

R E S O L U T I O N

WHEREAS, First Baptist Church of Highland Park is the owner of a 18.69-acre parcel of land known as Parcel D, recorded in the Prince George’s County Land Records in Plat Book MMB 234, page 83; and Parcels 61 and 67, recorded in the Land Records in Liber 40454 at folio 372 and Liber 21285 at folio 421, respectively, said property being in the 13th Election District of Prince George’s County, Maryland, and being zoned One-Family Detached Residential (R-80); and

WHEREAS, on December 28, 2021, 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 4-21022 for First Baptist Church of Highland Park 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 March 3, 2022, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George’s County Code; and

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

WHEREAS, on March 3, 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 TCP1-021-2021, and APPROVED a Variance from Section 25-122(b)(1)(G) to allow removal of two specimen trees, and further APPROVED Preliminary Plan of Subdivision 4-21022 for 1 parcel with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised, as follows:
  - a. Remove the business center from General Note 14.
  - b. Show a 10-foot-wide public utility easement along the property’s frontage with Hunt Avenue.
  - c. Remove the term “or handicapped families” from General Notes 11 and 12.
2. Development of the site shall be in conformance with the pending Stormwater Management Concept Plan, 16624-2009-02, and any subsequent revisions.

3. Prior to approval, the final plat shall include:
  - a. 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 389 AM peak-hour trips and 232 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 preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
  - a. Add TCP1-021-2021 to the approval box.
  - b. Correct the plan to show the woodlands that have less than 10,000 square feet and a width of less than 50 feet as woodland retained but not credited.
  - c. Revise the worksheet to reflect the following:
    - (1) That the project is located within a priority funding area.
    - (2) Adjust the amount of woodland preserved.
    - (3) Add TCP1-021-2021 to the worksheet.
  - d. Remove additional notes, only the Standard Type 1 Tree Conservation Plan Notes need to be shown on the TCP1.
  - e. Show the buildings on Parcels 61 and 67 as removed.
  - f. Add the following note below the specimen tree table: "This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on March 3, 2022 for the removal of (list specimen trees approved for removal)."
  - g. Have the plans signed and dated by the qualified professional who prepared them.
6. Prior to signature approval of the preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall submit a revised geotechnical report.
7. At the time of detailed site plan (DSP), the DSP shall show the location of the mitigated safety factor line and the 25-foot building restriction line from the 1.5 safety factor line.

8. At time of final plat, a 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."

9. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-021-2021). 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 (TCP1-021-2021 or most recent revision), 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. 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."

10. Prior to 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."

11. Prior to issuance of any permits which impact 100-year floodplain, wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

12. Prior to acceptance of a detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall include as part of the DSP submission, the following:

- a. A standard 5-foot-wide bicycle lane along the property frontage of Sheriff Road, consistent with the Guide for the Development of Bicycle Facilities (American of Association of State Highway and Transportation Officials) unless modified by the operating agency, with written correspondence.

- b. A minimum 6-foot-wide sidewalk along the entire frontage of Sheriff Road, unless modified by the operating agency, with written correspondence.
  - c. A minimum 5-foot-wide sidewalk and associated crosswalks from Sheriff Road to the proposed building entrance.
  - d. Short-term and long-term bicycle parking, consistent with the Guide for the Development of Bicycle Facilities American of Association of State Highway and Transportation Officials to accommodate residents and visitors.
13. In accordance with Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.
  14. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Triggers for construction shall also be determined at the time of DSP.
  15. Prior to submission of the final plat of subdivision, 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. 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, prior to plat recordation.
  16. Prior to approval of building permits for residential development, 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.

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. **Overview**—The subject property is located on the south side of Sheriff Road, approximately 150 feet east of its intersection with MD 704 (Martin Luther King Jr. Boulevard). The property consists of 18.69 acres and is currently comprised of three parcels known as Parcel D, recorded in the Prince George's County Land Records in Plat Book MMB 234, Page 83, and Parcels 61 and 67, recorded in the Land Records in Liber 40454 at folio 372 and Liber 21285 at folio 421, respectively. The property is within the One-Family Detached Residential (R-80) Zone and is subject to the 2004 *Approved Subregion 4 Master Plan and Endorsed Sectional Map Amendment*

(Subregion 4 Master Plan and SMA), 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 138 multifamily dwelling units for the elderly, in addition to 128,112 square feet of existing institutional uses. Subtitle 27 permits the proposed use for elderly or handicap families, however the applicant is proposing the use for elderly residents, as such the analysis herein is based on exclusively elderly use. The site is currently occupied by the First Baptist Church of Highland Park, including a school and day care facility, which are the subject of previous PPS approvals. The addition of residential development exceeds the prior entitlements for the site and is subject to a new PPS approval.

The applicant also filed a variance request to Section 25-122(b)(1)(G) of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO), to allow removal of two specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The property is located on Tax Map 59 in Grids D4 and E4, Tax Map 61 in Grid D1, and is within Planning Area 72. The abutting properties to the south and east are located in the R-80 Zone and are developed with a cemetery and single-family residential uses. The properties flanking the site to the west are located in the Mixed Use-Infill (M-U-I) Zone and Development District Overlay (D-D-O) Zone and are developed with an eating and drinking establishment with drive-through service, a gas station, and a monopole. The properties beyond Sheriff Road to the north are located in the M-U-I/D-D-O Zones and the Townhouse Zone and are developed with a gas station and single-family attached dwellings, respectively.

### FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

|                  | <b>EXISTING</b> | <b>APPROVED</b>               |
|------------------|-----------------|-------------------------------|
| Zone             | R-80            | R-80                          |
| Use(s)           | Institutional   | Institutional and Residential |
| Acreage          | 18.69           | 18.69                         |
| Lots             | 0               | 0                             |
| Parcels          | 3               | 1                             |
| Dwelling Units   | N/A             | 138                           |
| Gross Floor Area | 128,112         | 128,112                       |

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on January 7, 2022.

5. **Previous Approvals**—PPS 4-92017 was approved by the Prince George’s County Planning Board on April 23, 1992 (PGCPB Resolution No. 92-92). This PPS was approved for resubdivision of the site into two outlots and one parcel containing the existing church development.

DSP-91071 was approved on September 10, 1992 (PGCPB Resolution PGCPB No. 92-247), for addition of the Church’s day care center.

PPS 4-98052 was approved by the Prince George’s County Planning Board on December 3, 1998 (PGCPB Resolution No. 98-310). This PPS was approved for resubdivision of the site into one parcel and one outlot containing the existing church development and associated uses. No development was proposed with this application. The outlot was conveyed to the adjoining National Harmony Memorial Park cemetery. The prior PPS 4-98052 is superseded by PPS 4-21022. None of the conditions associated with this previously approved PPS affect the current PPS 4-21022 approval.

DSP-91071-01 was approved on June 19, 2003 (PGCPB Resolution No. 03-139), for addition of a 250-student private school, an increase to the day care enrollment and a 1,064-square-foot accessory credit union/bank.

DSP-91071-02 was approved on July 28, 2011 (PGCPB Resolution No 11-76), for addition of 28,530 square feet of gym space.

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 Subregion 4 Master Plan recommends institutional future land use on the subject property. Multifamily dwellings for the elderly are permitted in the R-80 Zone in accordance with Prince George’s County Council Bill CB-9-2019, which amended Section 27-441(b) of the Prince George’s County Zoning Ordinance and requires density be in accordance with the Multifamily High Density Residential (R-10) Zone. The maximum density in the R-10 Zone is 48 dwelling units per acre. This PPS includes 7.4 dwelling units per acre, based on the total acreage of the property.

**Sectional Map Amendment/Zoning**

The Subregion 4 SMA retained the subject property in the R-80 Zone.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this PPS conforms to the Subregion 4 Master Plan's recommended land use and density standards, as evaluated in this finding.

7. **Stormwater Management**—An approved Stormwater Management (SWM) Concept Letter, 16624-2009-02, and plan was submitted with this application. The approved SWM concept plan shows the use of six micro-bioretenion facilities to meet the current requirements of environmental site design (ESD) to the maximum extent practicable (MEP). The approved SWM concept plan and the Type 1 tree conservation plan (TCP1) submitted as part of this PPS application show the same site layout. 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 Subdivision Regulations, the *Formula 2040: Functional Master Plan for Parks Recreation and Open Space*, (Formula 2040) and the Subregion 4 Master Plan, pertaining to public parks and recreational facilities.

The subject property is not abutting any existing Maryland-National Capital Park and Planning Commission (M-NCPPC)-owned parkland. However, there are several existing parks in the immediate vicinity. Columbia Park is located immediately north of MD 704 and Palmer Park is 0.25 mile east along MD 704, both of which are currently undeveloped. Nearby parks that are developed include Kentlands Community Center, 1.0 mile to the north, and Cedar Heights Community Center, 1.0 mile to the west.

Mandatory dedication of parkland is required, pursuant to Section 24-134(a) of the Subdivision Regulations. Based on the density proposed with this application, 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), 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.**

The applicant proposed on-site recreational facilities to meet the mandatory dedication requirements. On a conceptual basis, their proposal indicates the provision of community rooms, fitness rooms, a library, movie theater, and business center. The conceptual recreational facilities are found to be acceptable, however, the proposed business center should not count toward meeting the requirements, as this is not considered a recreational facility.

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 Sheriff Road, which contains a master-planned bike lane and sidewalk, which is discussed further in the Transportation section of this resolution. The applicant shall provide indoor and outdoor facilities for both passive and active recreation. These 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 Parks and Recreation policies, as recommended in the Subregion 4 Master Plan call for:

1. **Creating new parks and improve upon existing neighborhood and community parks.**
2. **Provide parks and recreation facilities that meet the changing needs and interests of the community.**

The applicant shall provide variation in the on-site recreational facilities to meet the needs of the community. The applicant shall explore opportunities for on-site recreation, both active and passive and indoor and outdoor, to fit the demographics of the proposed residents. Possible suggestions include outdoor sitting areas or a sensory garden. The details of such provided facilities shall be provided with the detailed site plan (DSP) for this project. These facilities will satisfy the above recommendations.

The applicant’s proposal to provide on-site recreational facilities will meet 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 Subregion 4 Master Plan to provide the appropriate pedestrian and bicycle transportation facilities.



### **Existing Conditions, Sidewalks and Bike Infrastructure**

The site is along Sheriff Road, which includes an existing 6-foot-wide sidewalk along a portion of the property's frontage.

### **Review of Master Plan Compliance**

This development case is subject to the MPOT. The subject property fronts on the recommended master-planned bicycle lane along Sheriff Road.

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:

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

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

This development is also subject to the Subregion 4 Master Plan, which includes the following recommendations for pedestrian and bicyclist facilities:

**A five-foot-wide bicycle lane along Sheriff Road.**

The Subregion 4 Master Plan also includes policies for pedestrian and bicycle facilities:

**Policy 1: Incorporate appropriate pedestrian-oriented and TOD features in the centers**

**Policy 2: Provide sidewalks and neighborhood trail connections within existing communities to improve pedestrian safety, allow for safe routes to Metro stations and schools, and provide for increased non-motorized connectivity between neighborhoods.**

**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*.**

The existing 6-foot-wide sidewalk along Sheriff Road shall be extended along the entire site frontage and include associated crosswalks and Americans with Disabilities Act curb ramps, unless modified by the operating agency. The applicant shall provide a minimum 5-foot-wide sidewalk and crosswalk connection from Sheriff Road to the proposed elderly living facility, and connections from the proposed building to the existing uses on-site. The applicant shall provide a

bicycle lane along the property frontage of Sheriff Road, per the MPOT and Subregion 4 Master Plan, unless modified by the operating agency. In addition, short- and long-term bicycle parking is required to accommodate multimodal use for future residents. Pedestrian and bicycle facilities are not required to be shown on the PPS; however, these facilities should be included on the DSP.

Based on the preceding findings, the pedestrian and bicycle transportation facilities will serve the proposed subdivision, meet the findings required by Subtitle 24 of the County Code, and conform to the Subregion 4 Master Plan and the MPOT.

10. **Transportation**—Transportation findings related to adequacy are made with this application, 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.

#### **Analysis of Traffic Impacts**

The subject property is currently unimproved and is located within Transportation Service Area 1, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

**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.

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 CLV 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 CLV is computed.

The proposed elderly living building is located on the property of an existing church that includes a day care and private school. The trip generated for those uses are included within the established trip cap for this application. The table below summarizes trip generation in each peak hour that is used in reviewing traffic and developing a trip cap for the site:

| Trip Generation Summary: 4-21022 First Baptist of Highland Church |              |             |              |     |       |              |     |       |
|---|--------------|-------------|--------------|-----|-------|--------------|-----|-------|
| Land Use  | Use Quantity | Units       | AM Peak Hour |     |       | PM Peak Hour |     |       |
|   |              |             | In           | Out | Total | In           | Out | Total |
| Senior (Elderly) Living   | 138          | units       | 7            | 11  | 18    | 14           | 8   | 22    |
| Church  | 128,112      | square feet | 30           | 19  | 49    | 24           | 25  | 49    |
| Day care Center   | 117          | children    | 49           | 45  | 94    | 46           | 50  | 96    |
| Private School  | 250          | students    | 125          | 103 | 228   | 30           | 35  | 65    |
| <b>Total Trip Cap Recommendation</b>                              |              |             | <b>389</b>   |     |       | <b>232</b>   |     |       |

The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- Sheriff Rd/MD 704 (signalized)
- Sheriff Rd/Belle Haven Dr (signalized)
- Sheriff Rd/West Access (unsignalized)
- Sheriff Rd/Middle Access (unsignalized)
- Sheriff Rd/East Access (unsignalized)

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

| EXISTING TRAFFIC CONDITIONS |                                |       |                                 |    |
|-----------------------------|--------------------------------|-------|---------------------------------|----|
| Intersection                | Critical Lane Volume (AM & PM) |       | Level of Service (LOS, AM & PM) |    |
|                             | AM                             | PM    | AM                              | PM |
| Sheriff Rd/MD 704           | 1,016                          | 1,215 | B                               | C  |
| Sheriff Rd/Belle Haven Dr   | 348                            | 420   | A                               | A  |
| Sheriff Rd/West Access*     | 9.1*                           | 9.4*  | -                               | -  |
| Sheriff Rd/Middle Access*   | 9.1*                           | 9.4*  | -                               | -  |
| Sheriff Rd/East Access*     | 9.0*                           | 9.3*  | -                               | -  |

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.

There are no critical intersections identified above that are programmed for improvements with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program."

The traffic study identified one background development whose impact would affect one of the study intersections. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

| BACKGROUND TRAFFIC CONDITIONS  |                                   |       |                                    |   |
|--|-----------------------------------|-------|------------------------------------|---|
| Intersection   | Critical Lane Volume<br>(AM & PM) |       | Level of Service<br>(LOS, AM & PM) |   |
|  | Sheriff Rd/MD 704                 | 1,041 | 1,234                              | B |
| Sheriff Rd/Belle Haven Dr  | 348                               | 420   | A                                  | A |
| Sheriff Rd/West Access*  | 9.1*                              | 9.4*  | -                                  | - |
| Sheriff Rd/Middle Access*  | 9.1*                              | 9.4*  | -                                  | - |
| Sheriff Rd/East Access*  | 9.0*                              | 9.3*  | -                                  | - |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. |                                   |       |                                    |   |

The following critical intersections identified above, when analyzed with total future traffic as developed using the "Transportation Review Guidelines, Part 1" (Guidelines) including the site trip generation as described above, operate as follows:

| TOTAL TRAFFIC CONDITIONS   |                                   |       |                                    |   |
|--|-----------------------------------|-------|------------------------------------|---|
| Intersection   | Critical Lane Volume<br>(AM & PM) |       | Level of Service<br>(LOS, AM & PM) |   |
|  | Sheriff Rd/MD 704                 | 1,046 | 1,240                              | B |
| Sheriff Rd/Belle Haven Dr  | 348                               | 434   | A                                  | A |
| Sheriff Rd/West Access*  | 9.2*                              | 9.6*  | -                                  | - |
| Sheriff Rd/Middle Access*  | 9.1*                              | 9.0*  | -                                  | - |
| Sheriff Rd/East Access*  | 9.0*                              | 9.4*  | -                                  | - |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. |                                   |       |                                    |   |

**MPOT, Subregion 4 Master Plan, and Site Access**

The subject site is along the master plan, 80-foot right-of-way of Sheriff Road, and is shown correctly on the PPS. There are no new access points to the site proposed and there is no additional right-of-way being sought with this application. The Subregion 4 Master Plan recommends Sheriff Road to maintain the current width of four lanes.

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

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*. The proposal includes 138 elderly dwelling units, which will be reserved for residents above the age of 62 years. Per Section 24-122.02(b)(2), elderly housing operated in accordance with State and Federal Fair Housing law is exempt from the adequacy of the school facilities test. Thus, the 138 proposed dwelling units are exempt from the adequacy of school facilities test.
12. **Public Facilities**—In accordance with Section 24-122.01, 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 January 25, 2022 (Perry to Heath) and incorporated by reference herein.
13. **Public Utility Easement**—Section 24-122(a) 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 Sheriff Road and Hunt Avenue, a 40-foot-wide undeveloped right-of-way. The required PUE along Sheriff Road is delineated on the PPS. However, there is no PUE shown along Hunt Avenue. The PPS shall be revised to show this PUE.

14. **Historic**—The subject property is adjacent to Harmony Memorial Park cemetery. Harmony Memorial Park is located on slightly more than 142-acres of open land in suburban Prince George’s County. The eastern half of the site is relatively flat, while the western half has a steep terrain. The designed landscape features small stands of trees, some individual specimens, and large expanses of grass. Sections of Harmony Memorial Park that are named after sections in the old Harmony cemetery are identified by small signs at the front and rear of each section. Since the grave markers or monuments apparently were not moved from Columbian Harmony Cemetery with the remains, all the markers were probably fabricated after 1959. The markers are generally of a simple design, with minimal ornamentation and inscriptions.

Columbian Harmony Cemetery was established in Washington, DC, in 1829 by the Columbian Harmony Society, a mutual aid organization founded in 1825 by a group of free African Americans. The cemetery has moved three times in the Society’s history, before arriving at its current location in 1957. The first burial grounds, “Harmoneon” was a 1.3-acre site in Washington City located on Rhode Island Avenue near Boundary Street (present day Florida Avenue). After an ordinance forced cemeteries to relocate outside city limits, the Society acquired a larger site in 1857 outside city limits but within the District of Columbia corporate boundaries; and all remains were moved to the new “Harmony Cemetery” by 1859. In 1957, the

Society was approached by developer Louis M. Bell with an offer to relocate Columbian Harmony Cemetery to a site in Landover, Prince George’s County, Maryland, in exchange for the Society’s real property in the city. After an agreement was reached, approximately 37,000 remains from Columbian Harmony Cemetery, representing burials from the early eighteenth to mid-twentieth centuries, were transferred to Harmony Memorial Park between May and November 1960.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. While the subject property is adjacent to Harmony Memorial Park, a County-designated historic resource, the size of the resource and the location of the parts of the cemetery associated with the Columbian Harmony Cemetery are located away from the developing property. The subject application will not impact any historic sites, historic resources, or known archeological sites.

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

| Review Case #   | Associated Tree Conservation Plan # | Authority      | Status   | Action Date | Resolution Number |
|-----------------|-------------------------------------|----------------|----------|-------------|-------------------|
| 4-92017         | TCPI-7-92                           | Planning Board | Approved | 4/23/1992   | PGCPB No. 92-92   |
| N/A             | TCPII-129-91                        | Staff          | Approved | 3/20/1992   | N/A               |
| DSP-91071       | TCPII-129-91                        | Planning Board | Approved | 9/10/1992   | PGCPB No. 92-247  |
| 4-98052         | TCPI-7-92-01                        | Planning Board | Approved | 12/3/1998   | PGCPB No. 98-310  |
| DSP-91071-01    | TCPII-129-91-01                     | Planning Board | Approved | 6/19/2003   | PGCPB No. 03-139  |
| NRI-037-2008    | N/A                                 | Staff          | Approved | 9/15/2008   | N/A               |
| DSP-91071-02    | TCPII-129-91-02                     | Planning Board | Approved | 7/28/2011   | PGCPB No. 11-76   |
| NRI-037-2008-01 | N/A                                 | Staff          | Approved | 5/20/2019   | N/A               |
| NRI-037-2008-02 | N/A                                 | Staff          | Approved | 10/5/2021   | N/A               |
| 4-21022         | TCP1-021-2021                       | Planning Board | Approved | 3/3/2022    | 2022-30           |

**Proposed Activity**

The applicant requested approval of a PPS and TCP1-021-2021 for one parcel for development of 138 multifamily units for the elderly and handicapped.

**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 the application is for a new PPS. This project is subject to the WCO and the Environmental Technical Manual (ETM).

**Site Description**

A review of available information, and as shown on the approved Natural Resources Inventory (NRI) indicates that 100-year floodplain, wetlands, streams, and steep slopes are found to occur

on the property. The site does not contain any wetlands of special state concern. The site is located in the Lower Beaverdam Creek watershed of the Anacostia River Basin. The Maryland Department of Natural Resources Natural Heritage Program determined that rare, threatened, and endangered species are not found to occur on-site. According to the *Countywide Green Infrastructure Plan*, of the *Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the site contains both regulated and evaluation areas.

### **General Plan**

The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

## **CONFORMANCE WITH APPLICABLE PLANS**

### **Subregion 4 Master Plan**

The site contains both regulated and evaluation areas within the Green Infrastructure Plan. The text in **BOLD** is the text from the Subregion 4 Master Plan and the plain text provides comments on plan conformance.

#### **Policy 1: Protect, preserve, and enhance the identified green infrastructure network within Subregion 4.**

The site contains regulated and evaluation areas in the Green Infrastructure Plan that are comprised of streams, wetland, and floodplain. A majority of the evaluation area is within the woodland conservation preservation area proposed for the site. The applicant is proposing to enhance several of the regulated areas through afforestation.

#### **Policy 2: Minimize the impacts of development on the green infrastructure network and SCA's.**

The site contains regulated and evaluation areas of Green Infrastructure Plan that is comprised of streams, wetland, and floodplain. There are eight impacts to the primary management area (PMA). Seven of the impacts are existing from previous development on-site. One new impact to the PMA will be for a stormwater outfall. The applicant is proposing to enhance several of the regulated areas through afforestation. No special conservation areas have been identified on-site.

#### **Policy 3: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.**

This project has an approved SWM concept plan from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), Case 16624-2009-02, which has six conditions of approval that relate to water quality and quantity

requirements for final design. DPIE will further review the site for conformance with state and local stormwater design.

**Policy 4: Improve the base information needed for the county to undertake and support stream restoration and mitigation projects.**

The site has an approved NRI that details existing conditions of the site. There is a PMA comprised of streams, floodplain, and wetlands and their associated buffers. These buffers will function as a wildlife habitat corridor connection, as recommended by the Subregion 4 Master Plan, and meet the intent of the Green Infrastructure Plan. No stream restoration or mitigation is proposed as part of this application.

**Policy 5: Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment projects.**

As stated above, the project has an approved SWM concept plan and will be further reviewed by DPIE for conformance to state and local stormwater design.

**Policy 6: Assure that adequate stream buffers are maintained and enhanced and utilized design measures to protect water quality.**

The site has an approved NRI that details existing conditions of the site. There is a PMA comprised of streams, floodplain, and wetlands and their associated buffers. The stream buffer will be maintained, except for a stormwater outfall that was approved by DPIE in SWM Concept Plan 16624-2009-02. DPIE will further review the site for conformance with state and local stormwater design.

**Policy 7: Reduce air pollution to support public health and wellness by placing a high priority on transit-oriented development and transportation demand management (TDM) projects and programs.**

Air quality is a regional issue that is currently being addressed by the Council of Governments.

**Policy 9: Implement environmental sensitive building techniques that reduce overall energy consumption.**

The development applications for the subject property, which require architectural approval, should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques is encouraged and should be implemented to the greatest extent possible.



**Policy 10: Implement land use policies that encourage infill and support TOD and walkable neighborhoods.**

This site is not within a transit-oriented development. Bicycle and pedestrian requirements are provided in the findings above within this resolution.

**Policy 12: Ensure that the Chesapeake Bay Critical Area is protected to the maximum extent possible through the implementation of water quality and other related measures.**

The subject property is not located in the Chesapeake Bay Critical Area.

**Policy 13: Preserve, restore, and enhance the existing tree canopy.**

**Policy 14: Improve the county's capacity to support increases in the tree canopy.**

Subtitle 25, Division 3, of the County Code requires the site to provide 10 percent tree canopy coverage. Compliance with the Tree Canopy Coverage Ordinance must be addressed at time of DSP review and shown on the landscape plan.

**Conformance with Countywide Green Infrastructure Plan**

According to the Green Infrastructure Plan, there are regulated and evaluation areas on the subject property. Approximately 25 percent of the site is located in the regulated area, due to the presence of floodplain associated with the channelized streams on the south and east of the site. Approximately 33 percent of the site is located in the evaluation area with the remainder of the site outside of the Green Infrastructure Plan. The conceptual design, as reflected on the PPS and the TCP1, meets the goals of the Green Infrastructure Plan and focuses development outside of the most sensitive areas of the site.

**ENVIRONMENTAL REVIEW**

**Natural Resources Inventory Plan/Existing Features**

Approved NRI-037-2008-02 was submitted with the application. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. The NRI indicates the presence of two forest stands labeled as Stand A and B, and 19 specimen trees were identified, 4 trees are considered off-site with 15 on-site. The TCP1 and the PPS show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

**Woodland Conservation**

This site is subject to the provisions of the WCO because the application is for a new PPS. This project is subject to the WCO and the ETM. TCP1-021-2021 has been submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The woodland conservation threshold for this 18.12-acre property is 20 percent of the net tract area or 3.56 acres. The total woodland conservation requirement based on the amount of clearing proposed is 5.29 acres. This requirement is proposed to be satisfied with 4.94 acres of on-site preservation, 0.29 acre of on-site afforestation, and 0.30 acre is proposed to be met with off-site woodland conservation credits. Woodland preservation is focused in the priority areas of the site, adjacent to the stream valley areas.

The approved NRI identifies a total of 19 specimen trees; 4 trees are considered off-site, with 15 on-site. Two on-site specimen trees are proposed to be removed as part of this application.

Technical revisions to the TCP1 are required and included in the conditions listed at the beginning of this resolution.

### **Specimen Trees**

Tree conservation plans are required to meet all of the requirements of Subtitle 25, Division 2 of the County Code, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the ETM for guidance on each species' ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance to Section 25-122(b)(1)(G) is required. Applicants can request a variance to the provisions of Division 2 of Subtitle 25, provided all of the required findings in Section 25-119(d) of the WCO can be met. An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 Variance Application and a statement of justification (SOJ) in support of a variance, dated June 15, 2021, were submitted.

The approved NRI identifies a total of 19 specimen trees; 4 trees are considered off-site with 15 on-site. The following analysis is the review of the request to remove two specimen trees located on-site. Off-site specimen trees are not subject to the variance requirement.

The SOJ requested the proposed removal of 2 of the existing 15 specimen trees located on-site. Specifically, the applicant seeks to remove Specimen Trees 1 and 5. The TCP1 shows the location of the trees proposed for removal. Specimen Trees 1 and 5 are not anticipated to survive, due to the proposed grading and installation of utilities for development of this site. Grading near Specimen Tree 1 will impact 45 percent of the critical root zone (CRZ) and grading near Specimen Tree 5 will impact 34 percent of the CRZ. Although Specimen Tree 5 CRZ impact is just over 30 percent, the condition of the tree is poor and therefore approved for removal.

Removal of the two specimen trees requested by the applicant is approved, based on the findings below, in accordance with Section 25-119(d).

**A. Special conditions peculiar to the property have caused the unwarranted hardship**

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship if the applicant were required to retain Specimen Trees 1 and 5. Those “special conditions” relate to the specimen trees, themselves, such as their size, condition, species, and on-site location.

The property is 18.69 acres and contains approximately 4.55 acres of PMA comprised of streams, wetlands, floodplain, and associated buffers. These existing conditions are peculiar to the property.

The proposed use, an apartment building for the elderly or handicapped, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Development cannot occur on the portions of the site containing PMA, which limits the site area available for development. Requiring the applicant to retain the two specimen trees on the site would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.

**B. Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas**

Enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their CRZ would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the ETM for site specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen trees proposed for removal, retaining the trees and avoiding disturbance to the CRZ would have a considerable impact on the development potential of the subject property, a right which would be enjoyed by others in similar areas, as the applicant would be severely limited in necessary grading and installation of utilities.

**C. Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants**

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

**D. The request is not based on conditions or circumstances which are the result of actions by the applicant**

The variance request is based upon existing site conditions or circumstances, including the location of the specimen trees, and are not the result of actions by the applicant.

**E. The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property**

There are no existing conditions on the neighboring properties or existing building uses that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

**F. Granting of the variance will not adversely affect water quality**

The project is subject to SWM regulations as implemented locally by DPIE. The project is subject to ESD to the MEP. Erosion and sediment control requirements are reviewed and approved by the Soil Conservation District. Both SWM and erosion and sediment control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the State's standards, which are set to ensure that no degradation occurs. The removal of two specimen trees will not directly affect water quality.

The required findings of Section 25-119(d) have been adequately addressed for the removal of Specimen Trees 1 and 5.

**Soils**

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0–5 percent slopes), and Christiana-Downer complex (5–40 percent slopes). According to available information, no Marlboro clay exists onsite; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. According to Section 24-131, Unsafe Land, of the Subdivision Regulations, the Planning Board shall restrict or prohibit land found to be unsafe for development because of natural conditions, such as unstable soils and high-water table.

As part of the PPS review process, a geotechnical report dated December 13, 2021, from Geotechnical Laboratories, Inc. was submitted with the application. This report was reviewed by the Commission's geotechnical engineer. The existing retaining wall on-site will need to be strengthened. The applicant's engineer shall perform a global stability analysis with final

configurations such as location, height, dimensions, materials of the reinforcement, etc., of the retaining wall. The geotechnical engineer shall confirm if the retaining wall ensures the global stability and a safety factor higher than 1.5. This shall be reviewed at the time of DSP.

### **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). 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 REF in a natural state to the fullest extent possible consistent with the guidance provided by the ETM 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 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 development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code.

### **Statement of Justification**

The PPS proposed impacts to the PMA. A statement of justification (SOJ), dated October 7, 2021, was received on December 28, 2021, for the proposed impacts. There are eight separate impacts to the PMA, seven of these impacts are existing from previous development on-site, and one impact is associated with this proposed development.

The current letter of justification and associated exhibit reflect eight proposed impacts to regulated environmental features associated with the proposed development totaling approximately 0.44 acre. All proposed impacts are permanent.

### **Analysis of Impacts**

Based on the SOJ, the applicant requested one new impact and seven existing impacts, as described below:

#### **Impact 1–Stormwater outfall**

This is a new impact for a proposed stormwater outfall. The total impact to the PMA will be 0.04 acre. The stormwater outfall meets best management practices for discharging water back into the stream while limiting erosion at the discharge points. The stormwater outfall is required by County Code.

#### **Impacts 2 and 8–Utilities**

These impacts are existing for the installation of utilities on-site and in association with a 10-foot-wide PUE located along the Sheriff Road frontage. The total impact to the PMA is approximately 0.05 acre.

#### **Impacts 3, 4, and 6–Grading**

These impacts are existing for grading that occurred with the existing development on-site. The total impact to the PMA is approximately 0.09 acre.

#### **Impacts 5 and 7–Grading and stormdrain installation**

These impacts are existing for grading and stormdrain installation that occurred with the existing development. The total impact to the PMA is approximately 0.26 acre.

After evaluating the applicant’s SOJ for proposed impacts to regulated environmental features, the proposed impacts are approved. Impacts 2–8 are existing and occurred during development of the existing structures on-site. Impact 1 for the installation of a stormwater outfall is the only new impact.

The proposed PMA impacts are considered necessary to the orderly development of the subject property and surrounding infrastructure. These impacts cannot be avoided because they are required by other provisions of the County and State codes. The plan shows the preservation and enhancement of the PMA to the fullest extent practicable.

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

The multifamily dwellings for the elderly are permitted in the R-80 Zone, subject to Footnote 134 and requires a DSP approval for the use. Conformance with the regulations in Footnote 134 is required for the proposed development at the time of DSP, as follows:

#### **Footnote 134:**

- a. **A special Exception shall not be required, provided:**
  - A. **A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;**

- B. The site includes lots or parcels totaling (10) acres in size or more owned by a nonprofit organization on or before July 1, 2019;
  - C. The site is adjacent to an historic resource as designated in accordance with Subtitle 29 of this Code and has frontage on a roadway with a function transportation classification as a collector or higher within the applicable Master Plan;
  - D. Regulations concerning the height of the structure, lot size, lot coverage, frontage, and density shall be in accordance with the R-10 Zone for multifamily dwellings. All other regulations shall be established and shown on the Detailed Site Plan;
  - E. The owner of the property shall record among the Land Records of Prince George’s County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of no less than twenty (20) years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission; and
- b. For purposes of this Section, the terms “elderly family” and “physically handicapped family” shall have the same meanings as defined in Section 27-337(c). Council Bill (CB)-9-2019.

**Conformance with the 2010 Prince George’s County Landscape Manual**

This development is subject to the requirements of the 2010 *Prince George’s County Landscape Manual*. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements. The layout shown with the TCPI indicates that the building’s placement may not have adequate distance from the existing residential parcels east of the site. Conformance with the applicable landscape requirements will be determined at the time of DSP review.

**Conformance with the 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 building and grading permits that propose 5,000 square feet or greater of gross floor area or disturbance. The property is in the R-80 Zone and will require 15 percent of gross tract area to be in TCC. Conformance with this requirement will be evaluated at the time of DSP.


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

\* \* \* \* \*


This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 3, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of March 2022.

Elizabeth M. Hewlett  
Chairman

  
By Jessica Jones  
Planning Board Administrator

EMH:JJ:AH:rpg

  
Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel

Dated 3/16/22