

RESOLUTION

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on January 21, 2021, regarding Detailed Site Plan DSP-20038 for The Venue, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is for approval of 90 single-family attached (townhouse) dwelling units as Phase 1 development of a larger property.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	I-3/R-T/R-55	I-3/R-T/R-55
Use(s)	Vacant	Townhouses
Total Acreage	15.14	15.14
R-T Zone	8.55	8.55
R-55 Zone	6.20	6.20
I-3 Zone	0.39	0.39
Total Townhouse Dwelling Units	-	90

Parking Information

Parking Required	184
2.04 spaces/unit @ 90 units	184
Parking Provided	239
Garage Spaces @ 2 spaces/unit	180
On-Street Spaces	59*

Note: *The applicant indicated that they intend to revise the submitted DSP to allow for a total of 59 on-street parking spaces for residents and visitors. These will include two standard and one van-accessible handicapped parking space. A condition has been included in this resolution that requires the applicant to revise the DSP to show the additional spaces and correct the parking information, prior to certification.

Architectural Models

Model Name	Base Finished Square Footage	Total Finished Square Footage (with all options)	2-Car Garage
The Davidson	1,767	2,019	Yes
The Loft	2,397	2,416	Yes

3. **Location:** The larger property is located on the north side of Ritchie Marlboro Road, approximately 750 feet east of its intersection with I-95/I-495 (Capital Beltway), identified as 1700 Ritchie Marlboro Road, Upper Marlboro, Maryland, in Planning Area 73 and Council District 6. Specifically, the proposed Phase I included in this DSP is located in the northwest quadrant of the intersection of Ritchie Marlboro Road and the newly created McCarthy Drive.

4. **Surrounding Uses:** To the west of the larger site is Maryland State Highway Administration (SHA) property, which contains an entrance ramp leading from Ritchie Marlboro Road to the outer loop of I-95/I-495. The properties to the east comprise an existing single-family residential community in the One-Family Detached Residential (R-80) Zone. Across Ritchie Marlboro Road to the south is property zoned Mixed Use-Transportation Oriented that is developed with townhouses and a food or beverage store/gas station. To the north and northwest of the subject property is Maryland-National Capital Park and Planning Commission (M-NCPPC) parkland. Specifically, this Phase 1 site is along the eastern edge, and is bounded to the south and west by the Phase 2 development area, and the existing church site is to the north and west.

5. **Previous Approvals:** The subject property was rezoned from the R-80 Zone to the Planned Industrial/Employment Park (I-3) Zone in the adoption of the 1990 *Approved Master Plan Amendment and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* (Largo-Lottsford Master Plan and SMA). The Prince George’s County Planning Board approved Conceptual Site Plan CSP-96073 for Greenwood Manor on July 24, 1997 (PGCPB Resolution No. 97-224). The Planning Board approved Preliminary Plan of Subdivision (PPS) 4-97107 and Type I Tree Conservation Plan TCPI-067-97 for Greater Morning Star Pentecost Church on October 28, 1997. This PPS created Lot 1, which contains the church, and Lots 2 and 3, which were intended for uses in conformance with the I-3 Zone. Subsequently, Lots 2 and 3, comprising approximately 7.66 acres, were conveyed to SHA, resulting in the current land area of 54 acres. On September 5, 2002, the Planning Board approved Detailed Site Plan DSP-02018 and Type II Tree Conservation Plan TCPII-053-02 for development of the existing church on the property. DSP-02018 has been revised four times, of which three revisions were approved administratively and one revision to the church building design was approved by the Planning Board on September 24, 2009. DSP-02018-05 is currently pending Director level review to show the removal of this DSP area from the larger church property.

The Prince George’s County District Council adopted Zoning Map Amendments A-9991-C and A-9992-C on September 8, 2008, to rezone approximately 5.99 acres of the property to the One-Family Detached Residential (R-55) Zone (A-9991-C), and approximately 10.67 acres to the Townhouse (R-T) Zone (A-9992-C). On February 28, 2019, the Planning Board approved CSP-96073-01, which superseded the previously approved CSP-96073, to reflect the rezoning and represent a 200-to 250-dwelling unit single-family attached (townhouse) community on the

existing church property for informational purposes only. Subsequent to the approval of CSP-96073-01, the Planning Board approved Preliminary Plan of Subdivision PPS 4-19029 (PGCPB Resolution No. 2020-58) for Greater Morning Star Apostolic Church & The Venue, including 90 lots, on April 9, 2020.

The site also has a Stormwater Management (SWM) Concept Approval No. 20636-2018-00, which is valid through April 1, 2022.

- 6. Design Features:** The larger existing lot is currently owned by the Greater Morning Star Apostolic Ministries and is irregularly shaped due (in part) to approximately 38.29 acres of stream valley dedication to Prince George's County Department of Parks and Recreation (DPR), and dedication of approximately 7.66 acres in the southwest section of the property to SHA. The larger property is currently improved with a church and associated parking located in the center, within the I-3 Zone, and is accessed via two driveways from Ritchie Marlboro Road to the south, through the residentially zoned property. All of this is proposed to remain and is shown on CSP-96073-01 as a pod in the middle of the property, with an area for future church expansion to the north and west. The edges of the northern and western part of the property is shown as proposed green area.

The portion of the property included in this DSP is the Phase I of the townhouse development in the residential zones that are located in the southeast corner of the larger property. The proposed 90 townhouses will be accessed via McCarthy Drive, which is a public right-of-way, perpendicular to Ritchie Marlboro Road terminating in a cul-de-sac. A total of 17 townhouse building sticks are arranged on a private street and alley grid branching off of McCarthy Drive. Two green open spaces are shown in the middle of, and to the west of, the townhouses. Further to the west of the townhouses are the future Phase 2 development and the existing surface parking lot of the church. The townhouse building sticks are oriented toward both the frontages along Ritchie Marlboro Road and McCarthy Drive. The rest of the townhouse buildings are either parallel to or perpendicular to those along the frontages. Each townhouse unit is accessed in the rear via an alley and also has sidewalks to the front of each unit.

Two townhouse models are proposed with this DSP, including the Davidson and the Loft. The base finished square footage for the two models are 1,767 and 2,397. With all options, the total square footage is 2,019 and 2,416, respectively. The Davidson is three stories in height and the Loft is four stories with a rooftop deck. Each model has six different front elevations (Elevations A–F). The buildings are designed with pitched roofs and are finished with a combination of standard vinyl siding and brick. Sufficient architectural articulation such as box windows, shutters, and keystone brick lintels are used on the front elevations. Side elevations are also articulated with a combination of vinyl and brick, along with a minimum of three windows. An optional deck is provided on all rear elevations. The two models are acceptable; however, in order to create a visually diverse community and interesting streetscapes, each adjoining unit should have a different elevation. For those end unit elevations that are visible from streets, additional architectural features are required. Several conditions related to the front and highly visible side elevations are included in this resolution.

A photometric plan has been provided with this DSP that shows acceptable private street and alley lighting using full cut-off fixtures.

Security in a compact townhouse development is important, and doorbell cameras may improve the security of individual units and help to create a safer neighborhood. The applicant should consider townhouse model designs, where the general area around the front door allows for the installation of third-party doorbell cameras, and external entryways are wide enough to allow such cameras broad peripheral coverage. The security options could be available in the model selection at the time of purchase or as a possible rough-in to facilitate a homeowner's future installation.

Numerous energy efficient measures and techniques will be employed in the proposed models. Specifically, the applicant will install 90 plus efficiency HVAC and hot water systems, eco-friendly LED lights, and Maytag Energy Star appliances. The applicant will also use high level insulation in building envelope such as Environ dry exterior membrane, which reduces air infiltration and water damage to the building, and 2- by 6-inch exterior walls with efficient R-19 insulation.

Mandatory dedication of parkland for the proposed dwelling units was fulfilled through the dedication of land that is now the developed Heritage Glen Community Park through the approval of the previous PPS 4-79033 for Greenwood Manor. This DSP shows an asphalt trail connection through the adjacent church site to the park for use by these residents. In addition, this DSP proposes three on-site recreational areas that includes walkways, benches, a shelter, and grills.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendments A-9991-C and A-9992-C:** Zoning Map Amendments A-9991-C and A-9992-C for the subject property were denied by the Planning Board and the resolutions were adopted on November 15, 2007 (PGCPB Resolution Nos. 07-210 and 07-211, respectively). Subsequently, both cases were heard by the Prince George's County Zoning Hearing Examiner and were approved on March 21, 2008, and then adopted by the District Council on September 8, 2008 (Zoning Ordinance Nos. 22-2008 and 23-2008, respectively) with the same 5 conditions, as follows:

1. **A new Forest Stand Delineation, in accordance with the Prince George's Woodland Conservation and Tree Preservation Technical Manual, shall be required at the time of subdivision.**

A forest stand delineation was provided with the review of Natural Resources Inventory NRI-058-2018, which was approved on June 25, 2018. At the time of PPS, the NRI was reviewed, as required by this condition.

2. **A new Tree Conservation Plan must be submitted to M-NCPPC prior to subdivision approval.**

Type 1 Tree Conservation Plan TCP1-067-97-01 was provided with CSP-96073-01 and approved on May 1, 2020. At the time of PPS, a revised TCP1 was also submitted for approval. A TCP2 that is based on the previously approved TCP1 has been submitted with this DSP. This condition has been met.

3. **The unmitigated 65 dBA (Ldn) ground level and second-story noise contours associated with the proposed arterial roads shall be shown on each preliminary plan and Type I Tree Conservation Plan.**

The unmitigated 65 dBA ground-level and second-story noise contours were provided at the time of PPS. A Phase II noise study, as required by the approval of PPS-19029, has also been provided with this DSP. This condition has been met.

4. **Since the site is located to the north of the planned northern gateway of the Westphalia Community and to the west of an existing residential development, a Detailed Site Plan shall be required for the single-family development as well as the Metropolitan Dwelling Units to ensure that the design and site arrangement will be harmonious with the surrounding development.**

This DSP shows a site design and building arrangement that is in general harmony with the surrounding development.

5. **Applicant shall provide standard sidewalks on both sides of all internal roads and along the site's entire frontage on Ritchie Marlboro Road, unless this requirement is modified by the Department of Public Works and Transportation.**

A complete on-site sidewalk system has been provided on the site plan, in conformance with this condition. Those sidewalks provided within the public right-of-way of Ritchie Marlboro Road will be subject to the final approval of both the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and the Prince George's County Department of Public Works and Transportation.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-T and R-55 Zones and the site plan design guidelines of the Zoning Ordinance, as follows:

- a. The application is subject to the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. Townhomes are permitted in the R-55 and R-T Zones, pursuant to Footnotes 124 and 125, respectively. Each footnote has the same requirements, described as follows:

- (A) **The R-55 is combined with R-T and I-3 zoned lots, parcels, or property totaling less than sixteen (16) gross acres in size and located less than 2,000 feet from an interchange to the outer loop of the Capital Beltway (I-95/I-495);**

The area proposed to be used for townhouse development is approximately 15.14 acres in size and is approximately 1,400 linear feet from the Ritchie Marlboro Road interchange with the outer loop of I-95/I-495.

- (B) **The property shall have access to a signalized intersection of a publicly maintained roadway with a functional transportation classification as an Arterial or higher within the 2009 Countywide Master Plan of Transportation; and**

The property has access to two signalized intersections on Ritchie Marlboro Road, a master plan arterial roadway.

- (C) **Regulations of the R-55 Zone shall not apply; all requirements for development shall be established by and shown on a Detailed Site Plan approved by the Planning Board and/or the District Council.**

This DSP has been filed to meet this condition. This DSP has been evaluated, in accordance with site design guidelines, along with all other applicable zoning regulations and applicable conditions attached to prior approvals.

- b. The DSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance that has been cross-referenced in Section 27-283 of the Zoning Ordinance. The DSP is in general conformance with the site design guidelines, as follows:

The site plan has been designed, in accordance with Section 27-274(a)(2), Parking, loading, and circulation, which provides guidelines for the design of surface parking facilities, and the vehicular circulation. The on-site circulation for both pedestrians and vehicles is safe and efficient.

In accordance with Section 27-274(a)(3), Lighting, a photometric plan has been provided that shows on-site lighting has been designed, per the guidelines.

There are no regulated environmental features on this Phase I site. However, in accordance with Section 27-274(a)(4), Views, the proposed townhouse development pays special attention to the views from public areas, especially from the adjacent streets. Several conditions have been included herein to ensure a visually attractive community and streetscapes.

In accordance with Section 27-274(a)(5), Green area, on-site green areas have been designed to complement other site activity areas and be appropriate in size, shape, and location, and to fulfill their intended use. Several green areas have been provided on-site.

In accordance with Section 27-274(a)(6), Site and streetscape amenities, the green areas provided on the site are designed as a focal point of the surrounding building sticks and are accentuated by elements, such as landscaping and street furniture that provide amenities to future residents.

In accordance with Section 27-274(a)(7), Grading, the proposed grading, including grading around the berms, minimizes disturbance to all environmentally sensitive areas, to the maximum extent possible.

In accordance with Section 27-274(a)(11), Townhouse and three-family dwellings, sufficient attention has been given to the design of each townhouse model, which are highly articulated with architectural features and a combination of different building materials. Architecture-related conditions that require additional decoration for those highly visible elevations have been included in this resolution to fully comply with this design guideline.

9. **Conceptual Site Plan CSP-96073-01:** CSP-96073 (PGCPB Resolution No. 97-224), was approved for a development by the Greater Morning Star Church, on July 24, 1997, subject to five conditions, when the property was zoned I-3 and required a CSP.

CSP-96073-01 was an amendment to reflect the rezoning of a portion of the church property to the R-T and R-55 Zones, and to show a proposed 200 to 250 dwelling unit single-family attached (townhouse) community on the rezoned portion of the property. The CSP does not control the proposed townhouse development in the R-T and R-55 Zones and is represented on the CSP for informational purposes, to demonstrate the relationship with the I-3-zoned portion of the property, which requires a CSP. CSP-96073-01 supersedes the previous CSP and was approved by the Planning Board on February 28, 2019 (PGCPB Resolution No. 19-28), subject to three conditions that are not applicable to the review of this DSP.

10. **Preliminary Plan of Subdivision 4-19029:** The Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-19029 for Greater Morning Star Apostolic Church & The Venue on April 9, 2020 (PGCPB Resolution No. 2020-58), for 90 lots, subject to 23 conditions. The conditions that are relevant to the review of this DSP warrant the following discussion:

3. **The detailed site plan submitted for review shall demonstrate rears of dwelling units within the development are adequately screened from Ritchie Marlboro Road by the units fronting on Ritchie Marlboro Road and/or by landscape screening.**

The submitted landscape plan shows sufficient landscape screening between Ritchie Marlboro Road and the lots nearest the road. A 4- to 8-foot-high berm with extensive landscaping will screen the rear of those units from views on Ritchie Marlboro Road. Units on Lots 4–9 are not oriented toward Ritchie Marlboro Road, but their rear yards can be seen by motorists and pedestrians. A berm with landscaping is also provided to screen the views in this location. In addition, a 6-foot-high solid board-on-board fence at the end of Private Alley A, which is required to block road noise, also serves as a screen to block views from Ritchie Marlboro Road.

As a result of these treatments, no lots or dwellings are placed in such a manner that the rear of the dwellings would be clearly visible from Ritchie Marlboro Road. This condition has been fully met.

4. **If there is a substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, a new preliminary plan of subdivision shall be required, prior to approval of any building permits.**

The subject DSP proposes development, in accordance with the approved PPS. There is no substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings. A new PPS is not required at this time.

5. **Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (20636-2018-00) and any subsequent revisions.**

The applicant submitted a revised SWM Concept Plan (20636-2018-01) with this DSP. The revised plan was approved by DPIE on March 24, 2020 and is valid through April 1, 2022.

7. **Prior to acceptance of a detailed site plan, a Phase II noise analysis shall be provided and demonstrate that any outdoor activity areas are located outside of the mitigated 65 dBA Ldn and that the building structures proposed mitigate interior noise levels to 45 dBA Ldn or less. If the DSP shows lots closer to Ritchie Marlboro Road than the PPS does, the analysis shall determine whether any additional noise mitigation measures are needed.**

A Phase II Noise Analysis by Hush Acoustics dated April 23, 2020 is provided with this DSP. A follow-up addendum to this analysis by Hush Acoustics, dated July 30, 2020 is also included with this submission. Based on these reports a 65 dbA ground level line and 65 dbA top level line are shown on the DSP and TCP2. Mitigation of noise levels is achieved by earthen berms, landscaping, and a 6-foot-high wood fence, which are shown to have reduced noise levels below 65 dbA in outdoor activity areas. The noise analysis also states that once architectural drawings are available, interior noise levels can be determined and appropriate architectural materials can be recommended to mitigate top

level noise levels to 45 dbA or less. Condition 8 of the PPS requires certification on the building permits that the structures will reduce the interior noise levels accordingly.

- 9. Prior to approval of the 54th building permit, the applicant and the applicant's heirs, successors, and/or assignees shall construct an 8-foot-wide asphalt hiker/biker trail within the 50-foot-wide ingress and egress easement, connecting the sidewalk along proposed McCarthy Drive with the parking lot within the existing Heritage Glen Community Park to the north, as shown on Prince George's County Department of Parks and Recreation Exhibit A or as determined at the time of Detailed Site Plan.**

The construction of the proposed trail will be required at the time of the 54th building permit to satisfy Condition 9. However, with this application, the trail location changed, and the applicant needs to ask for vacation of a section of the previous easement and a new section to connect with the park. According to the review by DPR, (Burke to Zhang, December 22, 2020), a condition is included in this resolution to require a right-of-entry permit, prior to the approval of the 54th building permit for the development of the section of trail on parkland.

- 12. Prior to approval of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall submit to Prince George's County Department of Parks and Recreation (DPR), for review and approval, construction drawings for the connector trail, as shown on DPR Exhibit A.**

The applicant submitted plans showing construction drawings for the connector trail, in conformance with this condition.

- 13. In conformance with the 2009 Approved Countywide Master Plan of Transportation, and conditions of approval for Conceptual Site Plan CSP-96073-01, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. Sidewalks along both sides of all internal roadways, excluding alleys and the proposed McCarthy Drive.**
- b. A crosswalk crossing the west leg of Ritchie Marlboro Road, at the intersection of Ritchie Marlboro Road and McCarthy Drive, unless modified by the Maryland State Highway Administration, with written correspondence.**
- c. A minimum 8-foot-wide trail connecting the sidewalk on McCarthy Drive with the Maryland-National Capital Park and Planning Commission parkland to the north of the subject site, unless modified by the Prince George's County Department of Parks and Recreation.**

The construction of the proposed trail will be required at the time of the 54th building permit to satisfy Condition 9. The submitted DSP plans include all facilities described above.

14. **Prior to approval of a detailed site plan, which proposes development for Parcel 1, a Phase I (Identification) archeological investigations, according to the Prince George's County Planning Board's Guidelines for Archeological Review (May 2005), shall be required to determine if any cultural resources are present. The areas within the developing property on Parcel 1 that have not been extensively disturbed shall be surveyed for archeological sites. The future applicant for a Detailed Site Plan for Parcel 1 shall submit a Phase I Research Plan, for approval by the staff archeologist, prior to commencing Phase I work. Evidence of Maryland-National Capital Park and Planning Commission concurrence with the final Phase I report and recommendations is required prior to approval.**

This condition is related to the archeological investigations on proposed Parcel 1, where the existing church is located. The proposed 90 townhouses as Phase I development are located on Lots 4–93 of PPS 4-19029. This condition will be enforced at time of future development of Parcel 1.

17. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-067-97-02). 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 (TCP1-0067-97-02), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

The Planning Board finds that the submitted TCP2 is in conformance with the previously approved TCP1 and approves of the TCP2 along with this DSP.

21. **Total development within the subject property shall be limited, in accordance with the overall Greenwood Park development approved with Preliminary Plan of Subdivision (PPS) 4-97107. Any development generating an impact greater than that identified therein shall require a new PPS with a new determination of the adequacy of transportation facilities.**

The Planning Board finds, pursuant to PGCPB Resolution No. 97-364, PPS 4-97101 was approved with a trip cap of 203 AM and 243 PM peak trips. The current site plan proposes 90 townhomes. When combined with the traffic from the adjacent existing church, the total traffic will be 203 AM and 243 PM peak trips. PPS 4-97101 was also approved with a number of off-site improvements, all of which have been completed. The Planning Board therefore concludes that all of the provisions of Condition 21 of the approved PPS 4-97101 and 4-19029 have been satisfied. The subject DSP is in conformance with the layout and development quantity, as approved in PPS-4-19029 for The Venue.

11. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:

This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. There are also approved TCPs for the overall Greater Morning Star Apostolic Church and The Venue, TCP1-067-97-02 and TCP2-53-02-01. A revision to the TCP2 has been submitted with this application.

- a. Natural Resources Inventory NRI-058-2018 was approved on June 25, 2018 and provided with this application. The TCP2 submitted with this DSP is in conformance with the approved NRI.
- b. The subject Venue site is 15.14 acres, contains 4.54 acres of woodland in the net tract, and has a woodland conservation required threshold of 3.01 acres. The Woodland Conservation Worksheet proposes the removal of 4.54 acres in the net tract area, for a woodland conservation requirement of 6.40 acres. This site will meet the requirement with no woodland preservation on-site, 1.57 acres of reforestation, and 4.83 acres of natural regeneration on-site. The TCP2 plan requires additional technical corrections to be in conformance with the WCO. These revisions are specified in conditions that have been included in this resolution.

12. 2010 Prince George's County Landscape Manual: This development will be subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the Landscape Manual. The required plantings and schedules are provided in conformance with the Landscape Manual and are acceptable, except for Section 4.7 and Section 4.10.

The applicant has requested Alternative Compliance, AC-20014, from the requirements of Section 4.7(c)(4) Buffering Incompatible Uses, along the northern boundary, and Section 4.10(c)(1) Street Trees Along Private Streets throughout the site, as follows:

REQUIRED: Section 4.7 Buffering Incompatible Uses, along north property line

Total length of bufferyard	323 feet
Building setback	40 feet
Landscape yard	30 feet
Plant units (120 per 100 linear feet)	388

PROVIDED: Section 4.7 Buffering Incompatible Uses, along north property line

Length of bufferyard	323 feet
Building setback	30 feet
Landscape yard	0 feet*
Fence or wall	Yes, 4-foot-high
Plant units (120 per 100 linear feet)	0*

Note: *A 75-foot-wide reforestation area with enlarged plant material is provided off-site, on the adjacent church site, which is subject to the pending DSP-02018-05 and owned by the same entity.

Justification

The applicant is seeking relief from the requirements of Sections 4.7 of the Landscape Manual. Specifically, Section 4.7(c)(4) Buffering Incompatible Uses, along the northern boundary, adjacent to the existing parking lot of the church.

Section 4.7 requires a Type C bufferyard, which includes a 40-foot building setback and 30-foot-wide landscape yard to be planted with 120 plant units per 100 linear feet of the property line on the subject property. The applicant is not able to meet the required 40-foot building setback or 30-foot landscape yard for 13 townhouse units along the northern boundary, due to the site constraints.

Specifically, the townhouses are located approximately 20 feet away from the property line and do not meet the required setback or provide the landscape yard needed. Alternatively, the applicant is proposing to provide the required building setback and landscape yard within a 75-foot off-site reforestation area, as shown on the Type 2 tree conservation plan on the adjacent church property, which is owned by the applicant. The conservation area is required to be planted with 2- to 3-foot-high native seedlings (whips) at a rate of 1,000 whips per acre.

Alternatively, the applicant has provided a 4-foot-high metal fence along the property line to provide a physical separation between the church and townhouse uses, and is providing the required number of plant units with a caliper of 1.5 to 2.0 inches within the first 30 feet of the reforestation area, adjacent to the subject development, meeting the required width of the landscape yard. These trees will be larger than the typical whips required in reforestation areas and closer in size to the trees required by the Landscape Manual. The larger caliper trees within the easement will mature at a faster rate and provide immediate screening for the townhouses from the church use.

The Alternative Compliance Committee finds that the applicant’s proposal is equally effective as normal compliance with respect to Section 4.7 of the Landscape Manual. The 4-foot-high fence, larger caliper trees, and wider landscape yard have been provided to meet the intent of Section 4.7, Buffering Incompatible Uses. The bufferyard proposed in the off-site reforestation area will form a visual and physical separation between the uses of different scale, character, and/or intensity of development, and will adequately screen the townhouses.

REQUIRED: Section 4.10 Street Trees Along Private Streets – Street A

Linear feet of frontage	712 feet
Shade Trees one tree per 35 linear feet	21

PROVIDED: Section 4.10 Street Trees Along Private Streets – Street A

Linear feet of frontage	712 feet
Shade Trees one tree per 35 linear feet	23

REQUIRED: Section 4.10 Street Trees Along Private Streets – Street B

Linear feet of frontage	965 feet
Shade Trees one tree per 35 linear feet	28

PROVIDED: Section 4.10 Street Trees Along Private Streets – Street B

Linear feet of frontage	965 feet
Shade Trees	31

Justification

The applicant is seeking relief from the requirements of Section 4.10 of the Landscape Manual. Specifically, Section 4.10, Street Trees Along Private Streets, along Street A and Street B, to allow alternative locations of street trees on private roads.

Section 4.10 requires street trees, planted at 35 feet apart, to be located in a 5-foot-wide planting area between the street curb or edge of paving and the sidewalk. This DSP is required to provide 49 shade trees planted on a total of 1,677 linear feet of private street.

The streetscape in this section has been designed with the sidewalk abutting the back of curb in some portions, due to the presence of parallel parking spaces on the street. This design requires the street trees to be located behind the sidewalk rather than between the sidewalk and the face of curb, as required by Section 4.10. The offset sidewalk will affect 339 linear feet of Street A or (47 percent), and 572 linear feet of Street B or (59 percent), and will relocate six street trees in a manner that still provides continuation of street trees in fulfillment of the Section 4.10

requirements. In addition, it is noted that the application is proposing the installation of 54 street trees, or 10 percent, more than the required number of street trees on the private streets in the development.

The Alternative Compliance Committee finds that the applicant's proposals are equally effective as normal compliance with respect to Section 4.10 of the Landscape Manual. The additional street trees, above the required number, which are proposed in an alternative location near the street still provide a continuous streetscape, in fulfillment of the requirements of Section 4.10.

The Planning Board approves of Alternative Compliance AC-20014, for The Venue, from the requirements of Section 4.7(c)(4) Buffering Incompatible Uses, along the northern boundary, and Section 4.10, Street Trees Along Private Streets, on Street A and Street B, of the 2010 *Prince George's County Landscape Manual*.

13. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. This requirement is based on the zoning designation and is 15 percent of the gross tract area for the R-T and R-55-zoned property and 10 percent for the I-3-zoned property. A TCC schedule has been provided on the landscape plan, which uses only the R-T-zoned portion's acreage in the calculation that is not correct. A condition has been included in this resolution to require the applicant to provide a corrected TCC calculation using the entire acreage of the subject site under this DSP.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**—The Planning Board adopts a memorandum dated December 2, 2020, (Stabler and Smith to Burke), incorporated herein by reference, which indicated that in its review of PPS 4-19029 for Greater Morning Star Apostolic Church and the Venue, the Planning Board approves three conditions related to archeological investigations on proposed Parcel 1. The subject application does not include any proposed development on Parcel 1.
 - b. **Community Planning**—The Planning Board adopts a memorandum dated December 18, 2020, (Dickerson to Zhang), incorporated herein by reference, which found that, pursuant to Section 24-121(a)(5), of the Subdivision Regulations, this application is not required to conform to the Largo-Lottsford Master Plan and SMA because the District Council approved A-9991-C and A-9992-C allowing townhouse and single-family development, respectively, on portions of previously recommended planned industrial park land use classification within the I-3 Zone. It is noted that master plan conformance is not required with this DSP.

- c. **Transportation Planning**—The Planning Board adopts a memorandum dated December 16, 2020, (Burton to Zhang), incorporated herein by reference, which provided comments on this application, as follows:

The property is in an area where the development policies are governed by the Largo-Lottsford Master Plan and SMA. The subject application fronts on Ritchie Marlboro Road, a master-planned arterial road (A-36) within a variable width right-of-way. A-36 is currently built to its ultimate cross section, and no further right-of-way is required. While the site has no direct access to A-36, it will be accessible from two access points along an internal street. All other aspects of the site regarding access and circulation are deemed to be acceptable.

The Planning Board concludes that from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a DSP.

- d. **Trails**—The Planning Board adopts a memorandum dated December 21, 2020, (Smith to Zhang), incorporated herein by reference, which provided an evaluation of this DSP for conformance with applicable conditions attached to prior approvals.

The Planning Board concludes that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27-283, and meets the findings required by Section 27-285(b) of the Zoning Ordinance, for a DSP for pedestrian and bicycle transportation purposes and conforms to the prior development approvals and the Largo-Lottsford Master Plan and SMA, subject to one condition, which is included herein.

- e. **Subdivision Review**—The Planning Board adopts a memorandum dated December 21, 2020, (Diaz-Campbell to Zhang), incorporated herein by reference, which provided an analysis of this application for conformance with the governing PPS 4-19029. The Planning Board concludes that the DSP is in substantial conformance with the approved PPS and approves of this DSP with four subdivision-related conditions, which have been included in this resolution.

- f. **Environmental Planning**—The Planning Board adopts a memorandum dated December 22, 2020, (Rea to Zhang), incorporated herein by reference, which provided a response to previous conditions of approval and the applicable WCO requirements that have been included in the findings of this resolution. Additional comments are summarized, as follows:

Stormwater Management

A SWM Concept Approval Letter (20636-2018-00) and associated plan were submitted with the application for this site. The approval was issued on April 1, 2019 for this project from DPIE. The plan proposes to construct 16 micro-bioretenion ponds and enlarge the existing wet pond. No SWM fee for on-site attenuation/quality control measures is required.

Soils

The predominant soils found to occur according to the U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey are the Adelphia-Holmdel complex (0-2 percent slopes), Annapolis-Urban land complex (0-5 percent slopes), Collington-Wist complexes (2-40 percent slopes), and Marr-Dodon complex (15-25 percent slopes). Marlboro clay and Christiana complexes are not found on or near this property.

- g. **Maryland State Highway Administration (SHA)**—At the time of the preparation of this resolution, SHA had not provided comments on the subject application.
 - h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated November 20, 2020 (Giles to Burke), incorporated herein by reference, DPIE provided standard comments on this DSP that will be enforced in their separate permitting process.
 - i. **Prince George’s County Health Department**—In a memorandum dated October 30, 2020 (Adepoju to Burke), incorporated herein by reference, the Health Department provided no comments/recommendations on this application.
 - j. **The Department of Parks and Recreation (DPR)**—In a memorandum dated December 21, 2020 (Burke to Zhang), incorporated herein by reference, DPR has reviewed and evaluated this DSP for conformance with the requirements and conditions of prior approvals as they pertain to public parks and recreational facilities. DPR recommends approval of this DSP with conditions that have been incorporated in this resolution, except where they were duplicative of the PPS conditions.
 - k. **Prince George’s County Police Department**—At the time of the preparation of this resolution, the Police Department had not provided comments on the subject application.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated November 23, 2020 (Mapes to Burke), incorporated herein by reference, WSSC provided standard comments on this DSP that will be enforced in their separate permitting process.
 - m. **Prince George’s County Fire/EMS Department**—At the time of the preparation of this resolution, the Fire Department had not provided comments on the subject application.
15. Based on the foregoing and as required by Section 27-285(b)(1), the DSP, if approved with the proposed conditions below, represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

16. Section 27-285(b)(4) provides the following required finding for approval of a CSP:

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

The Planning Board finds there are no regulated environmental features on the DSP site. Therefore, this finding is not required.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-053-02-03 and APPROVED Alternative Compliance AC-20014, and further APPROVED Detailed Site Plan DSP-20038 for the above described land, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information shall be provided:
 - a. Revise the parking shown on the site plan, in accordance with the resolution, and in addition, provide two standard and one van-accessible handicapped parking spaces in the on-street parking spaces.
 - b. Provide a corrected tree canopy coverage schedule by using the total acreage of the subject DSP in the calculation.
 - c. Revise the Type 2 tree conservation plan, as follows:
 - (1) Remove the clearing symbol on the plan; no symbol is required for clearing.
 - (2) Remove or clarify note number 2 on sheets 4, 5, 6, 9, and 10, as the Woodland Preservation Area signs are required to remain in perpetuity.
 - (3) Remove or clarify the timing mentioned in note number 3 on sheets 4, 5, and 6 for the installation of the tree protection devices and signage. Planting and associated tree protection devices are required, prior to issuance of the first building permit for adjacent lots.
 - (4) Add the owner awareness certificate to the plan and have it signed by the property owner.
 - d. Add the site plan notes, as follows:

“During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the

2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”

“During the construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George’s County Code.”

“No two units located next to or across the street from each other may have identical front elevations.”

“Every side elevation on a corner lot that is visible from a public or private street shall display significant architectural features as provided in one of the following options:

- Full brick, stone, stucco, or other masonry treatment on the first floor combined with at least three windows, doors, or other substantial architectural features; or
- Brick, stone, stucco, or other masonry treatment water table, combined with no less than four windows, doors, or other substantial architectural features.”

- e. At least 60 percent of the units shall have a full brick or stone front. To ensure conformance with this condition, a tracking chart shall be added to the DSP.
- f. Show the required crosswalk crossing the west leg of Ritchie Marlboro Road on all plan sheets, which show the intersection of Ritchie Marlboro Road and McCarthy Drive.
- g. Relabel the church parcel from “Parcel A” to “Parcel 1,” in accordance with the approved preliminary plan of subdivision.
- h. Adjust the line marked “Limit of DSP-20038” to encompass the entirety of existing or approved legal lots or parcels that are part of the DSP, including Outlot 1, and revise the notes, data, and schedules, as necessary.
- i. Label the square footage of right-of-way dedication of Ritchie Marlboro Road/White House Road, in accordance with the approved preliminary plan of subdivision.
- j. Provide crosswalks crossing Private Alley B and Private Alley C to provide continuous pedestrian connections consistent with the proposed crosswalks throughout the site.
- k. Revise the landscape plan and schedules to reflect the approval of AC-20014, including labeling of the off-site reforestation area.

2. Prior to the approval of the 54th building permit, the applicant shall execute a right-of-entry agreement with the Prince George's County Department of Parks and Recreation for the section of trail to be improved on the Heritage Glen Community Park property.


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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, January 21, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of February 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: January 25, 2021