

PGCPB No. 2025-004

File No. DSP-23006

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Piscataway Clinton LLC, submitted an application for approval of Detailed Site Plan DSP-23006 for Clinton Market Place North for site improvements necessary for 191 one-family (townhouse) dwelling units and a food or beverage store of approximately 5,915 square feet, with a gas station, in the southwest quadrant of the intersection of MD 223 (Piscataway Road) and Brandywine Road; and

WHEREAS, the property subject to the application ("subject property") is within the Residential, Multifamily-48 (RMF-48) and Military Installation Overlay (MIO) Zones, but was within the Mixed Use-Transportation Oriented (M-X-T) Zone and Military Installation Overlay (M-I-O) Zone prior to April 1, 2022; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, projects which received development approvals under the Zoning Ordinance or Subdivision Regulations in existence prior to April 1, 2022 that remain valid may have subsequent applications reviewed under the prior Zoning Ordinance; and

WHEREAS, the subject property received development approvals under the prior Zoning Ordinance and Subdivision Regulations that remain valid as follows: Conceptual Site Plan CSP-18004, which remains valid until April 1, 2042 pursuant to Section 27-1704(a) of the Zoning Ordinance; and Preliminary Plan of Subdivision 4-19006, which remains valid until September 9, 2025, per Section 24-119(d) of the prior Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the prior Zoning Ordinance; and

WHEREAS, in consideration of evidence presented at a public hearing on January 9, 2025, regarding Detailed Site Plan DSP-23006 for Clinton Market Place North, the Planning Board finds:

1. **Request:** This detailed site plan (DSP) seeks to develop a mixed-use development, consisting of 191 one-family (townhouse) dwelling units and a food or beverage store of approximately 5,915 square feet, with a gas station.
2. **Development Data Summary:**

	EXISTING	EVALUATED
Zone (s)	RMF-48/MIO	M-X-T/M-I-O
Use(s)	Commercial	Commercial/Residential
Gross tract acreage	20.38*	20.38*
Net tract Area	20.38*	20.38*
Lots	1 (Lot 2)	134

	EXISTING	EVALUATED
Parcels	3 (Parcels 59, 85 and 226)	27**
Gross floor area (sq. ft.)	6,776 (Existing office building to be removed)	5,915 (Approved food or beverage store, with a gas station)
Dwelling Units	0	191*** (townhouse units)

Notes: *A condition is included herein requiring the applicant to correct the total acreage of the subject property in the DSP General Notes 2, 6, and 8.

**Conditions are included herein for correcting the total number of parcels in General Note 5, removing Parcel H from the Parcel Schedule on the coversheet, and revising the boundary of the property for the subject DSP throughout the submittal.

***Of which, 134 units are fee-simple townhouse units, and 57 units are condominium townhouse units. A condition is included herein requiring the applicant to add such information to the general notes.

Floor Area Ratio (FAR) in the M-X-T Zone

Base FAR Permitted	0.40
Total FAR Permitted*	1.40 FAR*
Total FAR Approved**	0.51

Notes: *Additional density is allowed, in accordance with Section 27-545(b)(4), Optional method of development, of the prior Zoning Ordinance, for providing 20 or more dwelling units within Conceptual Site Plan CSP-18004.

**Pursuant to Section 27-548(e) of the Zoning Ordinance, the floor area ratio (FAR) shall be applied to the entire property, as approved with CSP-18004. The total square footage of the entire project is 453,235, which includes 447,320 square feet of townhouse units and 5,915 square feet of the approved food or beverage store building. As a result, the FAR for the subject DSP is approximately 0.51.

Parking Spaces

In accordance with Section 27-574 of the prior Zoning Ordinance, the number of parking spaces required in the Mixed Use-Transportation Oriented (M-X-T) Zone is to be calculated by the applicant and submitted for the Planning Board's approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b) of the prior Zoning Ordinance.

A parking analysis, dated November 26, 2024, was submitted to determine the parking requirement for this development, resulting in a base parking requirement of 392 spaces for both residential and nonresidential uses within the subject DSP. Pursuant to Section 27-574 of the prior Zoning Ordinance, there is no maximum requirement for residential use. The applicant provides 827 spaces to meet the peak-hour demand of 390 parking spaces, determined by Section 27-568 of the prior Zoning Ordinance, of which 698 spaces are in the garages and driveways of the townhouse units and 129 spaces are on the street. In addition, Section 27-574(b)(3) specifically notes that, “[t]he maximum parking allowable for non-residential uses is 115% of the base requirement for M-X-T properties. Parking spaces within a parking structure shall not be counted in the calculation of the maximum number of parking spaces.” The parking base requirement for nonresidential use in the subject site is 43 parking spaces; 115 percent of the base requirement would bring the allowable amount of parking spaces to 49 spaces. The planned 50 parking spaces is one space more than the maximum allowance. Therefore, the reduction of one parking space is conditioned herein.

	Requirement	Provided
Residential Use		
Townhouse	390	698*
On-Street Parking Spaces	-	129**
Total for Residential Use	390	827
Nonparallel Standard spaces (9.5 feet x 19 feet)		747
Parallel Standard Spaces (8 feet x 22 feet)		80
Non-Residential Use		
Food and beverage store	35	-
Gas station (self-serve)	8	-
Total for Non-Residential Use	43	50***
Standard spaces (9.5 feet x 19 feet)	-	38
Handicap Accessible	-	2
Handicap Van-accessible	-	1
Electric Vehicle Charging Stations	-	9

Notes: *The subject DSP includes 158 units with a two-car garage and 33 units with a one-car garage. The driveway of the former can also provide two additional spaces while the driveway of the latter can only house one additional space. As a result, a total of 349 spaces are in the garages and a total of 349 spaces are located in the driveways. A condition is included herein requiring the applicant to revise the note in the residential parking schedule on the coversheet.

**Conditions are included herein to correct the parking schedule to reflect the total number of on-street parking spaces to 129 and the total number of parking spaces for the residential development to 827. In addition, on-street parking spaces comprise a mixture of parallel and nonparallel spaces, which are conditioned for correction, as well as requiring the applicant to label the dimensions of parking spaces on the plans.

***Of which at least two shall be handicap-accessible, in accordance with Section 27-566(b) of the prior Zoning Ordinance.

Loading Spaces

	Parking Rate per Section 27-582(a)	Requirement	Provided
Food and beverage store	1 space per 2,000 to 10,000 sq. ft. of GFA (Total: 5,915 sq. ft.)	1	1
	Total	1	1*

Note: The submitted plans show the size of this loading space is 80 feet by 14 feet, which meet the required size of 12 feet by 33 feet.

Bicycle Spaces

This DSP includes four locations of U-shaped bicycle racks. These locations are by the pocket park, the playground, the dog park, and an internal access to the food or beverage store. Each location has three bike racks for six bike parking spaces. A total of 24 bike parking spaces are included in this DSP.

3. **Location:** The subject site is in Planning Area 81A and Council District 9. Geographically, it is located in the southwest quadrant of the intersection of MD 223 (Piscataway Road) and Brandywine Road.
4. **Surrounding Uses:** The subject property is bounded to the north by MD 223 and properties beyond are primarily commercial and institutional uses in the Commercial General Office (CGO) Zone (previously zoned Commercial Shopping Center (C-S-C)). To the northeast of the property is a Residential, Multifamily-48 (RMF-48) zoned property (previously zoned M-X-T) improved with a gas station. The property is bounded to the east by Brandywine Road and, beyond, the Mary Surratt House Museum (Surratt House) historic site and other single-family houses in the Residential Single Family -95 (RSF-95) Zone (previously zoned One-Family Detached Residential (R-80)). To the south of the site are existing single-family detached homes and vacant properties in the RMF-48 Zone (previously zoned M-X-T). The American Legion Post building in the CGO Zone and the Surrattsville High School in the RSF-95 Zone (previously zoned C-S-C and R-80, respectively) are located to the west of the subject property.
5. **Previous Approvals:** The site has a previously approved Preliminary Plan of Subdivision (PPS) 4-78245, which was approved by the Prince George's County Planning Board on January 11, 1979, for one lot, fronting MD 223 and Brandywine Road. This PPS was superseded by PPS 4-19006, described further below.

Conceptual Site Plan CSP-18004 was approved by the Planning Board on May 16, 2019 (PGCPB No. 19-62(C)), for 100–200 single-family attached dwellings, 40–100 two-family attached dwellings, and 35,000–70,000 square feet of commercial retail for the subject site.

Preliminary Plan of Subdivision 4-19006 was approved by the Planning Board on September 6, 2021 (PGCPB Resolution No. 2021-102), for 136 lots and 48 parcels to support 136 single-family attached dwellings, 96 two-family attached (two-over-two) dwellings, and 19,178 square feet of commercial development. The total square footage of commercial development included a 3,178-square-foot bank, which has since been converted into an eating and drinking establishment via a separate application. This PPS included a variation from Sections 24-121(a)(3) and 24-128(b)(7).

6. **Design Features:** The site has two main vehicular access points. One is located on MD 223 and the other is located on Brandywine Road. Two access points are connected by Road A, a 60-foot-wide public right-of-way (ROW), which transverses the subject site as a bypass to avoid the intersection of MD 223 and Brandywine Road. Extending from Road A are other approved private roads and alleys to access the approved 191 townhouse units.

In addition to townhouse units, the subject DSP includes a food or beverage store with a gas station on Parcel V. This commercial development is oriented toward MD 223 and has one vehicular access point directly from MD 223 and two internal access points from Road A. The gas station is located in the front portion of Parcel V, along the MD 223 frontage, with the building housing the food and beverage store to the rear of the gas station. The one-story building is approximately 19 feet in height, or approximately 24 feet in height if measured to the top of an angled, cantilever roof canopy located in the front and back of the building, emphasizing the front and rear entrances separately. The building entrance is located on the north side of the building, facing the gas station.

Architecture

The subject DSP includes a mixture of 191 townhouse units and a food or beverage store with a gas station.

Single-Family Attached (Townhouse) Homes

The subject DSP application requests approval of two townhouse models, named Jenkins and Parker. Each model has multiple front elevation options, as noted in the table below.

Model Name	Rear-Loading Garage	Unit Width	Base Finished Area (sq. ft.)	Height	Variety in Front Elevation
Jenkins	Two cars	20 feet	1,943	36'-5 7/8"***	13*
Parker	One car	18 feet	1,796	33'-6 1/2"	3

Notes: *Of which, eight non-masonry elevations of the Jenkins model are to address the condition(s) related to the Surratt House. These elevations (AB, AC, AD, AE, AF, AG, AH, AJ) would only be used for the lots fronting on Brandywine Road and facing the Surratt House. A condition is included herein requiring the applicant to note the additional eight elevations to the model templates on Sheet 3.

****A condition is included herein requiring the applicant to clearly label building height throughout the architectural package as this information is missing in some front elevation options.**

Each model offers varied gable roof lines and a variety of architectural features and detailing options, such as front entries with canopies, dormers, balanced fenestration, enhanced window (with brick header, brick rowlock, precast headpiece or precast still), and band board. The Jenkins model offers a total of 13 options of front elevation design. Eight elevations are designed with no brick or limited brick with up to 4-foot-high watertables and will be used for those townhouse units fronting Brandywine Road, for compatibility with the Mary Surratt House across the street. The other five building elevations are designed to incorporate a mixture of brick and siding, which are arranged vertically or horizontally, to create a clean and contemporary design. A condition is included herein requiring the applicant to clearly label the siding materials on the architectural elevations. In addition, highly visible lots are indicated on the submitted plans and noted in the brick track chart. The submitted architectural package includes high visibility side elevations for the approved townhouse models, with additional windows or architectural features.

Food or Beverage Store with a Gas Station

The building footprint for the approved food or beverage store is in rectangular shape. The architectural design of the building follows the contemporary trend. The building roof is flat except for an angled, cantilevered roof located in the front and rear of the building that will project approximately 5 feet above the parapet, to create variations of the roofline and define the building entrances. The building is finished with a mix of materials, including brick, composite wood siding, stucco, and concrete panel. Reflecting the cantilever roof at the building entrances featured on the food and beverage store, the canopy that covers fuel islands is also designed to be angled, wing-shaped, approximately 25 feet in height. In accordance with the green building recommendations (pages 60, 105, and 129) of the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (Sector Plan), the approved project is encouraged to incorporate innovative green building practices and promote the use of alternative energy, where feasible.

Recreational Facilities

Recreational facilities for residential uses are provided on-site for active and passive activities to satisfy the mandatory parkland dedication requirement established under PPS 4-19006. These facilities include the following:

- a. A playground (Parcel M), which includes various playground amenities (i.e. a nucleus playground structure and a level and launch), two benches and one trash receptacle.
- b. A pocket Park (Parcel T), which includes four benches and one trash receptacle.
- c. A dog park (Parcel U) that includes five benches and one trash receptacle for dog owners, in addition to other equipment for dogs, such as a dog walk, a tunnel, and a water fountain. On November 19, 2024, the Prince George's County District Council adopted Council Resolution, CR-084-2024, to approve the *2024 Parks and Recreation Facilities Design Guidelines*, which takes effect immediately upon its adoption. This 2024 version

supersedes the 1983 version and recognizes dog parks as one of park recreational facilities. A condition is included herein requiring the applicant to provide additional dog waste stations along the internal sidewalks, and provide an exhibit to show their locations.

- d. Various sitting areas located throughout the site. A condition is included herein requiring the applicant to correct the permit timing for this facility on the coversheet and Sheet 8 of the landscape plans, since the number of townhouse units approved by this DSP is 191. The submitted plans show that no sitting areas are provided in the northeast quadrant of Road A. A condition is included herein requiring the applicant to provide at least two seating areas along Alley 13.

Signage

The subject DSP includes signs for residential and commercial uses, respectively. Two entrance signs are approved for residential use. One entrance sign, which is single-sided, is located by the access point on Brandywine Road (Parcel E). The other entrance sign, which is double-sided, is located internal to the subject site, near the approved pocket park (Parcel T). These entrance signs are primarily designed with red bricks and incorporate precast concrete caps and wood.

The approved food or beverage store, with a gas station, includes various signs. One freestanding sign sits along the MD 223 frontage, on the east side of the access point to the convenience store and gas station. The signage package, received on November 1, 2024, shows the freestanding sign is approximately 20 feet in height. However, there are discrepancies between the submitted site plans and the signage package regarding the location and height of this freestanding sign, which are conditioned herein for correction. Three logo signs are mounted respectively on the north, south, and east elevations of the approved food and beverage store building. The submitted signage package also includes three signs for the gas station canopy. Two directional signs, with logos, are located internally to the site along Road A, while one directional sign is located at the west side of the access point to the convenience store and gas station.

Section 27-613(f) notes that, “[i]n the Mixed Use Zones, the design standards for all signs attached to a building shall be determined by the Planning Board for each individual development at the time of Detailed Site Plan review...” The applicant included the approved sign standards on Sheet 12, showing no maximum requirements for the height of the building wall or roof signs from base to top are provided. However, another standard is provided stating the maximum height is the lowest point of the building’s roof. A condition is included herein requiring the applicant to remove the notation that no maximum requirements apply, thereby, retaining the height maximum to the lowest point of the building’s roof. In addition, Sheet 12 shows no requirements for freestanding signs, which is conditioned herein requiring the applicant to note on the plan that the requirements for freestanding signs are the maximum, as approved with this DSP.

Lighting

The subject DSP includes both residential and commercial uses. Lighting for residential use includes both pole-mounted light fixtures and bollard lights throughout the site, with details. The Planning Board finds that the submitted photometric plan shows adequate lighting for users on-site and is sufficient for illuminating drive aisles, building entryways, and walking paths. With

a similar manner, the photometric plan, submitted for the convenience store and gas station, shows the provision of both pole-mounted and building-mounted lighting throughout the site. The Planning Board finds that adequate lighting for users on-site is sufficient for illuminating drive aisles and building entryways.

Loading and Trashing Facilities

The subject DSP includes one loading space and one dumpster for the approved food or beverage store and gas station. One loading space is included in this DSP for the approved food or beverage store building and gas station. The loading space is located to the west of the convenience store. The loading space is also away from the on-site vehicular and pedestrian circulation. Accordingly, it is visually unobtrusive and has minimal conflicts with vehicles and pedestrians. In addition, the application is subject to the requirements of Section 4.4, Screening Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The submitted landscape plan shows conformance to this requirement. The submitted plans also show the location of the approved trash dumpster, with details of the dumpster enclosure. The dumpster is screened with a dumpster enclosure that is approximately 8 feet in height.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the M-X-T and Military Installation Overlay (M-I-O) Zones, and the site design guidelines of the prior Zoning Ordinance:
 - a. The subject application is in conformance with the requirements of Section 27-547 of the Zoning Ordinance, which governs uses in all mixed-use zones.
 - (1) The approved one-family attached residential, food or beverage store, and gas station uses are permitted in the M-X-T Zone and were shown on CSP-18004.
 - (2) Section 27-547(d) of the Zoning Ordinance provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:
 - (d) **At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**
 - (1) **Retail businesses;**

(2) Office, research, or industrial uses;

(3) Dwellings, hotel, or motel.

The applicable CSP-18004 approved two types of uses to satisfy this regulation. The subject development remains in conformance to the mixed-use requirement of Section 27-547(d), as this DSP includes two types of uses.

- b. The DSP is consistent with Section 27-548, Regulations, of the Zoning Ordinance. The following discussion is offered:

(a) Maximum floor area ratio (FAR):

**(1) Without the use of the optional method of development — 0.40 FAR;
and**

(2) With the use of the optional method of development — 8.00 FAR.

Section 27-545(b)(4) states that “additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.” The subject DSP application approves 191 residential units. Utilizing the residential optional method, the total FAR permitted is 1.40. This DSP approves approximately 0.51 FAR, which is in conformance with this requirement.

(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.

The DSP satisfies this requirement because it includes 191 townhouse units located on more than one lot, and one food or beverage store building, with a gas station, on one parcel.

(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.

The DSP shows the dimensions and height for the approved development, except the coverage. A condition is included herein for adding the lot coverage of the development to general notes on the coversheet.

(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes

of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.

The submitted landscape plans show that the landscaping, screening, and buffering between the approved uses within the subject property are adequate. Detailed discussion has been addressed in Finding 10 below, with a detailed discussion on the plan's conformance with the Landscape Manual.

- (e) **In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR for the approved development, 453,235 square feet on the 20.38-acre property, is approximately 0.51, which is under the permitted 1.4 FAR. Detailed discussion has been addressed in Finding 2 above.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

This is not applicable because the approved development does not have any private structures in the air space above, or in the ground below the surrounding public ROWs.

- (g) **Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

A variation from Section 24-128(b)(7)(A) was approved with PPS 4-19006 for 118 lots that have vehicular access from alleys but do not have frontage on a public street. The subject DSP approves 191 townhouse units, of which 134 units are on fee-simple townhouse lots, and 57 units are condominium townhouse units. Among the 134 fee-simple townhouse lots, 17 lots have frontage on a public street and 117 lots do not front a public street. All 191 units have access to a public street via a private road or an alley.

- (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 two hundred (1,200) 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 eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) 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 eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) 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 eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily

dwelling that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The subject property is not within one-half mile of a WMATA mass transit rail station or within a Mixed-Use Planned Community. Accordingly, this DSP is only required to conform to the generally applicable provisions of this regulation. The development standards for townhouse units are shown on the coversheet and Sheet 3 of the submittal, which include lot size, building lengths, and living area. These standards comply with this regulation. Sheet 12 of the submittal contains a brick track chart and confirms that at least 60 percent of the full front façades will be constructed of brick, stone, or stucco.

The subject DSP includes 30 townhouse sticks, for a total of 191 units. The applicant requests only one stick with greater than 8 units or 3.33 percent of the total sticks. This stick has nine units. Although this stick is located internally to the site, its location allows to form a mew, with two nearby sticks of townhouse units, with a central landscaping area and walkways on both sides to enhance connectivity and to be environmentally sensitive. The nine units within this stick will be 20 feet wide and are designed with the Jenkins model, making these units architecturally attractive. Therefore, the Planning Board recommends approval of this stick with more than eight units, in a way of creating a harmonious living environment.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

This is not applicable because this DSP does not include multifamily buildings.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after**

October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.

This regulation is not applicable to the subject property. Even though the site was rezoned to the M-X-T Zone through a sectional map amendment approved after October 1, 2006, there was no comprehensive land use planning study conducted by technical staff prior to initiation.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division;

The purposes of the M-X-T Zone are provided for in Section 27-542 of the Zoning Ordinance. The subject DSP is in conformance with the purposes and other provisions of the M-X-T Zone. For example, one purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections to enhance the economic status of Prince George's County. The approved development, consisting of residential and commercial uses, will provide increased economic activity proximate to the intersection of MD 223 and Brandywine Road. The mixture of residential and nonresidential uses in close proximity to each other can also allow for reduction of the number and distance of automobile trips. In addition, the approved attached dwellings and the commercial uses will allow more density on the site and provide an appropriate horizontal mix of land uses that blend together harmoniously.

(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;

The Sector Plan notes that the subject property is located within one of the focus areas (Clinton Commercial Core Area) and envision this area be "...transformed into a vibrant, mixed-use, transit-supported destination..., providing a range of housing types and new office developments" (page 95). The Sector Plan does not include specific design guidelines or standards for implementation of development projects in this focus area. Instead, the plan provides recommendations as guidance on best practices that should be considered during

the design of new projects to enhance function and visual quality. These recommendations are also to address design and appearance expectations for development (pages 113–119). These recommendations are broken down into five aspects, including Design for Safety, Site Design, Building Design, Connectivity and Circulation, and Open Space. The approved development aligns with these recommendations, as follows:

Regarding design for safety (pages 113–114), both townhomes and the convenience store, with a gas station, are designed with visible entrances, windows, and the site is incorporated with benches and outdoor activity areas to maximize visibility and enhance natural surveillance. Walkways/ sidewalks, lighting, signage, and fences are included with this DSP to guide people to and from the property entrances. In the residential area, the delineation of private spaces for townhomes and public spaces for sidewalks, open space, and recreation areas is clearly defined to foster a sense of ownership and territoriality.

Regarding site design (pages 114–115), all buildings in this DSP are oriented toward streets or open spaces. Sidewalks are integrated throughout the site and in front of the buildings for connectivity and, potentially, for street life. Placement of the buildings and landscape buffers not only creates a consistent streetscape within the subject property, but also ensures visual and functional compatibility to neighboring developments, buffers incompatible uses, and screens unsightly views, when necessary.

Regarding building design (pages 116–117), the buildings in this DSP are designed with a mixture of materials, architectural features/elements, and colors/textures, as discussed in Finding 6 above. Signs are appropriately incorporated into the associated buildings and to the overall site, as shown in the submitted signage package.

Regarding connectivity and circulation (page 118), the DSP includes new streets that are designed in a grid street pattern, except several dead-end alleys serving rear-loading garages of some townhouse units. Vehicular access points to the site are limited to two on MD 223 and one on Brandywine Road. One access on MD 223 is mainly for the convenience store and gas station on Parcel V. Within the subject site, pedestrian and vehicular circulations are separated and crosswalks are provided when both meet.

Regarding open space, this DSP provides various accessible and usable outdoor recreation areas, consisting of hardscape (i.e. pavements) and softscape (i.e. landscape elements) to serve as safe resting and gathering places. These areas are equipped with various facilities for passive and active activities, as discussed in Finding 6 above.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The townhouse units and the food or beverage store with a gas station, approved with this DSP, have an outward orientation by fronting roadways and open spaces and are intended to serve as a catalyst for adjacent community improvement.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The subject DSP includes a mixture of commercial and residential development that is compatible with existing and approved development in the vicinity. The approved food or beverage store building and gas station are located in the northern portion of the site, fronting MD 223, which is compatible with those commercial developments located across MD 223. The residential development, with this DSP, is located in the central and southern portions of the site, gradually transitioning to abutting properties that have been developed with single-family detached residential dwellings and a public school, known as Surrattsville High School. The applicant also provided eight additional options of front elevations of the Jenkins model with no or limited bricks, which are compatible to the Surrat House, for those townhouse units along Brandywine Road that face it.

- (5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

In approving CSP-18004, the Planning Board found the arrangement of buildings, and other improvements and amenities will relate to the surrounding development and produce a cohesive development, capable of sustaining an independent environment of continuing quality and stability. With the subject DSP, the applicant reduced the number of residential units, partially due to the removal of all two-family attached (two-over-two) units, and removed the initially planned multi-tenant commercial building. Through this DSP, the applicant will also partner with state and local government agencies to improve both MD 223 and Brandywine Road. As a result, the subject DSP will provide services to help sustain and improve the development in the surrounding area.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

Since the subject DSP includes both residential and commercial developments, it will be developed in phases. In addition to the roadway improvements, the

applicant intends to start with the commercial portion along MD 223 and gradually move to the residential portion. Each phase will be self-sufficient while allowing effective integration of subsequent phases.

- (7) **The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

The circulation exhibit, submitted with this DSP, shows that a convenient and comprehensively designed pedestrian system is provided throughout the site. Sidewalks are provided on both sides of all internal private roadways with crosswalks at all access driveways to the site. Additional sidewalks and crosswalks are provided to connect to all approved townhouse units and the food or beverage store building. An eight-foot-wide sidewalk is provided along the site's frontage of MD 223 and Brandywine, respectively.

- (8) **On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The DSP provides sidewalks throughout the site and several recreation areas as gathering places for future residents, as discussed in Finding 6 above. These areas are designed with hardscape (i.e. pavements) and softscape (i.e. landscape elements), lighting fixtures and street furniture, such as seating and trash receptacles. Therefore, the Planning Board finds that adequate attention has been paid to human scale, design, and amenities associated with pedestrian activities and gathering areas for people. A condition is included herein requiring the applicant to note on the plans the types and textures of pavements for the approved recreation areas.

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending its finding during its review of subdivision plats.**

The subject application is a DSP; therefore, this requirement does not apply. However, the Planning Board found conformance with this requirement at the time of approval of CSP-18004 (PGCPB Resolution No. 19-62(C)).

- (10) **On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

Adequacy findings associated with this DSP were made through the Planning Board's approval of PPS 4-19006 on September 9, 2021.

- (11) **On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The subject property is 20.38 acres and is not planned as a mixed-use planned community.

- d. Section 27-274(a) of the prior Zoning Ordinance provides site design guidelines for a DSP. The applicable design guidelines are described as the following:

(2) **Parking, loading, and circulation.**

- (A) **Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:**

- (i) **Parking lots should generally be provided to the rear or sides of structures;**
- (ii) **Parking spaces should be located as near as possible to the uses they serve;**

- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;**
- (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and**
- (v) Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.**

The subject DSP application includes two surface parking lots. One is located in Parcel V, in which the food or beverage store building and gas station are approved to be developed. All of the parking spaces are located behind the gas station and around the convenience store, except nine parking spaces along the MD 223 frontage, which are intended for electric vehicle (EV) charging stations. Locating these spaces along the right-of-way, rather than behind the building, advertises the availability of charging spaces to potential customers. When vehicular and pedestrian circulations overlap, crosswalks will be provided to ensure the safety of pedestrians. The parking lots conform to the landscape requirements, as discussed in Finding 10 below. Based on the foregoing, the approved surface parking is located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars.

Further, all parking within the development is located to provide convenient access to major destination points. As noted, parking for the gas station and food and beverage store is adjacent to the approved building. The other parking lot is located between the approved pocket park and the dog park, which primarily serve future residents. Other parking spaces are located on the streets, in the residential area, or in the driveways and garage of the approved townhouse units.

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:**
 - (i) Loading docks should be oriented toward service roads and away from major streets or public view; and**
 - (ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.**

One loading space is included in this DSP for the approved food or beverage store building and gas station, which has been discussed in Finding 6 above. The loading space is located to the west of the convenience store. The loading space is also away from the on-site vehicular and pedestrian circulation. Accordingly, it is visually unobtrusive and has minimal conflicts with vehicles and pedestrians.

- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:**
- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;**
 - (ii) Entrance drives should provide adequate space for queuing;**
 - (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;**
 - (iv) Parking areas should be designed to discourage their use as through-access drives;**
 - (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;**
 - (vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;**
 - (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;**
 - (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
 - (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**

- (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
- (xi) Barrier-free pathways to accommodate the handicapped should be provided.**

The circulation exhibit, submitted with this DSP, shows that the vehicular and pedestrian circulations within the site are planned and designed to be separated in order to achieve a safe, efficient, and convenient living environment for both pedestrians and drivers. Crosswalks are provided when both circulations intersect. Since the subject DSP includes both residential and commercial development, a relatively large size of a parking lot is included in the commercial development area. In addition to two internal vehicular entrances from Road A, there is only one direct vehicular entrance from MD 223, which provides a safe transition into the parking lot and minimizes conflict with off-site traffic. The design of this parking lot will discourage use as a through-access drive. The parking lot is designed to separate pedestrian and traffic circulations, except when both intersect, and is equipped with directional signs to support vehicular traffic flows freely within it. The parking lot includes a combination of sidewalks and striped crosswalks for people to safely access the convenience store. Three handicap-accessible parking spaces are located around the convenience store, with barrier-free pathways for easy access. A condition is included herein requiring the applicant to clearly label directional arrows, lane markings, and other roadway commands in the parking lot for the approved convenience store and gas station.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site design's character. To fulfill this goal, the following guidelines should be observed:**

- (i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;**
- (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;**

- (iii) The pattern of light pooling should be directed on-site;**
- (iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;**
- (v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and**
- (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.**

Lighting for this DSP has been discussed in Finding 6 above, demonstrating adequate illumination for users and for the site in the evening.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The subject DSP includes sufficient landscape buffers along MD 223 and Brandywine Road, to preserve, create, or emphasize scenic views from public areas. Special attention was given to the latter, which is designed as a historic road, as discussed in the Finding 10 below. The front elevations of the townhouse units, fronting Brandywine Road, will be designed to be compatible with the Surratt House, furthering the characteristics of this road.

(5) Green Area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:**
 - (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;**
 - (ii) Green area should link major site destinations such as buildings and parking areas;**
 - (iii) Green area should be well-defined and appropriately scaled to meet its intended use;**

- (iv) **Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;**
- (v) **Green area should be designed to define space, provide screening and privacy, and serve as a focal point;**
- (vi) **Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and**
- (vii) **Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.**

The submitted plan shows green areas provided throughout the site. These areas are spread relatively equally within the subject property to serve different clusters of townhomes. The boundary of these areas is well-defined and scaled to serve different needs. For example, the intent of the approved pocket park is for passive activities, such as resting and socializing. Its spatial appearance is more confined and is designed with seating. Conversely, the approved playground is intended for children to be active, while supporting parents to socialize among themselves. The area occupied by the playground will be large, compared to the pocket park. The playground is designed with playground facilities and other elements (e.g. fences and pavements) for safety reasons, to serve its intended purposes. The subject DSP also includes various sites of open space along the edge of the subject property or located along roadways and alleys and between sticks of townhomes. The size, shape, location, and design of green areas are appropriate to enhance landscape screening for privacy of the townhouse units, as well as to enhance streetscape visually and environmentally. The recreation areas and facilities are easily accessible to maximize their utility and to simplify their maintenance, while fostering a sense of community within the subject development.

- (B) The application 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 approved NRIs confirm there are no regulated environmental features located on-site or immediately adjacent to the site. Therefore, there are no impacts to regulated environmental features, as a result of this DSP application.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:**
- (i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;**
 - (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;**
 - (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;**
 - (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;**
 - (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;**
 - (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and**
 - (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.**

The submitted plans, including the landscape and lighting plans, demonstrate that the subject DSP is in conformance with this design guideline. Site and streetscape amenities are designed to contribute to an attractive, coordinated development, which enhances the use and enjoyment of the site. Such detailed discussion was addressed in Finding 6 above.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should**

minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:

- (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;**
- (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;**
- (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;**
- (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and**
- (v) Drainage devices should be located and designed so as to minimize the view from public areas.**

The subject property was rough graded after approval of CSP-18004. The submitted existing conditions sheet shows the site is relatively flat. This will minimize the need for grading and additional disruption to the existing topography. The submitted plans also show the location of retaining walls that are included to enhance stability.

(8) Service Areas.

- (A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:**
 - (i) Service areas should be located away from primary roads, when possible;**
 - (ii) Service areas should be located conveniently to all buildings served;**
 - (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and**
 - (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.**

The service areas will only be located in Parcel V, with commercial development. The submitted plans show that the location of the approved trash dumpster, which is screened with an enclosure, and one loading space are accessible, but unobtrusive. In addition, the application is subject to the requirements of Section 4.4 of the Landscape Manual. The submitted landscape plan shows conformance to this requirement.

(9) Public Spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:**
- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
 - (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**
 - (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;**
 - (iv) Public spaces should be readily accessible to potential users; and**
 - (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.**

The subject DSP provides multiple public spaces throughout the site, which was discussed in detail in Finding 6 above. These spaces are designed to be accessible to future residents and are equipped with facilities to support active and passive activities.

(10) Architecture.

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.**

- (B) **The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) **These guidelines may be modified in accordance with Section 27--277.**

A detailed discussion regarding architecture has been addressed in Finding 6 above.

(11) Townhouses and three-family dwellings.

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

The subject property was rough graded after approval of CSP-18004. All the townhouses in this DSP are designed with rear-loading garages and are served by alleys. When the rears of the townhomes face the roadway, plantings and landscaped areas are provided for screening.

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

Groups of townhouses in this DSP are designed at right angles to each other. As a result, several open spaces are created at the edges or corners of each group to serve as green areas or to be designed as gathering spaces with recreational facilities to support the intended uses.

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

The subject DSP includes several recreation areas, as discussed in Finding 6 above. These areas are located on specific parcels and are separated from townhouses by the designed landscaped areas.

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

The subject DSP includes the Jenkins (20 feet wide) and Parker (18 feet wide) models for the approved townhouses. Both models offer a variety of front elevations, which consist of a mixture of building materials and architectural features/elements, as discussed in Finding 6 above, to avoid architectural repetition.

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

Townhouse lots front on streets, except those with a variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations, approved under PPS 4-19006, which front on open space. Landscaping is provided for buffering when rear yards of dwelling units face a street.

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

The townhouse units, approved with this DSP, comply with this guideline. The submitted architectural elevations show that attention is given to the aesthetic appearance of the townhouses. Highly visible lots are also noted on the plans to ensure that side elevations facing a roadway are designed with various architectural features, so as not to be left as blank walls.

- e. This application is located within the M-I-O Zone for height: Conical Surface for the left runway of 20:1. The subject property is located approximately 15,160 feet from the runway. Therefore, structures up to 758 feet in height could be constructed at this location, without becoming an obstacle to air navigation. Among all residential and

commercial buildings approved with this DSP, townhouse units designed with the Jenkins model will be the highest, which is approximately 36.6 feet

8. **Conceptual Site Plan CSP-18004:** The Planning Board approved CSP-18004 on October 2, 2019 (PGCPB Resolution No. 19-62(C)), subject to three conditions. The conditions relevant to this DSP are listed below, in **bold** text. The Planning Board's analysis of the preliminary plan's conditions follows each one, in plain text:

3. **Prior to approval of a detailed site plan (DSP) for the project, the applicant shall:**

a. **Provide sidewalks on both sides of all internal roads where appropriate.**

The submitted site plans include sidewalks and marked crosswalks along internal streets.

b. **Provide bicycle parking at the commercial space. The number and location will be determined with the DSP.**

The subject DSP includes a total of 24 bicycle parking spaces, which are provided at the commercial and recreational spaces throughout the site.

c. **Demonstrate that the scale, mass, proportion, materials, and architecture for new construction appropriately relates to the character of the Mary Surratt House Museum Historic Site.**

The townhouse units along Brandywine Road, which face the Surratt House, will be designed with the Jenkins model. This model is 20 feet wide, with a rear loaded two-car garage, and is approximately 36.6 feet in height to the midpoint of a side gable roof. This model is offered with architectural variations including cross gable fronts, shed roof entrance covers, bay windows, and rear decks, and a variety of materials including fiberglass roof shingles, fiberglass doors, vinyl windows, horizontal and vertical siding. The applicant provided eight additional options of front elevations for these townhouse units, which eliminate stone veneer and restrict the use of brick to 4-foot-high watertables. The intent of these additional options is to be compatible with the Surratt House and maintain the character of the historical site.

9. **Preliminary Plan of Subdivision (PPS) 4-19006:** PPS 4-19006 was approved by the Planning Board on September 9, 2021 (PGCPB Resolution No. 2021-102), subject to 20 conditions. The conditions relevant to this DSP are listed below, in **bold** text. The Planning Board's analysis of the preliminary plan's conditions follows each one, in plain text:

2. **Total development within the subject property shall be limited to uses that would generate no more than 288 AM and 310 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall**

require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.

The submitted trip generation matrix demonstrates that the approved uses will not exceed the trip cap established by PPS 4-19006.

- 5. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to issuance of any permits.**

The subject DSP does not substantially affect Subtitle 24 adequacy findings, established with PPS 4-19006. A new PPS is not required at this time.

- 7. Development of the site shall be in conformance with Stormwater Management Concept Plan (38561-2018-00) and any subsequent revisions.**

The site has two approved Stormwater Management (SWM) Concept Plans 17615-2014-01 and 38561-2018-00 and associated letters, which are valid until December 9, 2026, and January 12, 2027, respectively. The subject DSP is in conformance with both SWM concept plans.

- 8. Prior to approval of a final plat:**

- a. The final plat shall grant 10-foot-wide public utility easements along both sides of public rights-of-way, and one side of private rights-of-way.**

The submitted plans for this DSP reflect the location of public utility easements along both sides of public rights-of-way and one side of private rights-of-way, taking into account the subdivision final plat requirements.

- 12. In accordance with Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant, and the applicant's heirs, successors, and/or assignees shall provide adequate on-site and off-site recreational facilities.**

The subject DSP includes multiple recreation areas, with facilities, to demonstrate conformance with this condition. Detailed discussion was addressed in Finding 6 above.

- 14. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Prince George's County Planning Department, Development Review Division for adequacy and proper siting, in accordance with the Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Appropriate triggers for construction shall be established with the DSP.**

The subject DSP includes various recreation areas to support passive and active activities, as discussed in Finding 6 above. The valuation of these facilities exceeds the formula for determining the value of recreation facilities to be provided. The Planning Board has

reviewed the timing for construction of the approved recreational areas, as shown on the plans, and found they are appropriate, except the timing for sitting areas, which is conditioned herein.

- 16. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association, land, as identified on the approved preliminary plan of subdivision and detailed site plan. 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 Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission.**
 - b. All waste matter of any kind shall be removed from the property, 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 or 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 the association shall be in accordance with an approved site plan and tree conservation plan. 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 the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.**
 - f. The Prince George's County Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.**

The approval of PPS 4-19006 included 9 parcels for two-family attached dwelling units, 136 lots for single-family attached (townhouse) development, 34 parcels for open space and private roads to be conveyed to a homeowners association (HOA), and 11 parcels for commercial development. The subject DSP includes 8 parcels for single-family attached condominium dwellings (reducing the previously anticipated use of these parcels with two-family attached dwelling units), 134 lots for single-family attached dwellings (fee simple), 18 parcels for open space and private roads to be conveyed to an HOA, 1 parcel

for commercial development, and 2 parcels (Parcels D and H) which have been identified as to be retained by the owner.

The total parcels shown in the DSP are within the maximum established by PPS 4-19006. The lotting pattern shown on the DSP is consistent with the PPS, except that lots and parcels have been reduced, adjusted, and/or consolidated in order to address historic compatibility, the increase of open space to meet current tree canopy coverage (TCC) requirements, and the final design for commercial development areas. The layout is consistent with PPS 4-19006 by organizing commercial development toward MD 223, with residential development to the south of the commercial area and along Brandywine Road.

However, approved Parcel D (indicated to be retained by owner) is an open space parcel which should be indicated to be conveyed to the HOA. Conveyance of the indicated parcels to the HOA will be required to be completed, prior to approval of building permits, in accordance with the above condition.

- 18. Prior to acceptance of a detailed site plan (DSP), in accordance with the 2009 *Countywide Master Plan of Transportation* and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following pedestrian and bicycle facilities and shall show the following facilities on the DSP:**

- a. Minimum 8-foot-wide sidewalk along the property frontage of MD 223, unless modified with written correspondence by the Maryland State Highway Administration.**

The submitted site plans show an 8-foot-wide sidewalk provided along the property frontage of MD 223.

- b. A minimum of two inverted U-style bicycle racks, or a style similar that allows two points of secure contact, at all proposed recreation and commercial areas.**

This subject DSP includes 12 inverted U-style bicycle racks for a total of 24 bicycle parking spaces in four locations.

- 19. Prior to the approval of any detailed site plan, the applicant, and the applicant's heirs, successors, and/or assignees shall:**

- a. Ensure that the scale, mass, proportion, materials, architecture, lighting, and landscaping of any new construction within the viewshed of the Mary Surratt House Museum Historic Site be reviewed for compatibility with this internationally significant property.**

The townhouse units along Brandywine Road, which face the Surratt House, will be designed with the Jenkins model. This model is 20 feet wide, with a rear loaded two-car garage, and is approximately 36.6 feet height to the midpoint of a side gable roof. This model is offered with architectural variations including cross gable fronts, shed roof entrance covers, bay windows, and rear decks, and a variety of materials including fiberglass roof shingles, fiberglass doors, vinyl windows, horizontal and vertical siding. The applicant provided eight additional options of front elevations for these townhouse units, which eliminate stone veneer and restrict the use of brick to 4-foot-high watertables. The intent of these additional options is to be compatible with the Surratt House and maintain the character of the historical site. The approved photometric plan shows that no lights will spill over to the historic site.

- b. Provide a plan for any interpretive signage to be erected as well as any public outreach measures to be taken. The location and wording of the signage and the public outreach measures shall be subject to approval by the Maryland-National Capital Park and Planning Commission Historic Preservation staff. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.**

The subject DSP application provides the location and wording of two interpretive signs, which have been approved by staff from the Historic Preservation Section. The two interpretive signs will be located in the approved pocket park (Parcel T), located west of Road A. These signs will be oriented toward the American Legion Post building, which was previously the Clinton Rosenwald School and was the site of an older Freedmen's Bureau School. One interpretive sign will focus on the Clinton Rosenwald School and the other will focus on the Freedmen's Bureau School. While not directly related to the history of Mary Surratt House, the signs create other points of interest related to the history of Clinton as encouraged by the Sector Plan. These signs will be conveyed to the homeowners association. Installation of the interpretive signage should occur at the time of construction of the pocket park, which is conditioned herein.

- 20. Prior to the approval of a detailed site plan, the applicant shall perform additional archeological investigations in the northern portion of Lot 2 and on Parcel 226, as specified in the Plan for Additional Archeological Investigations, dated August 27, 2021. Further, if it is determined, as outlined in the Plan, that potentially significant archeological resources exist in the areas specified in said Plan, the triggers and requirements provided for in the Plan regarding subsequent investigations or a mitigation plan to ensure that any artifacts are curated in a proper manner shall be followed.**

Staff from the Historic Preservation Section received the draft report for this archeological work on January 12, 2023. After reviewing it, staff from the Historic Preservation Section accepted the consultant's recommendations of no further work

necessary, on January 26, 2023. The final copy of the report was received on February 8, 2023. There were no artifacts to be curated. The Planning Board is in agreement with the Historic Preservation Section staff and concurs that this condition has been met.

10. **2010 Prince George's County Landscape Manual:** The application is subject to the requirements of Section 4.1, Residential Requirements; Section 4.2, Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; 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 submitted landscape plans show conformance to these requirements, except some schedules that require minor revisions. Regarding Schedule 4.1-2, a condition is included herein requiring the applicant to revise it, because the total number of townhouse units with this DSP is 191. Regarding Schedule 4.2-1 for Roads A and B, conditions are included herein requiring the applicant to label the linear feet of the Road B street frontage on the plan and remove the schedule for Road A. Regarding Schedule 4.6-2, for Buffer A, a condition is included herein to revise this schedule to reflect the correct property boundary. Regarding Schedule 4.7-1 for Bufferyard I, one condition is included herein requiring the applicant to correct the total number of required and provided plant units to be 113 and 140, respectively. In addition, the total number of shade trees in Schedule 4.9-1 is inconsistent with the total number of shade trees in the Tree Canopy Coverage Schedule. The schedules, which require revisions/corrections, may also slightly change the total number of shade, ornamental, and evergreen trees and shrubs provided with this DSP. Conditions are included herein requiring the applicant to revise Schedule 4.9-1 and to revise the plant schedule accordingly, for consistency.

In addition, Alternative Compliance AC-23005 has been filed with this DSP from the requirements of Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and, Section 4.10, Street Trees Along Private Streets, of the Landscape Manual. Specifically, the applicant seeks relief, as follows:

Section 4.6, Buffering Development from Streets

The applicant has requested alternative compliance from the requirements of Section 4.6 of the Landscape Manual, along it's Brandywine Road frontage, which is designated as a historic road. A historic site, Mary Surratt House, is located across Brandywine Road from the subject property. As the subject property is in the prior Developing Tier, this requires the applicant to provide a minimum of a 20-foot-wide buffer to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. The applicant seeks relief from these requirements, as follows:

REQUIRED: Section 4.6(c)(2)(A)(ii), Buffering Development from Streets, Buffer B, along Brandywine Road

Length of bufferyard	583 linear feet
Minimum landscape yard	20 feet
Plant units (80 per 100 linear feet)	467

PROVIDED: Section 4.6(c)(2)(A)(ii), Buffering Development from Streets, Buffer B, along Brandywine Road

Length of bufferyard	583 linear feet
Minimum landscape yard	20 feet
Plant units inside the bufferyard*	291
Plant units outside the bufferyard**	240

Notes: *The submitted landscape plans show 20 shade trees, 5 ornamental trees, and 66 shrubs located within the required 20-foot-wide bufferyard, for a total of 291 plant units.

**Eight shade trees and two ornamental trees will be planted behind the required bufferyard, and approximately 140 shrubs and numerous ornamental grasses will be planted within the ROW of Brandywine Road. These additional plantings result in a total of 240 plant units.

Justification of Recommendation

The applicant cited that they dedicated a portion of the property along the Brandywine Road frontage, for its expansion and improvements. This roadway dedication area encroaches approximately 22 feet at the northern end of the property to approximately 46 feet at the southern end of the property. As an alternative, the applicant provides nine shade trees and two ornamental trees behind the required 20-foot-wide bufferyard, and approximately 140 shrubs and numerous ornamental grasses within the ROW of Brandywine Road. These additional plantings, with the trees planted within the required bufferyard, will result in a total of 531 plant units, which exceeds the required 467 plant units. The submitted site plans show two sticks of townhouse units directly along Brandywine Road, facing the Mary Surratt House Historic Site. The applicant also redesigned the front elevation of the Jenkins house model to provide eight front elevation options that are compatible with the design and characteristics of the Mary Surratt House, as reviewed by the Historic Preservation Commission. In addition, the applicant plans to install a rail fence on the west side of Brandywine Road, to be consistent with the existing fences on the historic site. For these reasons, the Planning Director finds the applicant's proposal equally effective as normal compliance with Section 4.6, subject to one condition requiring the applicant to revise Schedule 4.6-2 with the correct schedule.

Section 4.7, Buffering Incompatible Uses

The applicant has requested alternative compliance from the requirements of Section 4.7 of the Landscape Manual, along the western property line, where the approved gas station borders as adjacent American Legion Post. This is referred to as Bufferyard H on the landscape plans. The adjacent American Legion Post is classified as Medium (M) impact and requires a Type B bufferyard, which consists of a 30-foot minimum building setback, a 20-foot minimum landscape yard, and 80 plant units per 100 linear feet of property line. The applicant seeks relief from these requirements, as follows:

REQUIRED: Section 4.7, Buffering Incompatible Uses, Buffer H, adjacent to a club/lodge use

Length of bufferyard	267 linear feet
Minimum building setback	30 feet
Minimum landscape yard	20 feet
Fence or wall	Yes, for 267 linear feet
Plant units (80 per 100 linear feet)*	107

Note: *The requirement is 40 plant units per 100 linear feet, for the length of bufferyard with the 6-foot-high opaque fence.

PROVIDED: Section 4.7, Buffering Incompatible Uses, Buffer H, adjacent to a club/lodge use

Length of bufferyard	267 linear feet
Minimum building setback	39 feet
Minimum landscape yard	7–31 feet
Fence or wall	Yes, for 267 linear feet
Plant units	197

Justification of Recommendation

The landscape plan does not provide the minimum 20-foot landscape yard width for the entire bufferyard length, but the applicant has provided 90 additional plant units. In addition, the applicant will install a 6-foot-tall screen fence along the entire bufferyard, for enhancement of the screening. The approved fence reduces the plant unit requirement by 50 percent, in accordance with Section 4.7(c)(4)(E) of the Landscape Manual, for the length it is provided. Therefore, the Planning Director finds the applicant’s proposal is equally effective as normal compliance with Section 4.7 of the Landscape Manual.

Section 4.10, Street Trees Along Private Streets

The applicant requests alternative compliance for Roads B, C, and E from Section 4.10(c) of the Landscape Manual, which requires one street tree per 35 linear feet of frontage. The applicant seeks relief from these requirements, as follows:

REQUIRED: Section 4.10(c)(2), Street Trees Along Private Streets (Road B)

Length of Street Frontage	624 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	18

PROVIDED: Section 4.10(c)(2), Street Trees Along Private Streets (Road B)

Length of Street Frontage	642 linear feet
Width of Landscape Strip	5 feet
Shade Trees	14
Shade Trees*	6
Ornamental Trees*	10

Note: *Additional shade and ornamental trees are planned to be planted in proximity to the Road B frontages.

REQUIRED: Section 4.10(c)(2), Street Trees Along Private Streets (Road C)

Length of Street Frontage	1,023 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	29

PROVIDED: Section 4.10(c)(2), Street Trees Along Private Streets (Road C)

Length of Street Frontage	1,023 linear feet
Width of Landscape Strip	5 feet
Shade Trees	19
Shade Trees*	8
Ornamental Trees*	6

Note: *Additional shade and ornamental trees are planned to be planted in proximity to the Road C frontages.

REQUIRED: Section 4.10(c)(2), Street Trees Along Private Streets (Road E)

Length of Street Frontage	478 linear feet
Width of Landscape Strip	5 feet
Shade Trees (1 per 35 linear feet)	14

PROVIDED: Section 4.10(c)(2), Street Trees Along Private Streets (Road E)

Length of Street Frontage	478 linear feet
Width of Landscape Strip	5 feet
Shade Trees	8

Justification of Recommendation

The submitted landscape plan does not provide the required amount of street trees within the private rights-of-way for Roads, B, C, and E. The applicant cited spatial limitations due to the

placement of necessary infrastructure, such as light poles, fire hydrants, sidewalks, on-street parking, and public utility easements.

As an alternative for Road B, the applicant indicates 10 ornamental trees and six shade trees are planned to be located on both sides of the entries to Road B from Road A and Alley 13, respectively. When adding these trees to the planned 14 street trees, the total number of trees will be 20 shade trees and 10 ornamental trees.

For Road C, the applicant indicates eight shade trees and six ornamental trees are planned to be located in proximity to the Road C frontage. When adding these additional trees to the planned 19 street trees, the total number of trees will be 27 shade trees and six ornamental trees.

For Road E, the applicant indicates both Alleys 5 and 7, which connect to Road E, are designed with street trees, which is atypical for alleys. This development is quite different in that many of the alleys include street trees and sidewalks, even though they are technically alleys. The private roads contain on-street parking, and therefore, fall short of meeting the street tree requirements within the ROWs, but the overall site development, when adding in the trees along the alleys, creates unified, pedestrian-friendly streetscapes.

Given the purposes and objectives of Section 4.10 of the Landscape Manual, and the additional trees provided in proximity to the frontages, the Planning Director finds the applicant's proposal is equally effective as normal compliance with Section 4.10(c) of the Landscape Manual for Roads B, C, and E, subject to two conditions to correct the title and information of Item 12 in Schedule 4.10-1, and labeling the linear feet of Road E.

11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the grandfathering provisions of the 2024 Woodland Conservation Ordinance because the property had a Tree Conservation Plan (TCP1-002-2019) associated with CSP-18004, that was accepted for review on March 4, 2019, which was before June 30, 2024, and shall conform to the environmental regulations of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO).

The woodland conservation threshold (WCT) for this 21.26-acre property, which includes the entire area associated with CSP-18004 and is larger than the area for the subject DSP, is 15 percent of the net tract area or 3.19 acres. The previous TCPs were approved by meeting the woodland conservation requirements with 11.69 acres of off-site woodland credits.

The 10.73-acre front portion of the property along MD 223 has been mass graded in accordance with TCP2-015-14-01, which showed the woodland requirements were met by purchasing 4.16 acres of afforestation credits at the Brown Preserve Woodland Conservation Bank TCP2-098-05. As part of the subject TCP2, the remaining woodland conservation requirement (7.53 acres) has been previously approved with PPS 4-19006 for off-site woodland credits.

12. **Prince George's County Tree Canopy Coverage Ordinance:** Prince George's County Council Bill CB-21-2024, for the Tree Canopy Coverage Ordinance, became effective July 1, 2024. Subsequently, Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum

percentage of the site to be covered by tree canopy for any development projects that construct more than 2,500 square feet of gross floor area, or disturbance, and requires a grading permit. The subject site is located within the RMF-48 Zone, which requires a minimum of 20 percent of the net tract area to be covered by tree canopy. The net tract area of the subject property is approximately 20.38 acres and the required TCC is approximately 4.08 acres or 177,551 square feet. The TCC schedule shows the subject DSP provides the TCC of approximately 174,265 square feet (approximately 19.63 percent), which is 3,286 square feet (approximately 0.37 percent) less than the requirement. Therefore, a waiver from the requirements has been requested in accordance with Section 25-130(a), which reads as follows:

- (1) Topography, site limitations, or other site conditions are such that the full compliance to the requirements are impossible or impractical to comply with the provision of tree canopy coverage on the site in accordance with this Division;**

The property has frontage on both Brandywine Road and MD 223. The applicant must dedicate land to widen both rights-of-way. In addition, the applicant must construct a public road that bypasses the intersection of Brandywine Road and MD 223 traversing the subject property. With respect to Brandywine Road, typically, property owners only dedicate land for half of an abutting right-of-way measured from its centerline. However, because the property confronts the historic Surratts House across Brandywine Road, the applicant is dedicating the remaining right-of-way required for the full width of Brandywine Road. The total right-of-way dedication for Brandywine Road is 22,170 square feet. In total for all three roads, the applicant will dedicate 94,003 square feet of right-of-way. The Planning Board further notes that nearly all development sites must dedicate right-of-way and may even need to dedicate substantial right-of-way to develop. However, this site differs from the typical case in that the applicant must dedicate additional right-of-way due to the presence of the Surratts House across Brandywine Road.

The Sector Plan recommends that the property be developed with a mixed-use residential project. In accordance with the Sector Plan recommendation, the District Council rezoned the subject property to the M-X-T Zone. The 94,003 square feet of right-of-way dedication required constrains the area in which the applicant can develop the recommended mixed-use residential project. Accordingly, the applicant is providing a compact form of development that, nonetheless, is in line with the Sector Plan recommendations and delivers adequate supporting infrastructure, circulation, parking, and recreational amenities. The applicant is also maximizing TCC within this limited area. However, providing the additional 3,286 square feet of tree canopy required would entail removing dwelling units and/or parking and circulation infrastructure that is necessary to support the approved development. Specifically, planting additional trees would entail the removal of on-street parking spaces and/or the redesign of on-site vehicular and pedestrian circulation. The removal of such infrastructure would result in insufficient circulation patterns and/or inadequate parking. Thus, the Planning Board finds that the right-of-way dedications required for this site are a site condition that renders full compliance with the TCC requirements impractical.

- (2) Provision of the full extent of the tree canopy coverage requirement cannot reasonably be expected because of a lack of rooting space and or soil volume to accommodate healthy tree growth.**

As noted, the subject property is an infill site that requires 94,003 square feet of right-of-way dedication to develop, which limits the area for the development, supporting infrastructure, and trees. The applicant has provided 19.63 percent of TCC. However, any more trees cannot be reasonably expected, as it would compromise the rooting space and the survivability of the planted trees. Any trees added would either be too close to currently planned trees and/or the development and its supporting infrastructure to survive.

- (3) The planting of additional trees will result in the need to remove existing pavement being used to meet other County Code requirements;**

The subject property has no existing pavement, which is being utilized to meet County Code requirements. Accordingly, this finding is inapplicable.

- (4) Existing or proposed parking and loading spaces are not in excess of the minimum necessary according to Subtitle 27, Part 11, Parking and Loading Standards; and**

As discussed in Finding 2 above, the parking and loading spaces approved with this DSP are not in excess of the minimum necessary, in accordance with Section 27-574 of the prior Zoning Ordinance.

The Planning Board also notes that, for the approved townhomes, in addition to parking in the garages and driveways of the approved units, the applicant provides approximately 129 on-street parking spaces to meet the parking demand. The subject property is not near rapid mass transit systems that would allow most residents and visitors to arrive in a car-free manner. Thus, the removal of additional on-street parking spaces to provide additional tree canopy would result in inadequate parking.

- (5) The waiver is the minimum necessary based on the criteria above.**

The applicant has demonstrated that planting to fully meet the TCC requirements on-site is impractical and that the requested partial waiver is the minimum necessary, based on the criteria above. The applicant has maximized the tree canopy on-site, but cannot provide the additional 3,286 square feet of tree canopy required without removing infrastructure necessary to serve the approved development. In particular, to meet the updated 20 percent TCC requirement, compared to the anticipated development under CSP-18004 and PPS 4-19006, the applicant has significantly reduced the scope of the development with this DSP, by reducing approximately 37 residential units and removing one initially planned multi-tenant commercial of approximately 10,000 square feet. In this manner, the applicant has maximized TCC to the maximum extent practicable. Accordingly, the partial waiver is the minimum necessary.

13. **Referral comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and incorporated herein by reference:
- a. **Historic Preservation and Archeological Review**—The Historic Preservation Commission (HPC) reviewed the subject application at its December 17, 2024 meeting. The HPC voted 7:0 to recommend that the Planning Board approve the subject application, with one condition, which is included in the Recommendation section of this report. HPC provided findings and conclusions in a memorandum, dated December 18, 2024, which are incorporated herein for reference and review by the Planning Board.
 - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated November 12, 2024 (Arsenault to Huang). The Community Planning Division provided an evaluation of the subject development, which is incorporated in the report.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated December 6, 2024 (Daniels to Huang). The Transportation Planning Section offered the following comments:

Master Plan Right of Way

The property has frontage on Brandywine Road (C-513), a master-planned collector with an 80-foot ultimate ROW and Piscataway Road (A-54) an arterial road with a 210-foot ultimate ROW, in accordance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The ROW along both frontages were reviewed at the time of PPS, and no additional dedication is required with this application.

Master Plan Pedestrian and Bicycle Facilities

The MPOT and Sector Plan recommend the following facilities:

Planned Side Path: Brandywine Road and Piscataway Road

Planned Bicycle Lane: Brandywine Road

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

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

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

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

The site plan includes an 8-foot-wide sidewalk along the property's frontage of MD 223, in addition to an 8-foot-wide side path along the property's frontage of Brandywine Road, as well as curb ramps and crosswalks at vehicular access points. The master plan facilities connect to an internal system of 5-foot-wide sidewalks that provide connection to the retail and residential portions of the site. The planned facilities allow pedestrians to circulate the site's amenities while limiting the interaction between motorists and pedestrians. Staff from the Transportation Section find that the approved facilities meet the intent of the master plan.

The site plan also includes dedicated space for bicycle parking to accommodate 24 short-term spaces on-site. Staff from the Transportation Section find that the approved facilities and amenities meet the intent of the policies and goals of the MPOT and Sector Plan and are consistent with prior approvals.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated December 23, 2024 (Bartlett to Huang). The Subdivision Section provided a review of the subject DSP for conformance with the conditions attached to the approval of PPS 4-19006. The relevant comments have been included in the above findings of this report. Subdivision staff also offered the following comments:
- (1) A final plat application will be required following approval of the DSP, before any permits may be approved.
 - (2) Bearings and distances shown on the DSP must conform to the final record plat, or permits may be placed on hold.
 - (3) Approved Parcel H shown on the DSP is an open space parcel attributable to the commercial parcel/development shown on PPS 4-19006 as Parcel O (indicated on the DSP as Parcels A and B, not included in the DSP). Parcels N and O, as shown on PPS 4-19006, were for commercial development along MD 223; however, these have not been included in the DSP, as the applicant intends to proceed with their development under the current Zoning Ordinance, in accordance with Section 27-1704(f), which does not require DSP approval. These parcels, however, will still need to be platted, in accordance with the PPS, in order to maintain the PPS and ADQ validity.

PPS 4-19006 did not include commercial open space parcels, or outlot, or outparcels coincidental to the commercial areas. Instead, these areas should be incorporated into and located on the commercial parcels. Therefore, Parcel H

should be removed and the area incorporated into Parcel B (Parcel O as shown on PPS 4-19006), and not within the DSP area. It is noted that grading of the commercial area not included in this DSP will be necessary, in order to grade for the public roadway to be built through the development and abutting these parcels. While Parcels A and B are not included in this DSP, they were included in the CSP and PPS for the overall site and, when developed pursuant to the current Zoning Ordinance, do not require DSP approval. Therefore, they may proceed to permit approval.

- (4) Due to the reorganization and/or reduction of lots and parcels shown on the DSP, and recommendations as discussed above, the parcel and lot designations will need to be reorganized to maintain consecutive numbering/lettering.

- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated December 2, 2024 (Schneider to Huang). The Environmental Planning Section offered the following:

Natural Resources Inventory

There have been several natural resources inventory plans approved for this location. First, there was NRI-087-07, which was for the majority of the site, except the parcel owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), and then an NRI revision (NRI-087-07-01) approved on February 5, 2015.

Later, NRI-115-2018 was approved on November 9, 2018, and referenced solely the M-NCPPC-owned property and the adjacent, existing office building. NRI-087-07-02 was approved on May 10, 2023, for the entire application area, and this plan was provided with the subject DSP application. The TCP2 and the DSP show all the required information correctly in conformance with the NRI. No revisions are required for conformance to the NRI.

Specimen Trees

A variance to remove one on-site specimen tree was approved with CSP-18004. No additional specimen trees are requested for removal with this DSP application.

Stormwater Management

The site has two approved SWM Concept Plans 17615-2014-01 and 38561-2018-00 and associated letters, which are in conformance with the current code and are valid until December 9, 2026, and January 12, 2027, respectively. The SWM concept plans show the use of environmental site design elements such as micro-bioretenention and submerged gravel wetlands to address water quality requirements. No SWM fee for on-site attenuation or quality control measures is required. The approved concept plan is consistent with the detailed site plan.

- f. **Permit Review Section**—The Planning Board has reviewed and adopts the memorandum dated November 12, 2024 (Jacobs to Huang). The Permit Section offered several comments on this DSP application, which have been addressed by the applicant.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated December 9, 2024 (Thompson to Huang). DPR provided comments on this application, which were addressed by the applicant on the submitted plans. In addition, DPR noted that the approved passive and active recreation areas, as on-site recreation amenities, satisfy the requirements for the approved development, as discussed in Finding 6 above.
 - h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated October 24, 2024 (de Guzman to Huang). DPIE noted that the subject DSP is consistent with the approved SWM Concept Plans, 38561-2018-0 and 17615-2014-01, and provided comments pertaining to the approval of SWM.
 - i. **Price George's County Police Department**—The Police Department did not offer comments on this application.
 - j. **Prince George's County Fire/EMS Department**—The Planning Board has reviewed and adopts the memorandum dated October 2, 2024 (Reilly to Huang). The Fire/EMS Department offered fire-related comments, which will be addressed, at the time of permit.
 - k. **Prince George's County Health Department**—The Planning Board has reviewed and adopts the memorandum dated October 11, 2024 (Adepoju to Huang). The Health Department offered comments addressing construction activity impacts (noise and dust) extending onto adjacent properties during construction and indicated that the applicant is required to register all sources of air pollution with the Maryland Department of the Environment, Air and Radiation Management Administration. Such sources include gasoline underground storage tanks, degreasing tanks, and paint spraying operations.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on this application.
 - m. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject application.
 - n. **Public Utilities**—The subject DSP application was referred to Verizon, Comcast, AT&T, the Potomac Electric Power Company (PEPCO), and Washington Gas for review and comments on November 1, 2024. No correspondence has been received from these public utility companies, except AT&T. In a memorandum dated November 20, 2024 (Sutton to Grigsby), AT&T indicated that AT&T Core/AT&T Legacy/AT&T Long Distance does not have facilities in the area of the approved development.
14. **Community feedback:** Two public inquiries were received prior to the Planning Board hearing. On August 14, 2024, Mr. Steve Gershman contacted the Planning Board and expressed his concerns of overdevelopment and no additional infrastructure, police, fire, emergency medical technicians (EMT), and 911 operators to support the subject DSP, as well as the community.

These concerns were addressed under PPS-19006, which was approved by the Planning Board on September 9, 2021. Adequacy of public facilities was addressed at that time, under the Subdivision Regulations effective prior to April 1, 2022. Based on this approval and under current Subdivision Regulations, this PPS has an automatic certificate of adequacy, effective April 1, 2022, that is valid for 12 years, until April 1, 2034. On October 10, 2024, Ms. Nickmime Dambreville contacted the Planning Board and asked how to become a party of record and how to provide comments on this subject DSP to the Planning Board. On the same date, the Planning Board provided the requested information to her in an email (Huang to Dambreville).

15. **Planning Board**—The Planning Board held a public hearing on this application on January 9, 2025. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board's procedures. Prior to the hearing, the Planning Board received an email from Ms. Debra S. Alexander who expressed opposition to the proposed development and indicated that the development should reduce the number of townhomes and remove the convenience store. At the hearing, staff noted that the proposed townhouse and convenience store uses and the proposed density of development are permitted in the M-X-T zone.

The Board also received one exhibit from the applicant, containing the applicant's proposed revisions to the technical staff report, which has been incorporated into this resolution, excepting the applicant's proposed revisions to Finding 2. At the hearing, staff explained that the applicant's revisions to Finding 2 advance an incorrect interpretation of the maximum parking requirement in the M-X-T Zone. In particular, the purpose of the M-X-T Zone is to promote transit and walkability. As such, in the M-X-T Zone, the maximum parking for nonresidential uses is 115 percent of the base parking requirement. The base requirement is calculated based on the greatest number of spaces occupied in an hour of the day for the uses proposed. The applicant posits that the nonresidential parking maximum is calculated on the entire base parking requirement that includes residential uses (Applicant's Exhibit 1 states that the calculation in Finding 2 is an alternative method for calculating the maximum where parking is not truly shared.). For this project, when calculated with the residential uses included, the base requirement is 392 spaces; therefore, the maximum parking for the proposed gas station and convenience store would be 450 spaces. This is an unreasonably high number and is inconsistent with the County Council's intent in enacting a maximum parking provision, which was to limit surface parking areas within the M-X-T Zone. Accordingly, staff have determined that the maximum parking for nonresidential uses should be calculated based on the nonresidential uses alone. In this case, the base requirement for nonresidential uses is 43 parking spaces; therefore, the maximum nonresidential parking would be 49 spaces for the nonresidential use.

The applicant's attorney made a presentation at the hearing, which included the project's history and the transportation improvements associated with the project. He also noted that the project is in line with the Sector Plan's vision for a vibrant mixed-use town center that includes the subject property. He then highlighted the design and recreational amenities proposed, as well as the project's compliance with applicable regulations. With respect to the maximum parking calculation, the applicant's attorney submitted an analysis contained in Applicant's Exhibit 1.

16. Based on the foregoing analysis, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with the approved conditions below, represents a most reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable costs and without detracting substantially from the utility of the approved development for its intended use.
17. As required by Section 27-285(b)(2) of the prior Zoning Ordinance, the subject DSP application is in conformance with the approved CSP-18004.
18. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.
19. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, the Planning Board may approve a DSP if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5). According to information available on PGAtlas and the approved NRIs, there are no REF located on-site or immediately adjacent to the site. Therefore, no impacts are anticipated with this DSP application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-015-14-02, and APPROVED Alternative Compliance AC-23005, and APPROVED a waiver from Section 25-128(b), regarding tree canopy coverage requirements, and further APPROVED Detailed Site Plan DSP-23006 for the above-described land, subject to the following conditions:

1. Prior to certification, the applicant and the applicant's heirs, successors, and/or assignees shall revise the detailed site plan (DSP), as follows, or provide the specific documentation:
 - a. Regarding the general notes on the coversheet:
 - (1) Note in the general notes that, among 191 residential units, 134 units are fee-simple townhouse units, and 57 units are condominium townhouse units.
 - (2) Add the lot coverage of the subject development to general notes.
 - (3) Correct the total acreage of the subject property in General Notes 2, 6, and 8 to remove the land area of Parcel H.
 - (4) Correct the total number of parcels in the General Note 5 to account for the removal of Parcel H.
 - (5) Indicate on the coversheet lot and parcel table that Parcel D is open space to be conveyed to the homeowners association.

b. Regarding the parking schedule:

- (1) Revise the parking note for townhouse units to indicate that a total of 349 spaces are in the garages and a total of 349 spaces are located in the driveways.
- (2) Correct the total number of on-street parking spaces to 129.
- (3) Correct the total number of parking spaces for the residential development to 827 in the parking schedule.
- (4) Note that among the 827 parking spaces for the residential development, 747 spaces are nonparallel standard size (9.5 feet by 19 feet), and 80 spaces are parallel standard size (8 feet by 22 feet).
- (5) Label the dimensions of parking spaces on the plans.
- (6) Remove one parking space from the approved food or beverage store building and gas station.

c. Regarding architecture:

- (1) Add the eight additional elevations (AB, AC, AD, AE, AF, AG, AH, AJ) for the Jenkins model to the model templates on Sheet 3, which will only be used for the lots fronting on Brandywine Road and facing the Surratt House.
- (2) Clearly label the building height on the architectural elevations.
- (3) Clearly label the siding materials on the architectural elevations.

d. Regarding recreational facilities:

- (1) Provide additional dog waste stations along the internal sidewalks and indicate their locations on the plans.
- (2) Correct the permit timing for sitting areas on the coversheet and on Sheet 8 of the landscape plan set since the number of townhouse units, approved by this DSP, is 191.

e. Regarding signage:

- (1) Correct the height of the approved freestanding sign for the food or beverage store building and gas station to be 20 feet high.
- (2) Correct the location of the approved freestanding sign for the food or beverage store building and gas station shown on the plans and in the signage package for consistency.

- (3) Remove “(3) Height (maximum) of Sign (from base to top) – No requirement” in the Standards for Specific Sign Types in the Sign Standards.
 - (4) Note on the plan that freestanding signs approved with this DSP shall be the maximum.
 - f. Remove Parcel H from the Parcel Schedule on the coversheet, to reflect its area as part of Parcel B and not included in this detailed site plan (DSP), and revise the boundary of the property for the subject DSP throughout the submittal.
 - g. Clearly label directional arrows, lane markings, and other roadway commands in the parking lot for the approved convenience store and gas station.
 - h. Renumber and re-letter the lots and parcels to maintain consecutive numbering and lettering.
2. Prior to certification, the applicant shall revise the landscape plans, as follows:
- a. Revise Schedule 4.1-2, because the total number of townhouse units, with this detailed site plan, is 191.
 - b. Clearly label the linear feet of the Road B street frontages on the plans to be consistent with the information in Schedule 4.2-1 for Road B.
 - c. Remove Schedule 4.2-1 for Road A from the landscape plans.
 - d. Revise Schedule 4.6-2, for Buffer A, to reflect the correct property boundary.
 - e. Revise Schedule 4.6-2, for Buffer B, with the correct schedule for buffering development from special roadways.
 - f. Correct the total number of the required and provided plant units in Schedule 4.7-1, for Bufferyard I, to be 113 and 140, respectively.
 - g. Revise Schedule 4.9-1, Sustainable Landscaping Requirements, to ensure that the number of shade, ornamental and evergreen trees, and shrubs is consistent across the landscape package.
 - h. Note “Alternative Compliance (AC) approved” in all landscape schedules associated with alternative compliance requests.
 - i. Correct the title and information of Item 12 in Schedules 4.10-1, for Roads B, C, and E.
 - j. Correct the labeling of the linear feet of Road E.

- k. Update the number and types of plans in the plant schedule with the removal of Parcel H.
 - l. Revise the information in the tree canopy coverage schedule with the removal of Parcel H.
 - m. Note on the plans the types and textures of the pavements for the approved recreation areas.
3. The required interpretive signage shall be installed at the time the pocket park on Parcel "T" is constructed.


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 Doerner, with Commissioners Washington, Doerner, Bailey, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, January 9, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of January 2025.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:TH:tr


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

1/13/25