

RESOLUTION

WHEREAS, First Baptist Church of Glenarden, Inc. is the owner of a 159.61-acre parcel of land known as Parcel 1, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Residential Estate (RE); and

WHEREAS, on February 15, 2022, Community Housing Initiative Inc. filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-20183 for Grove at Glenarden Senior Living was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 12, 2022; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1703(a) of the Subdivision Regulations, subdivision applications submitted and accepted as complete before April 1, 2022, but still pending final action as of that date, must be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of the submission and acceptance of the application; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, on May 12, 2022, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-006-02, and further APPROVED Preliminary Plan of Subdivision 4-20183 for 1 parcel with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised, as follows:
 - a. Include 200-foot map references 201SE12, 202SE11, and 202SE12 in General Note 3.
 - b. Depict the 65 dBA Ldn mitigated and unmitigated noise contours.

- c. Depict a side path along the property's frontage of Oak Grove Road.
 - d. Update gross floor area totals in General Note 20 to equal 612,890 square feet of total gross floor area for institutional uses.
2. Development of the site shall be in conformance with the pending Stormwater Management Concept Plan, 44801-2013-03, and any subsequent revisions.
3. Prior to approval, the final plat shall include dedication of a 10-foot-wide public utility easement along the public rights-of-way, as delineated on the approved preliminary plan of subdivision.
4. Total development within the subject property shall be limited to uses which generate no more than 184 AM peak hour trips and 221 PM peak hour 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.
5. Prior to signature approval of the Type 1 tree conservation plan, the natural resources inventory shall be revised to show the correct amount of existing woodland net tract in the Site Statistic Table.
6. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised to correctly show the amount of existing woodland net tract in the Site Statistic Table.
7. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-2002-02). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-006-02-02) or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”
8. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

9. At time of final plat, the existing conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

10. Prior to the issuance of permits for this subdivision, recorded woodland conservation easement documents for both the on-site and off-site woodland conservation requirements shall be included in the permits.
11. Prior to signature approval of the preliminary plan of subdivision, the applicant shall provide staff with a plan depicting pedestrian paths connecting the proposed residential development with other on-campus facilities.
12. The site shall be served by an interconnected network of pedestrian and bicycle facilities that connect the various land uses and buildings on-site. The applicant, and the applicant’s heirs, successors, and/or assignees shall provide a design, prior to approval of building permits.
13. Prior to the approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- a. Construct the side path along the subject site’s entire frontage of Oak Grove Road, unless modified by the Prince George’s County Department of Permitting, Inspections and Enforcement. This path shall be constructed concurrently with the frontage improvements.
 - b. Provide a bicycle rack(s) accommodating a minimum of 20 bicycles at a location convenient to the family life center.
 - c. The applicant shall construct a standard sidewalk along MD 193 (Watkins Park Drive) paralleling the subject site per the Goal and Policies 2 and 4 on pages 7 and 8 of the 2009 *Approved Countywide Master Plan of Transportation*. Should the permitting agency waive, modify, or not insist on this condition, written documentation will be required.

- d. The applicant shall provide bicycle lanes along MD 193 (Watkins Park Drive) and Oak Grove Road with separation from motor vehicle traffic, pursuant to Policy 4.4 of the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*. Should the permitting agency waive, modify, or not insist on this condition, written documentation will be required.
14. In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant, and the applicant's heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.
15. The applicant, and applicant's heirs, successors, and/or assignees shall construct on-site recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines* and the recreational facilities agreement, prior to issuance of any use and occupancy permit for residential development.
16. The applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval prior to a submission of a final record plat. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat.
17. The applicant, and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities, prior to issuance of building permits.
18. Prior to signature approval of the preliminary plan of subdivision, the applicant, and the applicant's heirs, successors, and/or assignees, shall provide a Declaration of Covenants recorded among the Prince George's County Land Records, which establishes that the premises will be solely occupied by elderly families for a fixed term of not less than 20 years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the northside of Oak Grove Road, at its intersection with MD 193 (Watkins Park Drive). The property consists of 159.61 acres and is currently comprised of one parcel, known as Parcel 1, recorded in the Prince George's County Land Records in Plat Book ME 253, page 38. The property is within the Residential Estate Zone under both the current Prince George's County Zoning Ordinance (in which it is known as the RE Zone) and the prior Zoning Ordinance (in which it is known as the R-E Zone). This PPS was

reviewed in accordance with the prior Zoning Ordinance and Prince George’s County Subdivision Regulations, as required by Section 24-1703(a) of the Subdivision Regulations. The site is also subject to the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan), Subtitles 24 and 27 of the Prince George’s County Code, and other applicable plans, as outlined herein.

This preliminary plan of subdivision (PPS) includes one parcel for development of 164 multifamily dwelling units for the elderly and 612,890 square feet of institutional uses (a portion of which has been previously constructed). Subtitle 27 allows the proposed use of multifamily development for elderly or handicap families as a special exception; however, the applicant proposed the use for elderly residents only. As such, the analysis herein is based on exclusively elderly use. The site is currently occupied by the First Baptist Church of Glenarden, including a Family Life Center, which are the subject of previous PPS approvals.

3. **Setting**—The property is located on Tax Map 76 in Grids A1, B1, C1, B2, C2 and is within Planning Area 74A. The abutting properties to the north consist of single-family detached dwellings located in the Residential, Single-Family-95 Zone (formerly the One-Family Detached Residential (R-80) Zone). The abutting properties to the east are located in the RE Zone under the current and prior zoning, as well as the Legacy Comprehensive Design (LCD) Zone (formerly the Residential Low Development Zone). The properties to the south, beyond Oak Grove Road, consist of single-family detached dwellings and are located in the LCD Zone (formerly the Residential Suburban Development Zone) and the Rural Residential Zone under the current and prior zoning. The properties to the west, beyond MD 193, consist of Watkins Regional Park and an elementary school/community center located within the Reserved Open Space Zone under the current and prior zoning.
4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	RE	RE
Use(s)	Institutional	Institutional and Residential
Acreage	159.61	159.61
Lots	0	0
Parcels	1	1
Dwelling Units	N/A	164
Gross Floor Area	268,687	612,890

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on March 4, 2022.

5. **Previous Approvals**—Special Exception SE-3412 was approved by the Prince George’s County Zoning Hearing Examiner on June 8, 1983, for a nursery and garden center use to be located on what was then Parcel 4.

PPS 4-02047 was approved by the Prince George's County Planning Board on July 25, 2002 (PGCPB Resolution No. 02-182), for one parcel for the development of 314,125 square feet of institutional use, on what was then Parcel A, recorded in the Prince George's County Land Records in Plat Book REP 196, page 54.

Departure from Sign Design Standards DSDS-657 was approved by the Prince George's County District Council on September 21, 2009, for two 14-square-foot free standing signs.

PPS 4-13010 was approved by the Planning Board on September 14, 2017 (PGCPB Resolution No. 17-126). This PPS was approved for the consolidation of what was once two parcels, known as Parcel A and Parcel 4, into the one parcel that exists today (Parcel 1, recorded in Plat Book ME 253, page 38), and a total of 612,890 square feet of institutional use. This PPS is superseded by PPS 4-20183. None of the conditions associated with this previously approved PPS affect PPS 4-20183.

SE-4838 was approved by the Zoning Hearing Examiner on October 28, 2021, for multifamily use for elderly or physically handicapped families. Conditions associated with this approval are discussed in this resolution.

In accordance with these previous approvals, the total area of institutional uses allowed on the subject property is 612,890 square feet. This PPS includes the addition of 164 multifamily dwelling units for the elderly. The applicant's submitted PPS shows the total institutional development as 622,352 square feet. This will need to be revised prior to signature approval of the PPS.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the master plan are evaluated, as follows:

Plan 2035

This site is located within the Established Communities growth policy area. Plan 2035 describes Established Communities as areas appropriate for context-sensitive infill and low- to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met (page 20).

Master Plan Conformance

The master plan recommends institutional uses on the subject property. Multifamily dwellings for the elderly are permitted by special exception, in accordance with Section 27-441(b)(7) of the Zoning Ordinance. The applicant has an approved special exception, as discussed in the Previous Approvals finding of this resolution.

Subject Sectional Map Amendment/Zoning

The 2006 *Approved Sectional Map Amendment for Bowie and Vicinity* retained the subject property in the R-E Zone. On November 29, 2021, the District Council approved Prince George's

County Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the R-E Zone to RE Zone, effective April 1, 2022.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the PPS conforms to the master plan's recommended land use, as evaluated in this finding.

7. **Stormwater Management**—An approved stormwater management (SWM) concept letter and plan (44801-2013-03) were submitted with this PPS. The overall site has provided SWM facilities as development has proceeded. Specifically for the new multifamily building proposed with this PPS, the applicant is proposing to add 12 micro-bioretenment facilities and a SWM pond.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the approved SWM concept plan and any subsequent revisions, to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—This PPS was reviewed for conformance with the requirements and recommendations of Plan 2035, the master plan, the *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* (Formula 2040), the prior Subdivision Regulations, and prior approvals as they pertain to public parks and recreation and facilities.

Watkins Regional Park is located just west of the site beyond MD 193. However, the main vehicular entrance to the park is approximately one mile north. The park contains numerous activities and amenities, including a network of paved trails with direct access from a side path that extends along the western side of MD 193.

Mandatory dedication of parkland is required, pursuant to Section 24-134(a) of the Subdivision Regulations. Based on the density proposed with this PPS, 1.4 acres of dedicated parkland would be required. Pursuant to Section 24-135 of the Subdivision Regulations, the Planning Board may approve a fee-in lieu of parkland dedication or on-site recreational facilities as an alternative to the dedication of land. In addition, as per Section 24-135(b) of the Subdivision Regulations, recreational facilities may be approved, provided the following are met:

1. **Such facilities will be superior, or equivalent, to those that would have been provided under the provisions of mandatory dedication.**
2. **The facilities will be properly developed and maintained to the benefit of future residents.**

Condition 3b of SE-4838 applies to this PPS, and is as follows:

3. **At the time of preliminary plan of subdivision (PPS):**
 - b. **The Applicant shall provide a proposal for mandatory dedication of parkland (dedication of land, fee-in-lieu, private recreational facilities, or a combination thereof). The PPS shall determine if the Special Exception needs to be revised, in order to accurately reflect the proposal.**

The applicant proposed on-site recreational facilities to meet the mandatory dedication requirements. On a conceptual basis, their proposal for interior amenities indicates the provision of a community room, library, dining room, gathering room/lounge, dog wash station, movie room, covered porches, exam room, salon, and fitness center. Outdoor amenities include walking trails with seating areas, dog park, gardening station, two large patios with fireplaces, grills, and seating areas with pergola shade covers. A detailed description, as well as drawings of such facilities, were provided in the applicant's statement of justification with this PPS.

Some of the proposed interior facilities should not be counted towards the recreational facilities, such as the exam room. The applicant submitted a list of the proposed cost of these facilities; however, the cost analysis should be further refined to remove costs associated with the multifamily building construction and to specify the interior amenity costs in its place (such as cost of the proposed gym equipment to be provided in the fitness center). It is anticipated that the collective recreational amenities, once refined, will satisfy the provision of on-site recreational facilities, and will be further evaluated at the time of review of the recreational facilities agreement (RFA). The RFA for the on-site recreational facilities will be required prior to approval of a final plat. The SE-4838 site plan must include the siting of and details for all exterior recreational facilities to be provided. For interior recreational facilities, a floor plan showing the location of the interior recreational areas and details of the recreational equipment shall be provided as part of the RFA, if not otherwise approved as part of SE-4838.

The goals, as recommended by Formula 2040, are as follows:

1. **Connect Prince George's County residents to quality parks, trails, recreation facilities and programs, and schools. Connect patrons of DPR (socially and physically) to their neighborhoods and communities.**
2. **Contribute to the Prince George's County economy and the financial sustainability of the community.**
3. **Improve health (physical, mental, environmental, and cultural) of Prince George's County residents and promote a wellness ethic for the community as a whole by integrating fitness and wellness into facilities, programs, and events.**

The site has frontage along Oak Grove Road, which contains a master-planned trail that will be constructed by the applicant, as discussed in the Transportation finding of this resolution. The applicant also proposed to provide indoor and outdoor recreational facilities for both passive and active recreation. The proposed facilities, will satisfy the above goals of providing connection to local parks, enhancing public infrastructure in the County, and improving the health of residents by ensuring the availability of recreational facilities.

The applicant's proposal to provide on-site recreational facilities meets the requirements of Section 24-135(b).

9. **Bicycle and Pedestrian**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the master plan to provide the appropriate pedestrian and bicycle transportation facilities.

Existing Conditions, Sidewalks and Bike Infrastructure

The site has frontage along Oak Grove Road and MD 193, which have no existing pedestrian infrastructure. However, the site does contain an internal driveway accessing Oak Grove Road, which is flanked by a sidewalk.

Review of Master Plan Compliance

The MPOT provides policy guidance regarding multimodal transportation, and the complete streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling:

Goal: Provide a continuous network of sidewalks, bikeways and trails that provide opportunities for residents to make some trips by walking or bicycling, particularly to mass transit, schools, employment centers, and other activity centers.

Policy 2: Provide adequate pedestrian and bicycle linkages to schools, parks, recreation areas and employment centers.

Policy 3: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 4: Identify sidewalk retrofit opportunities for small area plans within the Developed and Developing Tiers in order to provide safe routes to school, pedestrian access to mass transit and more walkable communities.

Policy 5: Plan new development to help achieve the goals of this master plan.

This development is also subject to the master plan, which includes the following recommendations for pedestrian and bicyclist facilities:

Policy Transportation and Mobility (TM) 4

All streets within a half-mile of each school should incorporate active transportation and pedestrian/bicycle safety features.

TM 4.4 Provide in-road bicycle facilities with separation from motor vehicle traffic on all roads within one-half mile of a school to facilitate bicycle commuting.

In light of the policies above, coupled with the possibility that a resident of this development could potentially be employed at the adjacent Perrywood Elementary School, these policies are relevant for this development and the applicant shall provide bicycle facilities along the site's roadway frontages.

The applicant shall provide a standard five-foot-wide sidewalk along the property's frontage with MD 193, in accordance with Goal and Policies 2 and 4 of the MPOT.

Condition 3e of SE-4838 applies to pedestrian and bicycle facilities, as follows:

- 3. At the time of preliminary plan of subdivision (PPS):**
 - e. The Applicant shall provide a side path along the frontage of Oak Grove Road.**

The applicant shall depict a side path along the frontage of Oak Grove Road prior to certification of the PPS.

The applicant shall provide bicycle racks accommodating a minimum of 20 bicycles at a location convenient to the Family Life Center. Information on pedestrian access is lacking. Within the larger church/campus complex are the church itself as well as other facilities that the future residents of the housing apartments are likely to utilize. Pedestrian connectivity is particularly important, not just as a master plan requirement, but given the senior population that are the likely residents of the proposed facility. A plan that shows a network of pedestrian paths that link the proposed housing complex with other on-campus facilities was requested. As of the Planning Board hearing, no such layout has been provided. The applicant shall provide an interconnected network of pedestrian and bicycle facilities that connect the various land uses and buildings on-site. An exhibit shall be provided prior to approval of building permits.

Based on the preceding findings, the pedestrian and bicycle transportation facilities will serve the subdivision, meet the findings required by Subtitle 24 of the County Code, and conform to the master plan and the MPOT.

10. **Transportation**—Transportation findings related to adequacy were made with this PPS, along with any determinations regarding dedication, access, and general subdivision layout. The proposed development is projected to generate fewer than 50 new peak-hour trips. Therefore, a traffic impact study was not required. However, the applicant opted to provide a traffic impact

study. The findings outlined below are based upon a review of the materials and analyses conducted, consistent with the “Transportation Review Guidelines, Part 1” (Guidelines).

Analysis of Traffic Impacts

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level-of-service D, with signalized intersections operating at a critical lane volume of 1,450 or less. Per Section 24-124(a)(6) of the Subdivision Regulations, mitigation is permitted at signalized intersections within any transportation service area subject to meeting the geographical criteria in the Guidelines.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections:

For two-way, stop-controlled intersections, a three-part process is employed:
(a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume is computed.

For all-way stop-controlled intersections a two-part process is employed:
(a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the critical lane volume is computed.

The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM	PM
	(Level of Service/Critical Lane Volume)	(Level of Service/Critical Lane Volume)
MD 193 and Site Entrance (Gate 3) *	18.7 seconds	21.1 seconds
MD 193 and Oak Grove Road (Roundabout)	0.48 v/c ratio**	0.60 v/c ratio
Oak Grove Road and Site Access-Manor House Drive *	20.9 seconds	14.5 seconds
<p>*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the critical lane volume is computed. If the critical lane volume falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.</p> <p>** A volume-to-capacity (v/c) ratio of 0.85 or less is considered to be acceptable.</p>		

The traffic study identified the unbuilt portion of the Church Campus as a background development. In addition, a growth of 1.5 percent over three years was also applied to the traffic volumes along MD 193. A growth of one percent was applied to the traffic on Oak Grove Road also over a three-year period.

Using the trip rates from the Guidelines, the study has indicated that the subject PPS represents the following trip generation:

Proposed uses	AM Peak			PM Peak		
	In	Out	Total	In	Out	Total
164 Age-restrictive dwellings - pending	8	13	21	16	10	26
Future church expansion – Previously approved, but unbuilt. 344,203 gross floor area	75	46	121	46	75	121
Total Trips	83	59	142	62	85	147
Previous Trip Cap: PPS 4-13010 PGCPB No. 17-126 Condition 16	108	76	184	103	118	221

The table above indicates that the development will be adding 21 AM, and 26 PM peak trips. However, with the inclusion of the approved but unbuilt future addition to the church, the total future trip generation will be 142 AM and 147 PM peak trips. The original trip cap of 184 AM and 221 PM peak trips, which includes an overall development of 612,890 square feet of institutional uses, will not be exceeded. A second analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(Level of Service / Critical Lane Volume)	(Level of Service / Critical Lane Volume)
MD 193 and Site Entrance (Gate 3) *	35.4 seconds	42.0 seconds
MD 193 and Oak Grove Road (Roundabout)	0.54 v/c ratio **	0.65 v/c ratio
Oak Grove Road and Site Access-Manor House Drive *	23.7 seconds	16.9 seconds
<p>*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the critical lane volume is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the critical lane volume is computed. If the critical lane volume falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.</p> <p>** A volume-to-capacity (v/c) ratio of 0.85 or less is considered to be acceptable.</p>		

The results under total traffic conditions show that the intersections will all operate adequately. The traffic study was referred out to the Maryland State Highway Administration (SHA), as well as the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). As of the Planning Board hearing, SHA had not provided comment. A memorandum dated March 29, 2022 (Giles to Heath), from DPIE, indicates their concurrence with the traffic study and its conclusions.

MPOT, Master Plan, and Site Access

The overall parcel has five points of access. One from Oak Grove Road, and four from MD 193. Section 24-121(a)(3) of the Subdivision Regulations provides limitations for access to arterial roadways. The applicant will need to request a variation to this provision, in order to maintain the existing direct access points to MD 193, along with the final plat of subdivision for this PPS. The proposed residential development will front on an existing four-lane internal driveway that creates a four-legged intersection with Oak Grove Road and Manor House Drive, south of the subject property. A proposed driveway from the multifamily building will connect to the existing four-lane internal driveway to create an intersection in the form of a roundabout. This proposed driveway will provide two vehicular access points into the area proposed for residential development. Given the relatively modest vehicular trip generation expected from this development, two points of access from the internal driveway is acceptable.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision, as required, in accordance with Section 24-124 of the Subdivision Regulations.

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations, and Council Resolutions CR-23-2001 and CR-38-2002, *Amended Adequate Public Facilities Regulations for Schools*. Per Section 24-122.02(b)(2) of the Subdivision Regulations, non-residential development and elderly housing operated in accordance with State and Federal Fair Housing law are exempt from the adequacy of school facilities test.

12. **Public Facilities**—In accordance with Section 24-122.01(c) of the Subdivision Regulations, police, water and sewerage, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated March 21, 2022 (Thompson to Heath), incorporated by reference herein.

This PPS was reviewed for conformance to the master plan in accordance with Section 24-121(a)(5). The master plan provides goals and policies related to public facilities (pages 165–177). The proposed development aligns with the master plan goal to provide modern educational facilities, public facilities to catalyze economic growth and fire and emergency medical services in established response times. There are no police, fire and emergency medical service facilities, schools, parks, or libraries proposed on the subject property. The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities.

13. **Public Utility Easement**—Section 24-122(a) of the Subdivision Regulations requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

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

The standard requirement for public utility easements (PUEs) is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on the public rights-of-way of MD 193 and Oak Grove Road. The required PUEs along both rights-of-way are delineated on the PPS.

14. **Historic**—A Phase I archeology survey was conducted on the subject property, in 2007. Site 18PR865, a late archaic prehistoric lithic scatter, was identified on the 6.64-acre parcel. Due to extensive disturbance of the site by previous farming activities, no further archeological investigations are required. No additional archeological investigations were necessary on Site 18PR865, as no intact soil deposits or features were identified in the Phase I survey. The master plan includes goals and policies related to historic preservation (pages 146–155). However, these are not specific to the subject site or applicable to the proposed development. The subject property is close to but not adjacent to Chelsea (PG:73-018), a Prince George’s County historic site. Historic Preservation Section staff determined that the proposed building would not have significant visual impact on the Chelsea Historic Site.

15. **Environmental**—The following applications and associated plans have been reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan or Natural Resources Inventory Number	Authority	Status	Action Date	Resolution Number
4-06080	TCPI-045-06	Planning Board	Approved	2/1/2007	07-34
4-02047	TCPI-006-02	Planning Board	Approved	7/25/2002	02-182
4-13010	TCPI-006-02-01	Planning Board	Approved	9/14/2017	17-126
DSP-07027	TCP2-085-07	Planning Board	Approved	1/31/2008	08-21
NA	TCP2-085-07-01	Staff	Approved	4/3/2017	NA
NA	NRI-074-06-05 (EL)	Staff	Approved	12/29/2020	NA
NA	TCP2-094-02	Staff	Approved	9/11/2002	NA
NA	TCP2-094-02-01	Staff	Approved	4/28/2003	NA
NA	TCP2-094-02-02	Staff	Approved	9/8/2003	NA
NA	TCP2-094-02-03	Staff	Approved	9/18/2014	NA
NA	TCP2-094-02-04	Staff	Approved	6/4/2022	NA
SE-4838	TCP2-094-02-05	Zoning Hearing Examiner	Approved	10/28/2021	NA
NA	NRI-074-06-06	Staff	Approved	11/10/2021	NA
4-20183	TCP1-006-02-02	Planning Board	Approved	05/12/2022	2022-56

Grandfathering

This project is not grandfathered, with respect to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010, because this is a new PPS.

Site Description

A review of available information, and as shown on the approved natural resources inventory (NRI) indicates that 100-year floodplain, wetlands, and streams are found to occur on the property. According to the 2017 *Green Infrastructure Plan*, of the *Approved Prince George’s County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the site contains both regulated and evaluation areas.

Plan 2035

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

Conformance with Applicable Plans

Master Plan

This master plan includes environmentally related policies and their respective strategies in the Natural Environment Section (Section IX, Policies and Strategies). The following policies are applicable to the current project regarding natural resources preservation, protection, and

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

Green Infrastructure

Policy NE 1: Ensure that areas of connectivity and ecological functions are maintained, restored, or established during development or redevelopment.

Strategies:

NE 1.1 Use the green infrastructure network as a guide to decision-making, and as an amenity in the site design and development review processes.

NE 1.2 Continue to complete Prince George’s County DoE’s Programmatic Practices, which includes stormwater-specific programs, tree planting, and landscape revitalization programs, public education programs, and mass transit and alternative transportation programs.

The site contains regulated and evaluation areas in the Green Infrastructure Plan that are comprised of streams, wetland, floodplains, and their associated buffers. The PPS is in conformance with the Green Infrastructure Plan. The applicant proposed to enhance several of the regulated areas through afforestation. Protection of green infrastructure elements and regulated environmental features of the site will be further evaluated with future development applications.

Policy NE 2: Preserve, in perpetuity, Nontidal Wetlands of Special State Concern (NTWSSC) within Bowie-Mitchellville and Vicinity (see Map 41. Nontidal Wetlands of Special State Concern (NTWSSC)—2017).

Strategies:

NE 2.1 Continue to protect the NTWSSC and associated hydraulic drainage area located within the following areas:

- **The Belt Woods Special Conservation Area.**
- **Near the Huntington Crest subdivision south of MD 197, within the Horsepen Branch Watershed.**
- **In the northern portion of Bowie-Mitchellville and Vicinity adjacent to the Patuxent Research Refuge and along the Patuxent River north of Lemon Bridge Road.**

The subject site is not in the vicinity of the Nontidal Wetlands of Special State Concern areas.

Stormwater Management

Policy NE 3: Proactively address stormwater management in areas where current facilities are inadequate.

This project is subject to stormwater review and approval by DPIE. A SWM concept letter and plan (44801-2013-03) has been approved for this project. A final stormwater design plan in conformance with County and State laws will be required prior to issuance of any grading permits for this site.

Forest Cover/Tree Canopy Coverage

Policy NE 4: Support street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians.

Strategies:

NE 4.1 Use funding from the Prince George's County Woodland Conservation Fund to reverse the decrease in tree canopy coverage in Folly Branch, Horsepen Branch, and Upper Patuxent River watersheds through reforestation programs.

NE 4.2 Plant street trees to the maximum extent permitted along all roads and trail rights-of-way (see Transportation and Mobility).

NE 4.3 Increase City of Bowie's funding for the Emerald Ash Borer Abatement Program.

Development of this site will be subject to the current requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), including the tree canopy coverage (TCC) requirements. Additional information regarding woodland preservation, reforestation, and TCC will be evaluated with future development applications; however, the Type 1 tree conservation plan (TCP1) submitted with the PPS shows 30.27 acres of woodland preservation on-site, with an additional 10.65 acres in afforestation/reforestation, and 5.81 acres of natural regeneration occurring on-site. Street tree planting requirements will be reviewed by the Prince George's County Department of Public Works and Transportation (DPW&T).

Impervious Surfaces

Policy 5: Reduce urban heat island effect, thermal heat impacts on receiving streams, and reduce stormwater runoff by increasing the percentage shade and tree canopy over impervious surfaces.

Strategies:

NE 5.1 Retrofit all surface parking lots using ESD and best stormwater management practices when redevelopment occurs. Plant trees wherever possible to increase tree canopy coverage to shade impervious surfaces, to reduce urban heat island effect, limit thermal heat impacts on receiving streams, and slow stormwater runoff.

NE 5.2 Retrofit streets pursuant to the 2017 DPW&T Urban Streets Design Standards as recommended in the Transportation and Mobility Element, which include increased tree canopy cover for active transportation comfort and modern stormwater management practices.

Development of the site will be subject to the current SWM regulations, which require that environmental site design be implemented to the maximum extent practicable. Development of this site will be subject to the current WCO requirements, including the TCC requirement. Street tree planting requirements will be reviewed by DPW&T.

Climate Change

Policy 6: Support local actions that mitigate the impact of climate change.

Strategies:

NE 6.1 Support implementation of the City of Bowie Climate Action Plan 2020-2025 and the Metropolitan Washington 2030 Climate and Energy Action Plan.

NE 6.2 Continue to support and promote the Prince George's Climate Action Commission as per Council Resolution CR-7-2020 to develop a Climate Action Plan for Prince George's County to prepare for and build resilience to regional climate change impacts, and to set and achieve climate stabilization goals.

Development of this site is subject to the current WCO and TCC requirements. The presence of woodland and tree canopy, particularly over asphalt and other developed surfaces, are proven elements to lessen climate impacts of development and the associated heat island effect, which are known contributors to climate change. Providing buffers along the streams, the preservation of wetlands, and stormwater management best

management practices will all contribute to building resilience to flooding and to retaining the overall health of the stream system.

Conformance with Green Infrastructure Plan

The Green Infrastructure Plan was approved with the adoption of Council Resolution CR-11-2017 on March 7, 2017. According to the approved Green Infrastructure Plan, the site contains Regulated and Evaluation Areas within the designated network of the plan.

The following policies and strategies in bold are applicable to the subject site. The text in **bold** is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1 **Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:**
 - a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. **Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.**
 - e. **Coordinating implementation between County agencies, with adjoining jurisdictions and municipalities, and other regional green infrastructure efforts.**
 - f. **Targeting land acquisition and ecological restoration activities within state-designated priority waterways such as stronghold watersheds and Tier II waters.**

1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.

- a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**
- b. Prioritize use of public funds to preserve, enhance, connect, restore, and protect critical ecological systems.**

The site contains Regulated and Evaluation Areas following the streams that drain northeast and southeast. The northern portion of the site is within the Northeast Branch drainage area and the southern portion of the site is within the Collington Branch drainage area; both are within the Western Branch watershed of the Patuxent River basin.

Impacts to the primary management area (PMA) on the TCP1 associated with the existing entrance along Oak Grove Road and stormwater devices that flank either side of Oak Grove Road shown on the submitted TCP1 were previously approved and implemented under Type 2 Tree Conservation Plans TCP2-094-02-03 and TCP2-085-07.

The only other impact shown on the TCP1 is for a small portion of the Regulated Area that is shown as impacted for road grading and improvements along a portion of an existing private access road, located centrally on the site that was previously evaluated and approved as a PMA impact by the Planning Board, with the approval of PPS 4-13010 and TCP1-006-02-01, and was implemented under TCP2-094-02-03 and TCP2-085-07. No additional impacts were proposed with this PPS.

A letter dated September 8, 2021, from the Maryland Department of Natural Resources, regarding the evaluation of rare, threatened, and endangered species, was received with NRI-074-06-06. The letter for Parcel 1 states that no official State or Federal records for listed plant or animal species are located on this site.

Policy 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping, and/or street trees.**
- 2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**

- 2.6 Strategically locate off-site mitigation to restore, enhance, and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

No network gaps have been identified on the subject site, and no mitigation for impacts to regulated environmental features have been identified.

Policy 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**
- a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**
 - b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No new impacts to the PMA were proposed with this PPS. No road crossings or trails are proposed within the stream valley.

Policy 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

The PMA was placed into a conservation easement on the plat, and a separate woodland conservation easement has been recorded for the protection of on-site woodland conservation.

Policy 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.

All new proposed SWM structures shown on the PPS have been designed to avoid impacts to regulated environmental features.

Preservation of woodland within the PMA and reforestation/regeneration adjacent to it has been shown on the TCP1.

Policy 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Ninety-three (93) percent of the woodland conservation requirement is proposed to be met on-site, with a combination of preservation, reforestation, and regeneration.

- 7.12 Discourage the creation of new forest edges by requiring edge treatments, such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**
- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions, such as reducing urban temperatures, providing open space, and stormwater management.**

While clearing was approved on previous tree conservation plans for the site, no clearing of woodland is proposed with the subject PPS. Green space within the interior of the proposed developed is encouraged.

Policy 12: Provide adequate protection and screening from noise and vibration.

12.2 Ensure new development is designed so that dwellings or other places where people sleep are located outside designated noise corridors. Alternatively, mitigation in the form of earthen berms, plant materials, fencing, or building construction methods and materials may be used.

In accordance with Section 24-121(a)(4) of the Subdivision Regulations, lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of 150 feet, and adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or establishment of a building restriction line when appropriate. The proposed parcel, which abuts arterial road MD 193, has a depth that exceeds 150 feet. The applicant provided a noise study which recorded decibel levels at four nighttime locations and four daytime locations in the area of the proposed residential development, as measured from MD 193. Daytime noise levels do not exceed 65 decibels (dBA) and nighttime noise levels do not exceed 55 dBA. Based on the study provided, the existing noise generated by MD 193 does not exceed levels that would negatively impact the residential development.

Environmental Review

Natural Resources Inventory Plan/Existing Features

NRI-074-06-06 was approved on November 10, 2021, and was provided with this PPS. The site contains 100-year floodplain, wetlands, streams, and their associated buffers which comprise the PMA. There are 28 specimen trees on the property. One tree, ST-15, was removed under previously approved TCP11-94-02-03. The TCP1 and NRI are showing different amounts of existing woodland net tract in the Site Statistic Table. Prior to signature approval of the TCP1, the Site Statistic Table on the NRI and TCP1 shall be corrected.

Woodland Conservation

This property is subject to the provisions of the WCO because it has previously approved TCP1s and TCP2s associated with it. TCP1-045-06 and TCP2-085-07 were previously approved for Parcel 4 only. TCP1-006-02 and TCP2-094-02 were previously approved for Parcel A only. Subsequently, TCP1-006-02-01 was submitted with PPS 4-13010, combining Parcel A and Parcel 4.

A stand-alone Type 2 tree conservation plan (TCP2-094-02-04) was approved for a Children's Center on-site, which similarly consolidates the previous TCP2s into one TCP2 for Parcel 4 (TCP2-085-07-01) and Parcel A (TCP2-094-02).

Also, TCP2-094-02-05 was submitted for review and approval with SE-4838 for this same project, which is pending signature approval. According to the worksheet shown on the TCP1 as submitted, the site is 160.06 acres in the R-E Zone, with 3.84 acres in County regulated floodplain, for a net tract area of 156.22 acres. A total of 50.49 acres of existing woodlands are on the net tract, while 3.72 acres of woodland are within the floodplain. The site has a woodland conservation threshold of 39.06 acres, or 25 percent of the net tract, as tabulated. Although no new woodland clearing was proposed with this PPS, the Woodland Conservation Worksheet accounts for the previous removal of 18.98 acres in the net tract area, and 0.63 acres of woodland off-site for a woodland conservation requirement of 50.09 acres. The TCP1 shows this requirement will be met by providing 30.2 acres of woodland preservation on-site, 10.65 acres of on-site afforestation/reforestation, 5.81 acres of natural regeneration on-site, and 3.36 acres of off-site woodland conservation credits. There is a discrepancy between the amount of existing woodland net tract shown on the Site Statistic Table on the TCP1 and NRI-074-06-06 that shall be corrected prior to signature approval of the TCP1.

Regulated Environmental Features/Primary Management Area

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and associated steep slopes.

Section 24-130(b)(5) states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the regulated environmental features should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

There are impacts shown on the proposed TCP1, all of which were previously approved. Impacts to the PMA on the TCP1 associated with the existing entrance along Oak Grove Road and stormwater devices that flank either side of Oak Grove Road shown on the submitted TCP1 plan were previously approved and implemented under TCP2-094-02-03 and TCP2-085-07.

The only other impact shown on the TCP1 plan is for a small portion of the Regulated Area that is shown as impacted for road grading and improvements along a portion of an existing private access road located centrally on the site that was previously evaluated and approved as a PMA impact by the Planning Board with the approval of PPS 4-13010 and TCP1-006-02-01 and was implemented under TCP2-094-02-03 and TCP2-085-07. No additional impacts are being proposed with this PPS.

Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored, to the fullest extent possible, based on the limits of disturbance shown on the impact exhibits and the conditions in this resolution.

16. **Urban Design**—Conformance with the prior Zoning Ordinance (Subtitle 27) is evaluated, as follows:

This PPS is subject to the requirements of Section 27-441 of the Zoning Ordinance. Apartment housing for the elderly is a permitted use in the R-E Zone, subject to approval by a special exception. SE-4838 was approved by the District Council on October 28, 2021, for the subject development.

In addition, conformance with the Zoning Ordinance regulations is required for the proposed development at time of permit including, but not limited to, the following:

- Section 27-427, R-E Zone
- Section 27-441, Uses permitted
- Section 27-442, Regulations
- Part 11, Parking and Loading, and
- Part 12, Signs

Prior Approvals

SE-4838 and Alternative Compliance AC-21008 were approved by the District Council on October 28, 2021 for the subject development, with three conditions. The following condition was relevant to the review of the subject PPS:

3. **At the time of preliminary plan of subdivision (PPS):**
- a. **The Applicant shall provide a Phase I noise study. The 65 dBA Ldn mitigated and unmitigated noise contours shall be shown on the PPS. The Phase I noise study shall determine if any noise mitigation is needed for the interiors of dwellings and for outdoor activity areas. If mitigation measures**

are needed, the Special Exception shall be revised to include a Phase II noise study, which recommends design details for the mitigation measures. The necessary mitigation measures and related details shall be reflected on the Special Exception Site Plan.

The applicant provided a noise study which recorded decibel levels at four nighttime and four daytime locations, all of which do not exceed the allowable decibel levels. However, the 65 dBA Ldn mitigated and unmitigated noise contours are not shown on the PPS. The PPS shall be revised, prior to signature approval, to reflect these noise contours.

- b. The Applicant shall provide a proposal for mandatory dedication of parkland (dedication of land, fee-in-lieu, private recreational facilities, or a combination thereof). The PPS shall determine if the Special Exception needs to be revised, in order to accurately reflect the proposal.**

The applicant proposed private recreational facilities to satisfy the mandatory parkland dedication requirement, which is further discussed in the Parks and Recreation finding of this resolution.

- c. The owner of the property shall record a Declaration of Covenants among the Prince George's County Land Records, which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of not less than 20 years. The covenants shall run to the benefit of the Maryland-Nation Capital Park and Planning Commission.**

The applicant has not yet provided the Declaration of Covenants establishing that the premises will be solely occupied by elderly or handicapped families for a fixed term of no less than 20 years. Therefore, the declaration shall be provided prior to signature approval of this PPS. It is noted that the applicant has proposed the specific use of elderly residents only, which should be specified in the declaration.

- d. The general notes on the plans shall indicate how the mandatory dedication of parkland requirement will be addressed, preferable through on-site facilities.**

The general notes on the plans indicate that private on-site recreational facilities will be provided.

- e. The Applicant shall provide a side path along the frontage of Oak Grove Road.**

As discussed in the Bicycle and Pedestrian finding of this resolution, the applicant shall depict this side path on the PPS, prior to signature approval.

Conformance with the 2010 Prince George’s County Landscape Manual

At the time of permit, the proposal will need to demonstrate conformance with the following provisions of the 2010 *Prince George’s County Landscape Manual*, including Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.6, Buffering Development from Streets, and Section 4.9, Sustainable Landscape Requirements. SE-4838 and AC-21008 show conformance with the applicable requirements. Conformance with the applicable landscape requirements will be determined at the time of detailed site plan review.

Conformance with the Tree Canopy Coverage Ordinance

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. This subject property is required to provide a minimum of 20 percent of the gross tract area covered with tree canopy. SE-4838 shows that the TCC requirements are met.


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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, May 12, 2022, in Upper Marlboro, Maryland.

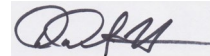
Adopted by the Prince George’s County Planning Board this 2nd day of June 2022.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: May 30, 2022