

RESOLUTION

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

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

WHEREAS, the subject property is within the Residential, Multifamily-48 (RMF-48) Zone; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, certain development applications may be reviewed and decided in accordance with the Zoning Ordinance in existence at the time of 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 this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on October 27, 2022, regarding Conceptual Site Plan CSP-21003 for Upper Marlboro Gateway Property, the Planning Board finds:

1. **Request:** The subject application proposes a conceptual site plan (CSP) for development of 153 multifamily dwelling units and 31,678 square feet of commercial/retail space.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	M-X-T	M-X-T
Use(s)	Residential/Vacant	Multifamily/Residential/ Commercial/Retail/Office
Gross Acreage	4.68	4.68
Total Gross Floor Area	5,793 sq. ft. Residential	31,678 sq. ft. Commercial/Retail/Residential
Total Multifamily Dwelling Units	-	153

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

Base Density Allowed:	0.40 FAR
Residential Optional Method:	1.25 FAR
Total FAR Permitted:	1.40 FAR*
Total FAR Proposed:	0.4–1.4 FAR

Note: *The maximum density allowed, in accordance with Section 27-545(b)(4) of the prior Prince George’s County Zoning Ordinance, Optional method of development, for providing 20 or more residential units.

3. **Location:** The subject property is located on the north side of MD 725 (Marlboro Pike), 1,200 feet west of US 301 (Robert Crain Highway), in Planning Area 79 and Council District 6.
4. **Surrounding Uses:** The subject site is located in the north quadrant of the intersection of MD 725 and US 301. The subject site is bounded to the north by vacant property in the Mixed Use-Transportation Oriented (M-X-T) Zone; to the east by single-family residential properties zoned M-X-T; to the west by single-family residential and commercial properties zoned M-X-T; and to the south by commercial, retail, and business properties in the Light Industrial (I-1) Zone.
5. **Previous Approvals:** The subject property was rezoned to the M-X-T Zone as part of Change Number 4 of the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan and SMA).
6. **Design Features:** The application proposes the development of 153 multifamily dwelling units and 31,678 square feet of commercial/retail space within multiple parcels and four buildings. The site currently contains five single-family residential dwellings along the entrance of MD 725 that are proposed to remain. The site will contain a total of four new buildings that will be accessed from MD 725 through a 24-foot-wide private road. Each of the four buildings will consist of commercial and retail uses on the ground floor, and residential uses above. The site will have a monument sign at the entrance and a roundabout along the private road. A parking lot containing 20 parking spaces and 2 bike racks will be located between Buildings G and F. There will be stormwater management (SWM) facilities and a recreation area on-site.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site design guidelines of the prior Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-547, Uses permitted, of the prior Zoning Ordinance, which governs uses in all mixed-use zones, as follows:

- (1) The proposed multifamily residential, commercial/retail, and office uses are permitted in the M-X-T Zone. Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined at the time of CSP approval. Therefore, development of this property would be limited to the numbers and types, as proposed in this CSP, that cannot exceed 153 multifamily dwelling units.
- (2) Section 27-547(d) of the prior 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.**

This CSP proposes three types of uses, as required, including residential, commercial/retail, and office uses. These proposed uses, in the amount shown, satisfy the mixed-use requirement of Section 27-547(d).

- b. Section 27-548 of the prior Zoning Ordinance, M-X-T Zone regulations, establishes additional standards for development in this zone. The CSP's conformance with the applicable provisions is discussed, as follows:
 - (a) **Maximum floor area ratio (FAR):**
 - (1) **Without the use of the optional method of development—0.40 FAR**
 - (2) **With the use of the optional method of development—8.0 FAR**

A floor area ratio (FAR) range of 0.4–1.4 is proposed in this CSP. However, this project can be developed up to the maximum allowed (1.40 FAR), in accordance

with Section 27-545(b)(4), which allows an additional FAR of 1.0 on top of the base 0.4 FAR to be permitted where 20 or more dwelling units are proposed. In this CSP, a total of 153 dwelling units are proposed and the proposed FAR is in conformance.

- (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 applicant proposes a mix of uses to include residential, commercial, and retail on the M-X-T-zoned property in multiple buildings, on more than one parcel, as permitted.

- (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.**

This requirement is not applicable since this application is for a CSP. Subsequent detailed site plan (DSP) approvals will provide regulations for development on this property.

- (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 use.**

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (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 and interior incompatible land uses at the time of DSP.

- (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 proposed CSP is 1.25. This will be refined further at the time of DSP, relative to the final proposed gross floor area of the buildings, in conformance with this requirement.

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

There are no private structures within the air space above, or in the ground below public rights-of-way, as part of this project.

- (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.**

The proposed development is accessed from the public streets of MD 725 and US 301. At the time of preliminary plan of subdivision (PPS), appropriate frontage and vehicular access for all lots and parcels will be properly addressed.

- (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 dwellings 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 CSP proposes no townhouses.

- (l) **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.**

The height limit will be further evaluated with the DSP for the proposed 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).

The subject property was placed in the M-X-T Zone through the Subregion 6 SMA, that was approved after October 1, 2006. However, no specific design guidelines were approved with the master plan for this property.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the prior Zoning Ordinance, which requires additional findings for the Prince George's County Planning Board to approve a CSP 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 proposed development is in conformance with the purposes of the M-X-T Zone. The purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections and to enhance the economic status of Prince George's County. The proposed development, consisting of residential, office, and retail uses will provide increased economic activity proximate to the intersection of MD 725 and US 301. It also allows for the reduction of the number and distance of automobile trips by constructing residential and nonresidential uses near each other. This CSP, in general, promotes the purposes of the M-X-T Zone and contributes to the orderly implementation of the 2014 *Plan Prince George's 2035 Approved General Plan*. The proposed development is in conformance with the purpose of the M-X-T Zone.

- (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;**

The subject site was rezoned to the M-X-T Zone through the sectional map amendment of the Subregion 6 Master Plan, which does not specifically provide design guidelines for the subject property; however, the CSP seeks to address the applicable policies and strategies of the master plan. The proposed development

is also consistent with the previously approved CSP-19001, for the adjoining Marlboro Gateway properties.

- (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 proposed development will be oriented outward. Multifamily residential and commercial buildings will be oriented toward the site's frontage along MD 725. Staff believes that active streets should be achieved by locating the commercial/retail uses close to MD 725, and by providing active storefronts at ground level in the Phase I development envelope, to allow synergy among different commercial/retail uses. How buildings relate to the street and other urban design considerations must be addressed at the time of DSP, to ensure continued conformance with this requirement.

This CSP proposes a mixed-use development that will improve and rejuvenate a currently vacant site. The site will be accessible from Marlboro Pike. There are existing adjacent M-X-T-zoned developments and there is no facility warranting a pedestrian connection to adjacent developments, at this time. Pedestrian connections will be installed at a future time should there be development of adjacent sites. All proposed buildings are outwardly oriented and facing MD 725 or the proposed road entering the site.

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

The proposed development will implement the vision of the Subregion 6 Master Plan and SMA and will revitalize the vacant site that is a gateway along the corridor leading into Upper Marlboro. The proposed development is compatible with existing development with the area and the appropriate buffering will be provided in accordance with the Landscape Manual.

- (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;**

This development proposes a sustainable and quality site with mixed-use buildings, pedestrian access, and spacing to avoid high density development. A mix of uses is envisioned along MD 725 to create a gateway to the seat of Prince George's County, attracting both local residents and visitors. This mixed-use development will provide convenient shopping and residences within a walkable area. The specifics of the arrangement and design of the buildings will be further examined at the time of DSP.

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

The proposed development will not be phased.

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

This requirement will be evaluated in detail at the time of PPS and DSP. The illustrative plan submitted with the CSP shows sidewalks adjacent to roadways, connecting to each part of the development.

- (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 above finding is not applicable because the subject application is a CSP. The design of pedestrian and public spaces will be reviewed at the time of DSP.

- (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 this finding during its review of subdivision plats.**

A traffic impact study has been submitted as part of this CSP. The proposed development provides adequate transportation facilities.

- (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).

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated at the time of DSP for this project.

- (11) **On a property or parcel zoned E-1-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 above finding is not applicable because the subject development only contains 4.68 acres.

- d. The CSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the prior Zoning Ordinance. The proposed development concept provides a mix of uses that front on roadways. The CSP notes that architecture for the development will provide a variety of architectural elements to convey the individuality of units, while providing for a cohesive design. Detailed designs of all buildings, site infrastructure, features, and amenities will be further reviewed at the time of DSP.

Specifically, the CSP anticipates and aims to achieve the following design options:

- The parking lot has been designed to provide safe and efficient vehicular and pedestrian circulation within the site;
- Parking spaces have been designed to be located near the use that it serves;
- Parking aisles have been oriented and designed to minimize the number of parking lanes crossed by pedestrians;
- Plant materials will be added to the parking lot for the commercial use to avoid large expanses of pavement;
- The loading space(s) will be located to avoid conflicts with vehicles or pedestrians;
- The loading area will be clearly marked and separated from parking areas;
- Light fixtures will be designed to enhance the site's design character by using full cut-off light fixtures throughout the development;

- Luminosity and location of exterior fixtures will enhance user safety and minimize vehicular/pedestrian conflicts;
- Lighting will be designed to enhance building entrances and pedestrian pathways;
- The pattern of light pooling will be directed to the site to ensure that no excessive lighting spills over to the adjacent properties;
- The site landscaping will comply with all requirements of the Landscape Manual, and native species will be used throughout the development.
- Public amenities including outdoor seating, bike racks, benches, etc. will be proposed; and
- Building architecture and materials will be high-quality and visually interesting.

In addition, all buildings will be designed to provide a modern, clean, and strong presence along road frontages. The proposed site and streetscape amenities in this project will contribute to an attractive, coordinated development. The CSP envisions attractive site fixtures that will be made from durable, high-quality materials and will enhance the site for future residents and patrons. Conformance with site design guidelines will be further reviewed at the time of DSP, when all required information is provided.

- e. In accordance with Section 27-574 of the prior Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board 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). At the time of DSP review, demonstration of adequacy of proposed parking, including visitor parking and loading configurations, will be required for development.

8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 1 tree conservation plan (TCP1-015-2022) was submitted with the CSP application.

Based on the TCP1 submitted with this application, the site is 4.68 acres, contains 1.01 acres of woodland in the net tract area and 0.67-acre of wooded floodplain, and has a woodland conservation threshold of 0.67-acre (15 percent). The woodland conservation worksheet proposes the removal of 1.45 acres of woodland, 0.94-acre in the net tract area and 0.51-acre in the floodplain area, for a woodland conservation requirement of 1.50 acres. According to the TCP1 worksheet, the requirement is proposed to be met with 0.40-acre of afforestation/reforestation

on-site, and 1.10 acres of off-site woodland conservation credits. The forest stand delineation has identified nine specimen trees on-site. This application proposes the removal of six specimen trees. The TCP1 is in conformance with the WCO.

9. **Other site-related regulations:** Additional regulations are applicable to site plan review that usually require detailed information which can only be provided at the time of DSP. The discussion provided below is for information only.
 - a. **2010 Prince George's County Landscape Manual**—This development in the M-X-T Zone will be subject to the requirements of the Landscape Manual at the time of DSP. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual.
 - b. **Prince George's County Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. The subject site is 4.68 acres in size and the required TCC is 0.468 acre. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of DSP.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are adopted herein by reference and main points are summarized, as follows:
 - a. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated July 27, 2022 (Stabler and Smith to Butler), in which the Historic Preservation Section concluded that a Phase I archeology survey is recommended because the subject property was once part of the Compton Bassett and Woodland plantation. This plantation was established on the Patuxent River by the Hill family in 1699 and remained in the family until the Compton Bassett Historic Site (79-063-10) was purchased by the Maryland-National Capital Park and Planning Commission in 2010.
 - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated September 14, 2022 (White to Butler), in which the Community Planning Section stated that, pursuant to Part 3, Division 9, Subdivision 2, of the prior Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated September 30, 2022 (Ryan to Butler), in which the Transportation Planning Section determined that the plan is acceptable. Conditions have been included herein.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated September 23, 2022 (Kaur to Butler), in which the Subdivision Section determined the development is conformance with the subdivision approvals for the subject property and Subtitle 24.
 - e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated September 29, 2022 (Rea to Butler), in which the Environmental Planning Section determined the development is acceptable, with conditions relating to the TCP1.
 - f. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated August 26, 2022 (Giles to Butler), in which DPIE stated their normal requirements for a project like this. The requirements included new sidewalks along the road frontages, private roads to be 22 feet in width, and conformance with the Prince George’s County Department of Public Works and Transportation’s utility policy, SWM facilities, and drainage system specifications and standards. The site layout and impervious area are consistent with site development concept plan.
 - g. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts the memorandum dated August 11, 2022 (Adepoju to Butler), in which the Health Department provided several comments on this proposal. Those comments have been transmitted to the applicant, who is aware of the health-related requirements. Comments on creating a high-quality pedestrian environment have been reflected in the conditions, requiring the applicant to create an active street frontage along MD 725 at the time of DSP. Other comments such as an increase of impervious surface, fine particulate air pollution, and noise related to traffic will be further evaluated at the time of PPS and DSP, when detailed information on the site will be available.
11. As required by Section 27-276(b)(1) of the prior Zoning Ordinance, if approved with the conditions below, the CSP represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
 12. Section 27-276(b)(4) of the prior Zoning Ordinance, for approval of a CSP, requires that the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Prince George’s County Subdivision Regulations. The subject property contains no regulated environmental features. Therefore, this finding can be made with the proposed development.

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 1 Tree Conservation Plan TCP1-015-2022, and further APPROVED Conceptual Site Plan CSP-21003 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan, the following revisions shall be made, or information shall be provided:
 - a. Show the extent and limits of the ultimate right-of-way along the subject property's frontage of MD 725 (Marlboro Pike).
 - b. Add the standard Subtitle 25 variance note under the specimen tree table or woodland conservation worksheet, identifying with specificity the variance decision consistent with the decision of the Prince George's County Planning Board:

“NOTE: This plan is in accordance with the following variance(s) from the strict requirements of Section 25-122(b)(1)(G) as approved by the Planning Board on (ADD DATE) with CSP-21003 for the removal of the following specimen trees: 4, 5, 6, 7, 8 and 12.”
 - c. Have the plans signed and dated by the qualified professional who prepared them.
2. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved.
3. At the time of future development applications for this site, the applicant shall submit an approved stormwater management concept plan and approval letter.
4. At the time of preliminary plan of subdivision for this site, the applicant shall submit a geotechnical report for review and approval to determine the presence of Marlboro clay and determine the slope stability factor.
5. At the time of preliminary plan of subdivision review, the applicant proposes a fee-in lieu and/or recreational facilities to fulfill the dedication of parkland requirement.
6. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
7. Prior to acceptance of a preliminary plan of subdivision (PPS), the applicant and the applicant's heirs, successors, and/or assignees shall:

- a. Submit a signal warrant analysis for the site access driveway and the MD 725 (Marlboro Pike) intersection, if the traffic impact study submitted with the PPS application shows that a traffic signal is needed to offset traffic impacts at this intersection.
 - b. Submit an operational and queuing analysis using the Highway Capacity Manual methodology for the proposed site access driveway and MD 725 (Marlboro Pike) intersection.
8. Prior to acceptance of a detailed site plan, the applicant and the applicant's heirs, successors, and/or assignees shall:
- a. Submit a parking analysis to determine the parking rate for the proposed development, which examines both the residential and commercial/retail uses, in accordance with Section 27-574 of the prior Prince George's County Zoning Ordinance.
 - b. Submit a bicycle and pedestrian plan which displays the details, location, and extent of the following facilities:
 - (1) A marked bicycle lane along the subject property's frontage of MD 725 (Marlboro Pike), unless modified by the Maryland State Highway Administration with written correspondence.
 - (2) An interconnected network of on-site pedestrian and bicycle facilities.

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.

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PGCPB No. 2022-111

File No. CSP-21003

Page 16

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, October 27, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of November 2022.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:TB:jah



Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

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