site plan for single-family detached units and the two pods of the townhouses and the two-family dwellings (two-over-two condominiums), whichever is applicable, the applicant shall:**
 - a. Provide adequate on-site recreational facilities to serve the future residents in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.**

This condition was addressed with the approval of DSP-06072-01, Glenn Dale Commons, Phase 1, which provides the following finding (Finding 14, page 29 of PGCPB Resolution No. 16-64):

With the revision to the on-site recreation requirement for Glenn Dale Commons as approved in CSP-06001-01, the Planning Board determined that the central recreational component is sufficient to not only serve the residents of Phase 1 (111 townhouse/64 two-family dwellings), but the residents of Phase 3 (the abutting 70 single-family dwellings) and Phase 4 (79 dwelling units of townhouse and two-family dwellings). The following information for the on-site recreation facilities were included in Finding 4 of CSP-06001-01 (page 13):

Pursuant to Section 24-134 of the Subdivision Regulations, the applicant is proposing to meet the requirements of the mandatory dedication of parkland by providing on-site private recreational facilities on proposed Parcel D (1.97 acres), which is located along the southern property line on the east side of Hubble Drive. It should be noted however, that this central recreational component is intended to not only serve the residents of Phase III (70 single-family dwellings), but the residents of Phase I (62 townhouse/ 152 two-family dwellings.) Sufficiency of the recreational facilities should be determined with the review of the DSP. In addition to the main recreational area a system of interconnecting trails should be provided and evaluated with the DSP.

The DSP for the central recreation area should be reviewed concurrently with if not prior to the DSP for this section of the development. The DSP should establish an appropriate trigger for the development of the recreational facilities concurrent with the occupancy of the dwellings to ensure the availability of amenities for the future residents.

Conditions of this approval set appropriate triggers for the recreational facilities to be located in the central recreational area...

The subject application (Phase 4) includes a central green area within the site in addition to the central private recreational facilities programmed to serve Phases 1, 3, and 4 of Glenn Dale Commons, as described above. Additional findings regarding the private on-site recreational facilities provided is discussed further below. The central green area provided within Phase 4 should be further reviewed at the time DSP to determine if the area is appropriate for active or passive recreational facilities.

- b. Provide sufficient green open spaces around the centrally-located stormwater management pond to design it as a focal point and meeting place for future residents in this cluster of the Glenn Dale Commons project.**

The specified stormwater management pond is located within Phase 3 of the Glenn Dale Commons development. A green area, located centrally within Phase 4, has been shown on this PPS with sidewalk connections to the centrally-located stormwater management pond and recreational facilities to the north in Phase 3.

- 6. Prior to approval of a preliminary plan of subdivision for Lot 6, Block A, the following information shall be provided, or the issues shall be properly addressed as follows:**
 - a. A complete internal pedestrian network, pedestrian safety features/locations, and additional neighborhood connections shall be identified.**
 - b. A centrally-located village green shall be provided for this pod.**
 - c. Any on-site recreational facilities required for this pod of the development shall be provided in the community open space across Aerospace Road.**

This condition is specifically applicable to this PPS for Phase 4. In accordance with this condition, all internal private streets provide sidewalks along both sides of the private streets with connections to the existing sidewalks along Aerospace Road and Forbes Boulevard. A village green has been located centrally within the site, also with sidewalk connections to complete the pedestrian network, which will be further analyzed at the time of DSP review. Shared private on-site recreational facilities are programmed to be provided north (in Phase 3) in a central location to serve Phases 1, 3, and 4 of Glenn Dale Commons, as required.

- 8. Prior to issuance of the building permits for each residential unit, the applicant shall pay the applicable public safety surcharge.**

Condition 8 will be reviewed with the building permit and is required by the Prince George's County Code.

- 9. Total development within the subject property shall be limited to permitted uses within an M-X-T Zone, which generates no more than 961 AM and 1,117 PM peak-hour vehicle trips.**

Any development with an impact beyond that identified herein above shall require additional conceptual plan approval with a new determination of the adequacy of transportation facilities.

A trip cap is required for Phase 4 of Glenn Dale Commons which represents a portion of the overall development examined with the CSP. The trip cap established with this PPS for Phase 4 is discussed further in the Transportation finding, and is within the trip cap above.

- 10. Prior to the issuance of any building permits, except for retail use, within the subject property, the following road improvements shall; (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
- a. Install (or fund the installation of) a bus shelter at the existing bus stop at MD 193 and Aerospace Drive, or at a location, which serves the subject site to be determined by the Transit Division of the Prince George's County Department of Public Works and Transportation DPW&T), in order to serve patrons of the T15 and T17 bus routes.**
 - b. Provide a two-lane approach (an exclusive left lane and a shared through-right lane) along northbound Aerospace Drive, and a two-lane approach along southbound Aerospace Drive (an exclusive right lane and a shared left-through lane), or as modified by DPW&T, at its intersection with MD 193. This improvement shall include any needed modifications to the traffic signal, signage, and pavement markings.**

Conformance to Condition 10 is addressed further in the Transportation finding and will be further reviewed at the time of building permit.

The PPS is in conformance with the approved CSP.

- 6. Community Planning**—This property lies within the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) designated Employment Area and the Innovation Corridor. Plan Prince George's 2035 defines the Innovation Corridor as having "the highest concentrations of economic activity...and has the greatest potential to catalyze future job growth, research, and innovation in the near-to-mid-term."

The 2006 Approved East Glenn Dale Area Sector Plan and SMA reclassified the subject property from the Light Industrial (I-1) Zone to the Mixed Use-Transportation Oriented (M-X-T) Zone. The Sector Plan recommends mixed-use development. The sector plan contains a series of strategies for the redevelopment of Glenn Dale Commons as a pedestrian-friendly “residential-oriented, mixed-use development.” The justification for rezoning the subject property in the 2006 Sectional Map Amendment was to implement the “plan’s recommendation for a mixed-use community with office, employment, retail and residential uses, including an active adult or assisted living community as a large portion of its residential component.” (SMA, page 51) Glenn Dale Commons and vicinity is addressed on pages 20-22 of the 2006 Approved East Glenn Dale Area Sector Plan. The area “is envisioned to be a mixed-use, pedestrian-friendly community with vertical and horizontal mixed-use development including retail, office, residential, employment, live/work spaces, restaurant, and entertainment uses. It will draw customers and local residents to high-end stores, outdoor cafes, and quality restaurants. The community will include low- to mid-rise condominiums.” The sector plan states: “The residential component should not exceed 662 units of senior/active adult housing ... which may take the form of any and/or all single-family detached, single-family attached and/or multifamily dwelling types; 102 condominium buildings containing 204 two-over-two condominium dwelling units, 14 town homes including one dwelling unit to be used as an activity center/meeting room, and 74 single-family detached residences.” The relevant goal for this area is to “Create a pedestrian-friendly, mixed-use community.” Applicable strategies include: “(e)nsure that development proposals are of high quality and conform to the following development guidelines:

- Create a consistent build-to line that frames the streets and provides a comfortable sense of enclosure for pedestrians.
- Provide streetscape amenities such as street trees and wide sidewalks accented with special paving materials, landscape buffer/planting strips between street and sidewalk, pedestrian-scaled lighting fixtures, and street furnishing such as benches, trash receptacles, and bicycle racks.
- Create pedestrian plazas.
- Use high-quality, durable, and attractive materials with appropriate pedestrian-scaled architectural detailing in the design of all buildings.
- Ensure that parking lots and structures are sufficiently screened from public view or designed to be visually unobtrusive and allocate parking lots or garages at the site’s perimeter.
- Provide high-quality signage.
- Use public art such as fountains, statues, sculptures, walkways, medallion insets, and other features to highlight the special nature of the area, including enhancing the existing private stormwater management pond located at the corner of Hubble Drive and Aerospace Road

with additional contiguous green area, continuous trails/piers, water features and a gazebo, in order to provide an attractive community amenity....”

In accordance with Section 24-121(a)(5) of the Subdivision Regulations, the proposed development is consistent with Plan Prince George’s 2035 and the sector plan land use recommendations.

7. **Stormwater Management**—On November 10, 2016 a revised Stormwater Management Concept Plan was submitted and is pending approval with the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). The plan shows the site draining toward an existing pond located to the north of Phase 4. Approval of that plan will be required by DPIE prior to grading permit approval. Development of the site shall conform to the approved stormwater management concept plan and any subsequent revisions to ensure that development of this site does not result in on-site or downstream flooding.
8. **Parks and Recreation**—This application was reviewed for conformance to the recommendations of the East Glenn Dale Sector Plan, the Formula 2040 Functional Master Plan for Parks and Recreation, the previously approved CSP-06001-01 and the Subdivision Regulations (Subtitle 24) as they pertain to public parks and recreation.

The site is not adjacent to any existing M-NCPPC-owned parkland. The property will be developed under the provisions of Conceptual Site Plan CSP-06001-01, which requires the provision of private on-site recreational facilities in order to meet the requirements of mandatory park dedication as required in Section 24-135 of the Subdivision Regulations. In this case, the term “on-site” relates to the CSP boundary.

The private on-site recreational facilities are centrally-located to the CSP and will serve Phases 1, 3, and 4 of the Glenn Dale Commons development. The location and design of the recreational facilities were approved with Glenn Dale Commons, Phase 3 DSP-15001. An RFA has been recorded in Liber 38654 folio 473 and establishes bonding and construction of the recreation facilities. However, the RFA requires the development of the facilities exclusively with the issuance of building permits for Phase 1 (DSP-06072-01) only. In accordance with this RFA, full build out of Phases 3 and 4 may potentially occur without any obligation to provide recreational facilities. The RFA should be amended to reference the PPS and DSPs for Phases 1, 3, and 4 as it pertains to issuance of building permits for the construction of the recreational facilities to ensure that the recreation facilities are provided in stage with all phases of development. The facilities are being used to fulfill the mandatory dedication of parkland adequacy requirement.

9. **Trails**—This PPS application has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and/or the East Glenn Dale Area Sector Plan in order to implement planned trails, bikeways, and pedestrian improvements. Due to the site’s location in the MD 193 Corridor, it is subject to the requirements of Section-24-124.01 and the “Transportation Review Guidelines, Part 2, 2013” at the time of PPS. Recommendations are based upon a review of the submitted bicycle and pedestrian impact statement (BPIS) and the PPS.

Background Analysis

The subject application is within a partially developed area between Northern Avenue to the north and Greenbelt Road (MD 193) to the south. Some office buildings and residential uses exist in the immediate vicinity and the Glenn Dale Commons development proposes additional development on some of the undeveloped parcels. Three master plan trail/bikeway recommendations are in the vicinity of the subject site. These include designated bike lanes and continuous sidewalks along MD 193, a bikeway along Northern Avenue, and a trail connection from the northern terminus of Forbes Boulevard to the north. The Sector Plan also identifies Northern Avenue as a “priority sidewalk corridor” as noted in the strategy copied below:

Designate Brookland Road, Facchina Lane, Hillmeade Road, and Northern Avenue as priority sidewalk corridors (Sector Plan, page 30).

The East Glenn Dale Area Sector Plan also includes a strategy for incorporating trail connections into new development where feasible. This strategy supports the recommendations for a connection from Forbes Boulevard north to Northern Avenue and is copied below:

Incorporate trails into new subdivisions as development occurs. Provide trail connections between subdivisions and land uses to the extent feasible (Sector Plan, page 31).

The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provision of complete streets:

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

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

Sidewalks are provided along road frontages and on both sides of all internal roads, excluding alleys. Paths are also provided in some areas where alleys are planned, giving pedestrians alternative routes there as well.

Approved CSP-06001-01 (PGCPB Resolution No. 15-127) included the following conditions of approval related to bicycle, pedestrian and transit facilities:

- 6. Prior to approval of a preliminary plan of subdivision for Lot 6, Block A, the following information shall be provided, or the issues shall be properly addressed as follows:**

- a. **A complete internal pedestrian network, pedestrian safety features/locations, and additional neighborhood connections shall be identified.**
- 10. Prior to the issuance of any building permits, except for retail use, within the subject property, the following road improvements shall; (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
- a. **Install (or fund the installation of) a bus shelter at the existing bus stop at MD 193 and Aerospace Drive, or at a location, which serves the subject site to be determined by the Transit Division of the Prince George's County Department of Public Works and Transportation DPW&T), in order to serve patrons of the T15 and T17 bus routes.**

The area master plan also included a recommendation that new development incorporate a variety of pedestrian safety features and amenities, as copied below:

Incorporate pedestrian safety features such as raised crosswalks, improved lighting, curb bump-outs, and pedestrian signals into new development and redevelopment.

These types of features will be evaluated at the time of DSP.

The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) recommends a trail connection from the end of Forbes Boulevard to Northern Avenue. Potential alignments for this trail or sidewalk connection were evaluated with prior approvals. However, at the time of the original CSP approval, it was determined that both vehicular and pedestrian access from Glenn Dale Commons be directed to MD 193, not Northern Avenue, due to the largely residential large-lot nature of the development north of the subject site, and the pedestrian connection was ultimately not required.

Proposed On-Site Bicycle and Pedestrian Improvements

Sidewalks are being provided along all road frontages (Aerospace Road and Forbes Boulevard) and on both sides of all internal roads. Sidewalk access is also shown from the end of Private Road B to Forbes Boulevard.

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

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

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

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

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

The cost cap for the site is \$20,700 based on Section (c) and the 69 residential townhouse units approved in the subject application.

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

- (d) **Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**
- 1. installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;**
 - 2. installing or improving streetlights;**
 - 3. building multi-use trails, bike paths, and/or pedestrian pathways and crossings;**
 - 4. providing sidewalks or designated walkways through large expanses of surface parking;**

5. **installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and**
6. **installing street trees.**

A number of off-site improvements for the Glenn Dale Commons applications were evaluated, including designated bike lanes along Aerospace Road and Forbes Boulevard, off-site sidewalk installation along Aerospace Road, off-site sidewalk construction along MD 193, and bus shelter installation. The restriping plan for bike lanes was conditioned to meet BPIS requirements as part of Phase 1 (PPS 4-16010). For the current application (Phase 4), it was determined that the sidewalk connections discussed along Aerospace Road and MD 193 are not feasible. Additional right-of-way is needed along Aerospace Road to accommodate the sidewalk and the sidewalk along MD 193 would far exceed the cost cap.

After it was determined that the off-site sidewalks were not feasible, the applicant then worked with the Prince George's County Department of Public Works and Transportation (DPW&T) and WMATA to determine an appropriate location for an off-site bus shelter to serve the subject site and surrounding businesses. Meetings were held on August 26 and September 14, 2016. The appropriate location of the shelter, as well as the timing of its placement was discussed and the resulting DPW&T/WMATA recommendations were incorporated into the BPIS exhibit. The exhibit included in the BPIS reflects the location agreed to by WMATA and DPW&T for this shelter, proposed on the north side of Aerospace Road just east of Hubble Drive. The agencies agreed that the bus shelter should be provided concurrently with the Phase 4 development as they wanted some residential units in place prior to placing the bus stop.

It should be noted that CSP-06001-01 Condition 10(a) required a bus shelter to serve the subject site in the same location that is proposed by the submitted BPIS. Because the subject site has already received credit for this shelter, it cannot be double-counted towards the finding of bicycle and pedestrian adequacy. Therefore, an additional shelter is required for the requirements of Section 24-124.01. Because a specific stop has not been confirmed at this time, a shelter shall be provided within a one-half mile radius of the subject site at a location determined by DPW&T at the time of DSP.

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

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

- (c) **As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian**

and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or bike distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available rights of way.

Demonstrated Nexus Finding: The bus shelter location required to meet the BPIS adequate public facilities requirement must be in the vicinity of the development to serve the future residents in Glenn Dale Commons by providing a new shelter and stop along an existing route. The shelter shall be located within a one-half mile vicinity of the subject site at one of the several existing stops that are currently without a shelter.

Finding of Adequate Bicycle and Pedestrian Facilities

Section 24-124.01 requires that the Planning Board make a finding of adequate bicycle and pedestrian facilities at the time of PPS. More specifically, Section 24-124.01(b)(1) and (2) includes the following criteria for determining adequacy:

- (b) Except for applications for development project proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
 - 1. The finding of adequate public pedestrian facilities shall include, at a minimum, the following criteria:**
 - a. the degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area; and**

Sidewalks are being provided along all road frontages (Aerospace Road and Forbes Boulevard) and on both sides of all internal roads. Sidewalk access is also shown from the end of Private Road B to Forbes Boulevard.

- b. the presence of elements that make is safer, easier and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield lines, “bulb out” curb extensions, crossing signals, pedestrian refuge medians, street trees,**

benches, sheltered commuter bus stops, trash receptacles, and signage. (These elements address many of the design features that make for a safer and more inviting streetscape and pedestrian environment. Typically, these are the types of facilities and amenities covered in overlay zones).

Off-site improvements approved for Phase 1 included a comprehensive restriping plan for Aerospace Road and Forbes Boulevard, with the provision of on-street parking, designated bike lanes and additional pedestrian crossings. These improvements will also serve the Phase 4 development. Furthermore, consistent with Condition 10(a) of Conceptual Site Plan CSP-06001-01, the Phase 4 development is providing a bus shelter along Aerospace Road, which will serve Glenn Dale Commons and nearby businesses. An additional off-site shelter is required to meet the requirements of Section 24-124.01.

2. The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:

- a. the degree to which bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**

The restriping plan approved as part of Phase 1 will allow for the provision of designated bike lanes along the entire length of Aerospace Road and Forbes Boulevard, north of MD 193, which will also serve Phase 4 of the development. This is a total distance of approximately 3,300 linear feet. The portion of Forbes Boulevard north of MD 193 is designated as a master plan bikeway, which is planned to continue along the road south of MD 193.

- b. the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**

The restriping plan approved as part of Phase 1 will allow for the provision of designated bike lanes along the entire length of Aerospace Road and Forbes Boulevard north of MD 193. This is a total distance of approximately 3,300 linear feet and will provide for adequate bikeway facilities for Phase 4 of the development.

- c. the degree to which protected bike lanes, on-street vehicle parking, medians or other physical buffers exist to make it**

The restriping plan submitted for Phase 1 will result in approximately 3,300 linear feet of bike lanes being marked along Aerospace Road and Forbes Boulevard which will greatly benefit the future residents of the site by calming traffic along the road, providing an additional buffer for the sidewalk, and accommodating bicyclists along a significant stretch of road leading to and from the subject site.

d. the availability of safe, accessible and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.

No bicycle parking is necessary for the subject application because it involves only townhouse development. However, bicycle parking has been required in other portions of the larger Glen Dale Commons application where commercial and office space is proposed.

10. **Transportation**—On December 1, 1983, the Prince George’s County Planning Board approved PPS 4-83117 which included all the subject property. This approval did not include any specific off-site transportation related improvements. On May 14, 1987, the Prince George’s County Planning Board approved PPS 4-87050, which also included the all of the subject property. This approval also did not include any specific off-site transportation related improvements and, therefore, no transportation conditions of approval are required with this application.

On November 19, 2015, the Prince George’s County Planning Board approved CSP-06001-01 with several transportation-related conditions. The CSP application and its approved development data summary included the subject property and the 69 townhouses units that are planned to be constructed on the subject property.

Growth Policy–Service Level Standards

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

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized intersections: *The Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Traffic Impact Evaluation

As noted above, the subject property has been the subject of several PPS and CSP approvals with overall AM and PM peak-hour vehicle trip caps which have included the projected 49 AM and 56 PM peak-hour vehicle trips that will be generated by the 69 townhouse residential units approved in this application. As a result, submission of a new traffic impact study was not required as part of this application.

As part of the required adequacy review for the recently approved CSP application (CSP-06001-01), a traffic impact study was reviewed for a mix of uses that included the 69 townhouse units that will be constructed within the limits of this PPS. The Planning Board concurred with the study findings that all impacted critical intersections would operate or continue to operate at acceptable level of service (D), or better with additional improvements. All required improvements were carried forward as approval conditions of CSP-06001-01 that are enforceable at the time of building permit for the development.

Finding 2(b) of CSP-06001-01 describes the development for Phase 4 as follows:

Phase 4 is existing Lot 6, Block A, recorded in Land Records in NLP 136-48. The final plat contains a plat note which indicates that this area of the development is subject to approved Special Permit SP-87141, and any subsequent development upon rezoning of the property would no longer apply. This area of the CSP was included in the original CSP approval and is subject to the conditions of that approval. The CSP revision proposes the conversion of this land bay into a combination of fee-simple townhouse and condominium dwelling units.

Phase 4 has an approved Preliminary Plan, 4-87050, and is platted. In this area, the CSP proposes townhomes and two-over-two dwelling units. Due to the land use conversion and the desire to have fee-simple lots, a new preliminary plan is required.

Finding 2(c) of CSP-06001-01 reflected the distribution of the transportation adequacy from the previous PPS approvals, on a per phase basis, in the following table, which was subsequently modified in PGCPB Resolution No. 16-23 and approved on June 2, 2016.

Traffic Impact Evaluation:

The subject site was the subject of several preliminary plans and the original conceptual site plan, all with approved AM and PM peak-hour trip caps and all below the projected AM and PM peak-hour vehicle trips associated with the proposed development levels of the submitted plan. Consequently, and in support of the submitted application, a new traffic study dated October 20, 2015, was submitted for review. The submitted traffic study assumed the site development would consist of 50,000 square feet of commercial retail space, 171 townhouse units, 70 single-family residential units, 79 two-over two condominium residential units as 250 multifamily units, which are less than the ultimate development levels indicated in the Amended Statement of Justification for CSP-06001-01.

The Projected AM and PM peak-hour vehicle trips associated with the uses assumed by the submitted traffic study are as follows:

		Morning Peak Hour			Evening Peak Hour		
		In	Out	TOTAL	In	Out	TOTAL
Reflected as Existing Development on CSP Phasing Plan	Existing to remain 214,800 sq. ft. of gen. office	Trips are included in the existing traffic counts					
		389	43	433	76	324	401
	Proposed						
Phase 3	70 Single-Family DU	11	42	53	41	22	63
Phase 1	171 Townhouse Units	24	96	120	89	48	137
Phase 4	79 Condominium Units	11	44	55	41	22	63
Phase 2	250 Multifamily Housing Units	25	105	130	97	53	150
Phase 5	Supermarket –50,000 sq. ft. less Pass-by Trips (36% PM only)	105	65	170	155	148	303
	Total New Trips	176	352	528	423	293	716
	Total Trips			961			1,117

The results above indicate that the proposed application which includes the existing 214,800 square feet general office space, represents a total of 961 AM peak-hour trips, and 1,117 PM peak-hour trips.”

Preliminary Plan of Subdivision 4-87050 (PGCPB Resolution No. 87-189)

- **Includes capacity for 55 AM and 63 PM peak-hour vehicle trips. This pod of development is proposed for 79 dwelling units in the CSP.**

The limit of the subject PPS is described in the approved phasing plan (CSP-06001-01) as Phase 4 and has an associated trip cap of 55 AM and 63 PM peak-hour vehicle trips. The development approved with this PPS for Phase 4 is within the trip cap previously approved. Any future development proposals exceeding the established trip cap shall require a new PPS.

Based on the above findings and because all peak-hour generated trips are vested trips with prior PPS approvals, the needed transportation facilities are adequate, as required by Section 24-124 of the Subdivision Regulations, to serve the development (with conditions).

Access and Circulation

On-site circulation and vehicular access to Aerospace Road to the north are deemed adequate. Since both frontage roads, Aerospace Road (a 70-foot-wide public right-of-way) and Forbes Boulevard (an 80-foot-wide public right-of-way way), are fully built to County standards, the plan correctly shows that no additional right-of way dedication is required for either facility.

Based on the preceding findings, adequate access roads exist to serve the development, as required by Section 24-124 of the Subdivision Regulations.

11. **Vacation of Dedicated Right-of-Way (24-112)**—This PPS includes a portion of the dedicated public right-of-way for Aerospace Road as recorded in plat NLP 134-48. Revisions to the alignment of this street are approved with the subject PPS. The current cul-de-sac of Aerospace Road is dedicated to public use but the full cul-de-sac was not developed and is therefore not fully open to the public. Prior to approval of the final plat, subsequent to the approval of this PPS and DSP-16018, the applicant must vacate, in accordance with Section 24-112, any portions of the right-of-way incorporated into this PPS and DSP-16018. The northern portion of the Aerospace Road cul-de-sac was similarly required to be vacated prior to final plat with the review of Phase 1 (4-16010) of Glenn Dale Commons. The cul-de-sac portion of the right-of-way is no longer necessary for the overall circulation of the Glenn Dale Commons Community.
12. **Schools**—This PPS was reviewed for its impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and concluded the following:

**Impact on Affected Public School Clusters
 SF Attached Units**

Affected School Clusters #	Elementary School Cluster 1	Middle School Cluster 1	High School Cluster 1
Dwelling Units	69 DU	69 DU	69 DU
Pupil Yield Factor	0.145	0.076	0.108
Subdivision Enrollment	10	5	7
Actual Enrollment	9,518	3,712	5,838
Total Enrollment	9,528	3,717	5,845
State Rated Capacity	8,960	3,938	6,288
Percent Capacity	106%	94%	93%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current applicable amounts are \$9,017 and \$15,458 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within one-quarter mile of a metro station; or within the Bowie State MARC Station Community Center Designation Area, as defined in the 2006 *Approved Bowie State Marc Station Sector Plan and Sectional Map Amendment*. The bill also established an exemption for studio or efficiency apartments that are located within the county urban centers and corridors as defined in Section 27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone within one-quarter mile of a metro station. This act is in effect from October 1, 2013 through September 30, 2018.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

13. **Fire and Rescue**—This PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (E) of the Subdivision Regulations.

Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.” The project is served by Glenn Dale/EMS, Company 818, a first due response station (a maximum of seven minutes travel time) located at 11900 Glenn Dale Boulevard.

In accordance with Section 24-122(e)(1)(c), in the Fire/EMS Department’s Statement of Adequate Apparatus, as of July 15, 2016, the Department states that they have “developed an apparatus replacement program to meet all the service delivery needs of the County.”

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site.

14. **Police Facilities**—The subject property is located in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on September 21, 2016.

Based on the most recent available information provided by the Police Department as of December 2015, the police response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls are met.

15. **Water and Sewer**—Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System. The property is within Tier 1 under the Sustainable Growth Act and will therefore be served by public systems.

16. **Use Conversion**—The total development included in this PPS is 69 single-family attached residential units. If a revision to the mix of uses or the site layout on the subject property is proposed that affects Subtitle 24 adequacy findings as set forth in the resolution of approval, that revision shall require approval of a new PPS prior to approval of any building permits.
17. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

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

The PPS delineates a ten-foot-wide public utility easement along all public rights-of-way. A 10-foot-wide public utility easement (PUE) has also been provided along one side of all private rights-of-way with this PPS in accordance with Section 24-128(b)(12) of the Subdivision Regulations. For those lots which do not have frontage on a public or private street, a 10-foot-wide public utility easement has been provided along the lot frontage and contiguous to the PUE provided along the private streets. All PUEs will also be required to be reflected on the final plat prior to approval.

18. **Historic**—The subject property was previously developed in the 1980s and is currently vacant. A search of current and historic photographs, topographic and historic maps, and locations of currently know archeological sites indicates the probability of archeological sites within the subject property is low. This development will not impact any historic sites, historic resources or known archeological sites.
19. **Environmental**—The subject site was previously reviewed under the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
CSP-06001	TCP1-003-02-01	Planning Board	Approved	12/7/06	06-282
CSP-06001-01	TCP1-003-02-03	Planning Board	Approved	12/10/15	15-127

An approved and signed Natural Resource Inventory, NRI-076-06-01, which was approved August 27, 2015, was submitted with this PPS.

Grandfathering

Phase 4 of the Glenn Dale Commons project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 that came into effect on September 1, 2010 because the application is for a PPS. Phase 4 of the project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and technical manual.

Site Description

Phase 4 is located in the southwest quadrant of the intersection of Aerospace Road and Forbes Boulevard. The overall Glenn Dale Commons (74.56 acres per CSP-06001-01) site is located south of Northern Avenue, approximately 1,000 feet southeast of Good Luck Road. Based on available information, the overall CSP site contains streams, wetlands, and 100-year floodplain. However, Phase 4 of the development does not contain any of these features. The site is in the Folly Branch watershed of the Patuxent River basin. The predominant soils found to occur according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) include the Christiana Downer, Christiana Downer-Urban, Elkton-Urban, Fallsington, Issue, Russet-Christiana, Sassafra-Urban, Udorthents, Urban land, and Woodstown complexes. Based on available information, Marlboro clay is not found to occur in the vicinity of this property; however, Christiana complexes are. Greenbelt Road (MD 193) is in the vicinity of the site and it is a traffic noise generator. However, traffic noise impacts are not anticipated because MD 193 is approximately 500 feet from Phase 4. There are no designated scenic or historic roads in the vicinity of the site. According to available information from the Maryland Department of Natural Resources, Natural Heritage Program, rare, threatened, and endangered species are not found to occur in the vicinity of the site. The site does not contain regulated or gap areas within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan*. The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035.

Conformance with the Water Resources Functional Master Plan

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, County ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by DPIE, the Prince George's County Department of Health, the Prince George's County Department of the Environment, the Prince George's Soil Conservation District, the Maryland-National Park and Planning Commission, and the Washington Suburban Sanitary Commission (WSSC) are also deemed to be consistent with this master plan.

Conformance with the Green Infrastructure Plan

The 2005 Approved Countywide Green Infrastructure Plan indicates that none of Phase 4 is within the designated network; however, the northern and eastern portions of the overall CSP property are mapped with regulated, evaluation, and network gap areas. According to the approved NRI, these areas contain floodplain, wetlands and a stream system. These areas are the focus of preservation and planting efforts as shown on the overall TCP1 for the CSP (74.56 acres).

Conformance with the Sector Plan

The Approved East Glenn Dale Area Sector Plan and SMA were approved by the District Council in CR-23-2006. This sector plan included six environmentally related policies and their respective strategies in the Environmental Infrastructure section. The CSP application was reviewed for conformance with the Sector plan. The related conditions to this application are discussed below.

Review of Previously Approved Conditions

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

Conformance with CSP-06001-01 PGCPB Resolution No. 15-127

1. **Prior to certificate approval of the conceptual site plan (CSP), the applicant shall:**
 - g. **Show the unmitigated 65 dBA Ldn noise contour, either based on the Environmental Planning Section's noise model (266 feet from the centerline of Greenbelt Road (MD 193)), or based on a Phase I noise study on the CSP and Type II tree conservation plans.**

This condition was met on Type 1 Tree Conservation Plan TCP1-003-02-03 associated with Conceptual Site Plan CSP-06001-01 prior to certification. The unmitigated 65 dBA Ldn noise contour continues to be shown on the TCP1 and does not affect Phase 4.

Woodland Conservation

This property is subject to the provisions of the applicable Prince George's County Woodland Conservation Ordinance (WCO) because it has previously-approved Type 1 and Type II Tree Conservation Plans associated with it, TCP1-003-02 and TCP1-156-03, respectively. An '-05' revision to TCP1-003-02 was submitted with this application.

The overall 74.56-acre site contains 19.67 acres of existing woodland on the net tract and 0.79 acre of woodland within the 100-year floodplain. The site has a woodland conservation threshold of 10.91 acres, or 15 percent of the net tract. Because the overall site will be redeveloped/developed in phases, a phased worksheet is shown on the TCP. The overall site's cumulative woodland conservation requirement of 20.34 acres is proposed to be met in different phases. On the TCP, Phase 4 shows no woodland conservation and no off-site requirements

because the requirements have been met in previously approved phases and with previously approved and acquired off-site credits.

The TCP has been reviewed and requires minor technical revisions to be in conformance with the applicable Woodland Conservation Ordinance (2010 WCO). The TCP sheets are currently labeled as Sheets 1, 2, and 6 of 6 and should be labeled as Sheets 1, 2, and 3 of 3. The scale of Sheet 3 is currently 1"=50' and must be revised to 1"=30' to match the scale of the associated PPS.

20. **Urban Design**—This case is being processed concurrently with Detailed Site Plan DSP-16018, which is scheduled to be heard before the Planning Board on March 2, 2017. This PPS application has been evaluated for conformance with the following requirements:

Conformance with the Requirements of the Zoning Ordinance

Single-family attached residential units are permitted in the M-X-T Zone. The property is the subject of the approved Conceptual Site Plan, CSP-06001-01, which proposed a mix of townhouses, multifamily units and commercial square footage over a larger 74.56-acre property.

Conformance with the following Zoning Ordinance regulations is required for the development at the time of the required DSP review including, but not limited to, the following:

- Section 27-543(a) regarding the uses allowed in the Mixed Use–Transportation Oriented (M-X-T) Zone;
- Section 27-544 regarding regulations in the M-X-T Zone;
- Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
- Section 27-548(h) regarding the requirements for townhouses in the M-X-T Zone.

Section 27-548(h) includes the following:

Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive...

The submitted PPS shows 69 townhouses in ten building groups. Approximately 49 lots are less than 1,800 square feet and seven of the building groups have more than six units. Therefore, the applicant requested variances to these requirements. The applicant justifies the request due to the approximately 22 percent reduction in site area to accommodate

open space and buffering requirements as required by conditions of the CSP and the Landscape Manual on this relatively small infill site, as it compares to the other phases of Glenn Dale Commons which have larger land areas. This variance request is approved and allows for a lot layout and open spaces that will create an attractive living environment within this phase of development and allow for more common open space, as well as sufficient buffering against the adjacent incompatible uses to the west and south.

Conformance with Conditions of Prior Approvals

Conceptual Site Plan CSP-06001-01 was approved by the Planning Board on December 10, 2015, as adopted in PGCPB Resolution No. 15-127, subject to 11 conditions. The PPS conforms to the previous approvals.

Conformance with the 2010 Prince George’s County Landscape Manual

Per Section 27-544(a) of the Zoning Ordinance, landscaping, screening, and buffering for the property zoned M-X-T is subject to the provisions of the Landscape Manual. Conformance with the requirements of the Landscape Manual is reviewed with the PPS to ensure that the lotting pattern will not preclude the ability to conform to the Landscape Manual, a zoning requirement adopted by reference into Subtitle 27 of the County Code.

Section 4.1, Residential Requirements—Requires a certain number of plants be provided for residential dwellings depending on their size and type.

Section 4.6, Buffering Development from Streets—Requires buffering of rear yards of townhouses from streets.

Section 4.7, Buffering Incompatible Uses—Requires that vegetated buffers be included along shared property lines where the abutting uses are deemed incompatible by the Landscape Manual. A Section 4.7 buffer will be required adjacent to the commercial uses to the west and south. An Alternative Compliance application, AC-16017, has been submitted with this application for a reduction to the building setback and landscaped yard width requirements, since this affects the lot layout, and is approved.

Section 4.9, Sustainable Landscaping Requirements—Requires that a percentage of the plant materials be native plants, along with other sustainable practices.

Section 4.10, Street Trees along Private Streets—Requires that street trees be provided along private streets, which are provided within the development. According to the submitted plans, the requirements of this section would not be able to be met. An Alternative Compliance application, AC-16017, was submitted with this application, since it influences the private street widths, and is approved.

Conformance with the Tree Canopy Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance (TCC), requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet or greater of gross floor area or disturbance and require a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP review.

21. **Variance 27-548(h)**—Section 27-548(h) of the Zoning Ordinance includes the following lot requirements for townhouse development in the M-X-T Zone:

- (h) **Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet...**

The lotting pattern approved with this PPS provides that seven of the ten building groups will contain more than six units. Two of the building groups have eight units and five of the building groups have seven units. Additionally, 49 of the 69 lots proposed do not meet the minimum lot size of 1,800 square feet. The 49 lots range in size from 1,550-1,660 square feet. A variance from the requirement of Section 27-548(h) is approved.

Section 27-230 of the Zoning Ordinance sets forth the required findings for approval of variance requests as follows:

Section 27-230. Criteria for granting appeals involving variances.

- (a) **A variance may only be granted when the District Council, Zoning Hearing Examiner, Board of Appeals, or the Planning Board as applicable, finds that:**
- (1) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;**

The development includes a redevelopment/infill project within an eclectic area of existing commercial, industrial and residential uses of varying densities. The relatively compact site is constrained by existing office and warehouse development to the south and west from which the development will be required to provide setbacks and buffering pursuant to the Landscape Manual. An existing 20-foot-wide WSSC easement is located along the southern property line. Given the required buffering, topography, and WSSC easement, the lots have been located 31 feet from the southern and western boundaries so that future homeowners are not constrained by encroachment of these areas onto their private lots. The site has been purposefully designed so that the landscaped buffers, central green area and pedestrian network are provided within homeowners association (HOA) parcels rather than on the private lots. The land area is further reduced by the provided internal street network and over-sized alleys, which provide adequate circulation through Phase 4, which is necessitated by the limiting topography along the eastern property line. The combination of these factors has resulted in an extraordinary situation.

(2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and

The green area and landscaping provided for this site results in an overall reduction of 22 percent of the site area which can be used for the lotting and street pattern, creating a practical difficulty for design of the site.

The strict application of this Subtitle would result in a loss of units which has already been reduced from the 79 units previously envisioned by the CSP to 69 units. If the lot sizes were increased to 1,800 square feet and building groups reduced to six units, the number of lots would need to be further decreased and would result in the loss of valuable green area and unusable lot area for the future homeowners due to the encroachments of easements and landscaping onto the private lots. The loss of green area would result in further nonconformity with the conditions of the CSP and requirements of the Landscape Manual. The layout approved has been designed to best comply with the vision and requirements of the approved CSP and Landscape Manual.

(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

The development is consistent with the goals and recommendations of the General Plan and Sector Plan and, therefore, will not impair the intent, purpose, or integrity of the General Plan or Sector Plan.

Based on the preceding findings for each of the criteria, a variance is approved from Section 27-548(h) for the lot sizes for 49 lots at 1,500–1,660 square feet and the number of building groups exceeding six units for five building groups containing seven units and two building groups containing eight units.

22. **Variation 24-128(b)(7)(A)**—Section 24-128(b)(7)(A) of the Subdivision Regulations sets forth requirements for lots served by alleys as follows:

(b) The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:

(7) In Comprehensive Design and Mixed Use Zones:

(A) For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an “alley” shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.

The PPS includes the use of alleys for Lots 1–21, Block C and Lots 1-16, Block B. For dwellings to utilize alleys they must front on a public street. In this case, Lots 1-14, Block C have frontage on an open-space parcel (Parcel C) within Phase 4. All other lots served by the alleys front on a public right-of-way. Therefore, a variation from the requirements of Section 24-128(b)(7)(A) is required.

The variation to Section 24-128(b)(7)(A) of the Subdivision Regulations was accepted on December 7, 2016 and was heard at the SDRC meeting on December 16, 2016 as required by Section 24-113(b) of the Subdivision Regulations (no less than 30 days prior to the Planning Board hearing).

Section 24-113(a) sets forth the required findings for approval of variation requests as follows:

(a) Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an

alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

Approval of the variation does not have the effect of nullifying the intent and purpose of the Subdivision Regulations. Strict compliance with the requirements of Section 24-128(b)(7)(A) could result in a practical difficulty in that the loss of green area and orientation of lots may become undesirable if strict compliance were carried out. The density envisioned could not be provided without alternative on-site circulation. The ability to develop townhouse units fronting on private open space is appropriate in this case, due to the compact size of the site and configuration of the developable areas.

(1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;

The approval of the variation will result in a layout that allows for increased open space for the Phase 4 development which will serve as an amenity and benefit to future residents. The alley which serves Lots 1-14, Block C, is provided at a 22-foot pavement width, instead of the decreased 18-foot-wide alley width normally allowed, to provide enhanced vehicular circulation and access throughout the site. The granting of the variation will not be detrimental to public safety, health, or welfare, or injurious to other property.

(2) The conditions on which the variations is based are unique to the property for which the variation is sought and are not applicable generally to other properties;

The unique condition of this property is that it is bounded on two sides by rights-of-way and on two sides by I-1 zoned and developed properties, incompatible uses which require buffering from the proposed development. These constraints coupled with the requirement to provide a central village green in Phase 4 (Condition 6(b) of CSP-06001-01), restrict the location of lots and private streets within the site. No public streets are provided within Phase 4 since townhouse lots cannot be accessed via public streets. Although Lots 1-14, Block C, do not front on a public street, they do front on the village green which is located between the internal private street and the fronts of the lots. The village green provides pedestrian connectivity from the front of Lots 1-14, Block C, to the internal private streets and public streets abutting this site. The

combination of factors listed above has resulted in the unique situation where it is optimal to serve Lots 1-14, Block C, via an alley while allowing them to front on open space, instead of a public right-of-way.

(3) The variation does not constitute a violation of any other applicable law, ordinance or regulation; and

The variation is unique to the Subdivision Regulations and is not regulated by any other law, ordinance, or regulations. Therefore, granting the variation will not violate any other legal requirement.

(4) Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out.

The property is the smallest residential development phase within Glenn Dale Commons, further imposed upon by the presence of two public streets and existing incompatible development abutting the site. Providing a public street through the site would severely impact this development by increasing pavement and decreasing the number of lots and open space, providing no public benefit. This scenario would result in an exceptional hardship to the developer and future residents by decreasing marketability and desirable recreational amenities. The network of private streets and alleys within the site provides for open vehicular access and circulation without being a detriment to the future residents. This scenario is unique to the surrounding properties and not shared by adjoining properties.

(5) In the R-30, R-30c, R-18, R-18c, R-10, R-10, and R-H zones, where multi-family dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113 (a) above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.

The site is not located in any of the listed zones; therefore, this condition does not apply.

Based on the preceding findings for each of the criteria, a variation to Section 24-128(b)(7)(A) of the Subdivision Regulations is approved for Lots 1-14, Block C.

23. **Alternative Compliance AC-16017**—Alternative Compliance is approved from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) for Section 4.7, Buffering Incompatible Uses and Section 4.10, Street Trees Along Private Streets in Glenn Dale Commons, Phase 4. The subject section of the development is bounded to the north by Aerospace Drive; to the east by Forbes Boulevard; to the south by offices in the I-1 Zone; and to the west, by consolidated storage zoned I-1. The site is subject to Sections 4.1, Residential Requirements; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets, of the 2010 *Prince George's Landscape Manual* (Landscape Manual). The applicant filed a request for Alternative Compliance from Section 4.7, Buffering Incompatible Uses, for a reduction in the required building setback and landscape yard width along the western and southern property lines, adjacent to commercial uses. It is noted that Alternative Compliance (AC) requests are generally made in conjunction with DSPs when landscaping is reviewed. In this case, the AC is associated with a PPS to determine that the lotting pattern is acceptable. The required and provided landscaping is evaluated as follows:

Western Property Line:

REQUIRED: 4.7 Buffering Incompatible Uses, adjacent to existing consolidated storage.

Length of bufferyard	442 feet
Minimum building setback	50 feet
Landscape yard	40 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant Units (120 per 100 l. f.)	354*

* Includes the allowed 50 percent reduction in the plant unit requirement with the provision of a six-foot-high sight-tight fence per Section 4.7(c)(4)(E).

PROVIDED: 4.7 Buffering Incompatible Uses, adjacent to existing consolidated storage.

Length of bufferyard	442 feet
Minimum building setback	45 feet (excluding decks)
Landscape yard	30 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant units	354

Southern Property Line:

REQUIRED: 4.7 Buffering Incompatible Uses, adjacent to an existing office.

Length of bufferyard	491 feet
Minimum building setback	40 feet
Landscape yard	30 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant Units (120 per 100 l. f.)	266*

* Includes the allowed 50 percent reduction in the plant unit requirement with the provision of a six-foot-high sight-tight fence per Section 4.7(c)(4)(E).

PROVIDED: 4.7 Buffering Incompatible Uses, adjacent to an existing office.

Length of bufferyard	491 feet
Minimum building setback	35 feet
Landscape yard	30 feet
Bufferyard occupied by existing trees	0
Fence or wall	Yes
Plant units	266

The applicant is requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, to reduce the required building setbacks and landscape yard widths along the western and southern property lines. The site is small and tightly developed. The building setback along both property lines is reduced by five feet. Along the western property line, the landscape yard is reduced by 10 feet, and along the southern property line, the full landscape yard is provided. The applicant is providing the full amount of required plant units along both property lines, as reduced with the use of a fence. Additional shade trees required per Section 4.1, Residential Requirements, and planted on the individual townhouse lots can be credited toward the Section 4.7 bufferyards since they are located between the uses which will provide additional buffering. Exact plant locations and types will be further analyzed at the time of DSP review.

The alternative compliance measures are found to be equally effective as normal compliance with Section 4.7 of the Landscape Manual along the western and southern property lines. The Planning Board approves Alternative Compliance from Section 4.7.

The applicant also requested Alternative Compliance from Section 4.10, Street Trees Along Private Streets, along Private Roads A and B for the location of the proposed street trees and the number of shade trees along Private Road A. The required and provided landscaping is evaluated as follows:

Private Road A:

REQUIRED: 4.10 Street Trees Along Private Streets

Length of street frontage	432 feet
Street trees (1 per 35 l.f.)	13

PROVIDED: 4. 10 Street Trees Along Private Streets

Length of street frontage	432 feet
Street trees	12

Private Road B:

REQUIRED: 4.10 Street Trees Along Private Streets

Length of street frontage	387 feet
Street trees (1 per 35 l.f.)	12

PROVIDED: 4. 10 Street Trees Along Private Streets, along Private Road B

Length of street frontage	387 feet
Street trees	13

The applicant requested Alternative Compliance from Section 4.10, Street Trees Along Private Streets, along Private Roads A and B for the amount and location of the street trees. Other sections of this development were previously designed and approved under Detailed Site Plan DSP-06072, with an integral curb and sidewalk design prior to the adoption of the 2010 Landscape Manual. The 2010 Landscape Manual now requires that street trees be located between the street curb and the sidewalk in order to provide sufficient room for canopy growth. Although one less shade tree is provided along Private Road A than is required, an additional shade tree is provided along Private Road B. These two roads connect to one another and collectively provide the required number of street trees, which are to be located behind the integral curb and sidewalk, as previously envisioned. This design, which consolidates the green area to one side of the paving, will allow for a larger green area for planting the street trees ultimately resulting in better tree growth and health. The alternative compliance measures are found to be equally effective as normal compliance with Section 4.10 of the Landscape Manual Along Private Roads A and B.

Based on the preceding findings, the Planning Board approves Alternative Compliance from Section 4.7, along the western and southern property lines, and Section 4.10, along Private Roads A and B, of the 2010 *Prince George's County Landscape Manual*, for Glenn Dale Commons, Phase 4, Preliminary Plan of Subdivision 4-16015, with conditions.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 16, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of March 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator