

R E S O L U T I O N

WHEREAS, BGH Fort Washington, LLC is the owner of a 14.11-acre parcel of land known as Lots 1–19, and Parcels A and B, said property being in the 12th Election District of Prince George’s County, Maryland, and being zoned Rural Residential (RR); and

WHEREAS, on December 21, 2021, BGH Fort Washington, LLC filed an application for approval of a Preliminary Plan of Subdivision for 64 lots and 16 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-21017 for Hillside at Fort Washington 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 April 28, 2022; and

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

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

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

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

WHEREAS, on April 28, 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 TCP1-020-2021, and APPROVED a Variance from Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-21017 for 64 lots and 16 parcels with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision (PPS) shall be revised, as follows:
 - a. Remove limit of disturbance, from the PPS.
 - b. Show dimension from the centerline of Oxon Hill Road to the property’s frontage.

2. Development of the site shall be in conformance with the Stormwater Management Concept Plan, 3742-2021-00, and any subsequent revisions.
3. Prior to approval, the final plat shall include dedication of a 10-foot-wide public utility easement along the public rights-of-way, and one side of private 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 45 AM peak-hour trips and 51 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
5. Prior to approval of any building permit within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
 - a. Provide a third left-turn lane along the eastbound leg (Livingston Road) of the MD 210 (Indian Head Highway)/Livingston Road/Palmer Road intersection, unless modified by the Maryland State Highway Administration, with written correspondence.
 - b. Mill and overlay to the centerline of northbound Oxon Hill Road, fronting the subject property beginning at Fort Foote Road, and stripe the existing travel lane adjacent to the existing curb as a shoulder, along with installing "share the road with bike" signs, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement, with written correspondence.
6. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Revise the woodland conservation worksheet to correct the TCP1 number.
 - b. Revise the specimen tree table to add a protection measure column and whether special preservation treatment is recommended.
 - c. Have the revised plan signed and dated by the qualified professional who prepared it.
7. 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.”

8. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-020-2021). The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-020-2021), 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.”

9. 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.”

10. 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.

11. 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.

12. 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.

13. 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.
14. Prior to approval of a final plat, the applicant and the applicant's heir, successors, and/or assignees shall demonstrate that a homeowners association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section to ensure that the rights of the Maryland-National Capital Park and Planning Commission are included. The Liber/folio of the declaration of covenants shall be noted on the final plat, prior to recordation.
15. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association land, as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following:
 - a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division.
 - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
 - d. Any disturbance of land to be conveyed to the association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.
 - f. The Prince George's County Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the east side of Oxon Hill Road, at its intersection with Fort Foote Road. The property consists of 14.11 acres and is currently comprised of Lots 1–19, and Parcels A and B, recorded in the Prince George's County Land Records as Fort Washington Ridge in Plat Book PM 218, page 55–56. The subject property is in the Rural Residential Zone under both the current Zoning Ordinance (in which it is known as the RR Zone) and the prior Zoning Ordinance (in which it is known as the R-R Zone). This PPS was reviewed in accordance with the prior Zoning Ordinance and Subdivision Regulations, as required by Section 24-1703(a) of the current Prince George's County Subdivision Regulations, and is subject to the 2006 *Approved Master Plan and Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* (master plan). Conformance with the master plan, Subtitles 24 and 27 of the prior Prince George's County Code, and other applicable plans is evaluated as outlined herein. This preliminary plan of subdivision (PPS) includes 64 lots and 16 parcels for development of 64 single-family attached dwellings. The subject site is currently vacant.

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, to allow removal of 15 specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The property is located on Tax Map 113 in Grids F3 and F4 and is within Planning Area 80. The abutting properties to the north of the site consist of single-family detached dwellings in the Residential, Single-Family-95 (RSF-95) Zone (formerly the One-Family Detached Residential [R-80] Zone). Abutting the site to the east is the Henson Creek Stream Valley Park, and Henson Creek Trail, which are located in the Reserved Open Space (ROS) Zone under the current and prior zoning. The properties beyond Oxon Hill Road to the south consist of single-family detached dwellings in the RR Zone under the current and prior zoning. The properties beyond Oxon Hill Road to the east consist of single-family detached dwellings, and a commercial development in the RR and Commercial, General and Office (CGO) Zone, respectively. These properties were previously zoned R-R and Commercial Shopping Center (C-S-C).

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

	EXISTING	APPROVED
Zone	RR	RR
Use(s)	Vacant	Residential
Acreage	14.11	14.11
Lots	19	64
Parcels	2	16
Dwelling Units	0	64
Gross Floor Area	N/A	N/A

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 4-05067 was approved by the Prince George’s County Planning Board on March 9, 2006 (PGCPB Resolution No. 06-66). This PPS approved 19 lots and 2 parcels for development of 19 single-family detached dwellings. These lots and parcels, and two public streets, as part of the subdivision (Trattoria Drive and Lerna Lane), were recorded in Plat Book PM 218, pages 55–56. This PPS will be superseded by PPS 4-21017, if approved. Prior to approval of a final plat for the current PPS, a vacation petition to vacate the rights-of-way for public streets Trattoria Drive and Lerna Lane will be required. None of the conditions associated with this previously approved PPS affect this proposal.

Detailed Site Plan DSP-06035 was approved by the Planning Director on October 5, 2006 for development of Parcel A to include a paved trail connecting the proposed cul-de-sac of Trattoria Drive to the existing trail on Maryland-National Capital Park and Planning Commission (M-NCPPC) Park property to east of the subject site, as required by conditions of approval of PPS 4-05067. This DSP was never implemented and expired on December 31, 2021.

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).

Sectional Map Amendment/Zoning

The master plan retained the subject property in the R-R Zone.

Master Plan Conformance

The master plan recommends residential, low-density land use on the property. However, Prince George's County Council Bill CB-28-2018 removes the R-R Zone requirements and allows townhouses to be developed on the subject property, rendering the land use recommendation of the master plan no longer appropriate.

The approved CB-28-2018 did not provide guidance on density for the development, and so the Plan 2035 recommendation for context-sensitive infill in the Established Communities growth policy area was used to evaluate density for the site. The applicant proposed a density consistent with that permitted in the R-80 Zone, as the most adjacent property to the north was located in this zone (now zoned RSF-95). The maximum density allowed in the R-80 Zone is 4.58 dwelling units per acre. The PPS includes 64 dwellings on 14.11 acres, which amounts to 4.53 dwellings per acre. In addition, the lots will be oriented toward Oxon Hill Road, in the central area of the site. This orientation provides for expanded woodland area on-site to be located along the abutting property boundaries, enhancing the transition and context sensitivity to neighboring properties. The subject site is also adjacent to C-S-C-zoned property, located across Oxon Hill Road, developed with a small shopping center. Other adjacent residential properties located across Oxon Hill Road are buffered from the roadway.

The PPS aligns with Plan 2035's growth policy and, pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the Planning Board finds that events have occurred to render the master plan's recommended land use no longer appropriate.

7. **Stormwater Management**—A Stormwater Management (SWM) Concept Approval Letter (3742-2021-00) and associated plan were submitted with this PPS. The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) issued the approval on January 19, 2022. The plan proposes to use eight micro-bioretenion ponds. There is a larger pond proposed in the northeast corner of the site, and this pond proposes an outfall structure on the adjacent M-NCPPC property. This proposed off-site outfall was approved in 2006 with DSP-06035 and with a Prince George's County Department of Public Works and Transportation Permit, 3568-2007-00.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the 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 plan) and the master plan, pertaining to public parks and recreational facilities.

The subject property abuts existing M-NCPPC-owned parkland along the eastern boundary, including the Henson Creek Stream Valley Park, and the Henson Creek Trail runs along the eastern property line boundaries. This 5.6-mile trail runs from Oxon Hill Road to Temple Hill Road with direct connections to other park facilities including Tor Bryan Park, Tucker Road Community Center, Tucker Road Athletic Complex, and the Southern Regional Technology and

Recreation Complex. Other nearby park facilities include Indian Queen Community Center, located approximately 0.5 mile east, and Tor Bryan Estates Park, approximately 1 mile northeast.

Mandatory dedication of parkland is required, pursuant to Section 24-134(a) of the Subdivision Regulations. Based on the density proposed with this PPS, 0.96 acre of dedicated parkland would be required. The applicant originally proposed 2.58 acres of land to be dedicated along the eastern portion of the site, adjacent to the Henson Creek Stream Valley Park. The Prince George's County Department of Parks and Recreation (DPR) staff met with the applicant and determined that the property was not suitable for dedication because of the steep slopes and the applicant's proposal to provide woodland conservation on the same parcel. Due to these factors, on-site recreational facilities will best serve the residents of the proposed development.

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. 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 one-third of an acre, shown on the PPS as Parcel T, as open space which can be used as a village green. This open-space parcel will conceptually consist of a sitting area and a small playground. The details of such facilities shall be provided with the DSP for this project. The applicant shall consider providing recreational facilities on other available homeowners association (HOA) parcels, so that the recreational facilities will be distributed through the development.

The goals as recommended by the Formula 2040 plan 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 on Oxon Hill Road, which contains a master-planned bike lane and sidewalk, which shall be constructed by the applicant as outlined in the Transportation finding of this resolution. The subject property abuts the Henson Creek Stream Valley Park. The park contains the Henson Creek Trail, which runs along the eastern boundary of the subject property. The existing sidewalk along the property's frontage, along Oxon Hill Road, is to be extended to connect to the Henson Creek Trail. As stated above, the applicant shall also consider providing recreational facilities on multiple HOA parcels, so that the recreational facilities will be distributed through the development. These improvements 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 master plan, call for the following:

Policy 1: Use the General Plan as a policy guide to provide parkland in the locations needed to serve existing future residents and businesses of the Henson Creek/South Potomac MPSA.

Policy 2: Parkland that is deemed to be necessary through the application of the acres per population formula should be provided in an efficient manner.

Policy 3: The planning and provision of public parkland and recreation facilities should further strengthen county land use, growth, and economic development policies and priorities.

As stated above, the applicant proposed private on-site recreational facilities, instead of dedicating parkland, as the available land on-site is not suitable for passive or active recreation. There are no parcels recommended for future parks near the subject property.

The proposed SWM facility on Parcel D will outfall onto the adjacent M-NCPPC property to the east, by means of pipe underneath the existing trail. The applicant has provided evidence that the outfall was reviewed and approved by DPR staff in 2007 with the previously approved PPS. However, the applicant will need to secure a right-of-entry work permit from DPR prior to any work on M-NCPPC park property. The right-of entry work permit will provide details on the temporary trail closure for the stormdrain construction and include bonds to ensure the park property and facilities are restored.

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

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

Existing Conditions, Sidewalks and Bike Infrastructure

The site is along Oxon Hill Road, which includes an existing 5-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 Oxon Hill 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 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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 master plan, which includes the following recommendations for pedestrian and bicyclist facilities:

Policy 1: Incorporate appropriate pedestrian, bicycle and transit-oriented design and transit-supporting design features in all new development within centers and corridor nodes.

Policy 3: Provide adequate pedestrian and bicycle linkages to schools, parks, and recreation areas, commercial areas, and employment centers.

Policy 6: Provide trail connections within residential communities and the trail network.

A minimum of five-foot-wide sidewalks are shown along both sides of all internal roadways and include continental-style crosswalks throughout the site. Road frontage improvements include a mill and overlay to the centerline of northbound Oxon Hill Road, fronting the subject property beginning at Fort Foote Road, and striping the existing travel lane adjacent to the existing curb as a shoulder. In addition, a five-foot-wide bicycle lane is shown along Oxon Hill Road, along with a five-foot-wide sidewalk that directly connects to the existing Henson Creek Trail along the southern edge of the site.

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 Prince George’s County Code, and conform to the master plan and the MPOT.

10. **Transportation**—Transportation findings related to adequacy are made with this PPS, along with any determinations regarding dedication, access, and general subdivision layout. The proposed development is projected to generate more than 50 new peak-hour trips; therefore, a traffic impact study was required.

Analysis of Traffic Impacts

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

Links and Signalized Intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

The table below summarizes trip generation in each peak hour that will be used in reviewing traffic and developing a trip cap for the site:

Trip Generation Summary: 4-21017 Hillside at Fort Washington								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Townhouse	64	units	9	36	45	33	18	51
Total Trip Cap Recommendation			45			51		

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

- Oxon Hill Rd/Fort Foote Rd (signalized)
- Oxon Hill Rd/Livingston Rd (signalized)
- MD 210/Livingston Rd (signalized)
- Oxon Hill Rd/Site 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)	
	Oxon Hill Rd/Fort Foote Road	485	763	A
Oxon Hill Rd/Livingston Rd/Old Fort Rd	742	1156	A	C
MD 210/Livingston Rd/Palmer Rd	1452	1391	E	D
Oxon Hill Rd/Site Access*	-	-	-	-
*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 additional critical intersections identified above programmed for improvements with 100 percent construction funding within the next 6 years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program." In regard to the intersection of MD 210 (Indian Head Highway)/ Livingston Road/Palmer Road, the applicant has proposed mitigation in the form of a third left-turn lane along the eastbound leg of Livingston Road. This critical intersection is included in the MD 210 Corridor Study and is anticipated for a grade-separated interchange. However, 100 percent construction funding has not been provided at this time. In the event the intersection becomes funded per the MD 210 Corridor Study, prior to the construction of the proposed mitigation, the third left-turn lane along Livingston Road would not be required.

The traffic study identified three background developments whose impact would affect some or all of the study intersections. In addition, a growth of 1 percent over 6 years was also applied to all traffic volumes except for Fort Foote Road. Fort Foote Road is identified as a local roadway, and the surrounding area is built-out and would not require growth to be applied. 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 (AM & PM)		Level of Service (LOS, AM & PM)	
	Oxon Hill Rd/Fort Foote Road	518	806	A
Oxon Hill Rd/Livingston Rd/Old Fort Rd	795	1244	A	C
MD 210/Livingston Rd/Palmer Rd	1542	1482	E	E
Oxon Hill Rd/Site Access*	-	-	-	-
*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 (AM & PM)		Level of Service (LOS, AM & PM)	
	Oxon Hill Rd/Fort Foote Road	549	821	A
Oxon Hill Rd/Livingston Rd/Old Fort Rd	829	1282	A	C
MD 210/Livingston Rd/Palmer Rd	1556	1491	E	E
with additional eastbound left turn	1514	1450	E	D
Oxon Hill Rd/Site Access*	15.5*	22.7*	-	-

*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.

Due to the conditions of the MD 210/Livingston Road/Palmer Park intersection, mitigation has been utilized by the applicant per Section 8 of the Guidelines. Section 8 includes five locational criteria that determine where mitigation may be considered. The five criteria in accordance with Prince George’s County Council Resolution CR-29-1994 are as follows:

1. **The development is located within designated revitalization areas where the county wants to encourage new development or redevelopment as approved by the District Council pursuant to CB-116-1993.**
2. **The development impacts roads inside the Beltway that are built to the full master plan recommendation or which cannot be improved due to physical or environmental constraints (in which case mitigation applies only to the facilities cited pursuant to this criterion).**
3. **The development impacts the following major regional road facilities that have a significant proportion of external traffic (in which case mitigation applies only to the facilities cited in this criterion): (a) MD 210 from Charles County to I-95; (b) MD 5 from Charles County to I-95; (c) MD 4 from Anne Arundel County to I-95; (d) US 301 from US 50 (I-595) to MD 5; and (e) MD 3 from Anne Arundel County to US 50.**
4. **The development is located within one mile of a Metrorail or MARC station that is existing, under construction, funded for construction, or has an approved environmental impact statement and is actively in development and evaluation by the MDOT. The one-mile distance shall be measured from the actual station.**

5. **The development is located in an area in which public water and sewer is currently available, which meets all adequate public facilities findings (except those for transportation) with existing facilities or facilities having 100 percent construction funding in the county or state programs and which is within one-half mile of a bus stop having 15-minute headways or better and load factors of 100 percent or less.**

By virtue of the affected intersection being along the applicable section of MD 210, the request meets the third criterion. The total traffic conditions above include the analysis of an additional eastbound left-turn lane proposed due to failing LOS operations. Per the Guidelines, the applicant shall recommend improvements to a failing intersection that will eliminate at minimum 150 percent of the development generated CLV or reduce the CLV to 1,450. In the AM peak hour, the mitigation improvement reduces the CLV by 300 percent of the site's impact, and in the PM peak hour the mitigation improvement reduces the CLV to 1,450 or better. The Maryland State Highway Administration (SHA) is in agreement with the proposed improvements and will conduct additional analysis of the intersection's operations during their signal design phase.

The study intersections will operate at acceptable levels with the approval of the proposed improvements at the MD 210/Livingston Road/Palmer Road intersection by SHA.

MPOT, Master Plan, and Site Access

The subject site is along the 80-foot master plan right-of-way of Oxon Hill (C-708). Access to the site is proposed at a new intersection with Oxon Hill Road. The submitted PPS includes the appropriate right-of-way along Oxon Hill Road. The master plan recommends that the current width of Oxon Hill Road be maintained at two or four lanes with frontage and safety improvements when deemed necessary. Per DPIE, road improvements shall include a mill and overlay to the centerline of northbound Oxon Hill Road, fronting the subject property beginning at Fort Foote Road, striping the existing travel lane adjacent to the existing curb as a shoulder, and five-foot-wide bicycle lanes along the property frontage. The submitted PPS also shows all internal streets and alleys with a width of 22 feet. The use of private streets and alleys, when developing townhouse, is permitted in accordance with Section 24-128(b)(19) of the Subdivision Regulations. A minimum of five-foot-wide sidewalks are shown along both sides of all internal roadways and include continental-style crosswalks throughout the site. The construction of these facilities supports the policies of the MPOT and master plan. The proposed plan and circulation layout are acceptable, pursuant to Section 24-123 of the Subdivision Regulations.

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

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations, and Council Resolutions CR-23-2001 and CR-38-2002, *Amended Adequate Public Facilities Regulations for Schools*. Per Section 24-122.02(a)(2), the subdivision is considered adequate when the future student enrollment does not exceed 105 percent of the state-rated capacity. The subject property is

located within Cluster 5, as identified in the Pupil Yield Factors and Public School Clusters 2020 Update. An analysis was conducted and the results are, as follows:

Impact of Affected Public School Cluster by Dwelling Units

	Affected School Cluster		
	Elementary School Cluster 5	Middle School Cluster 5	High School Cluster 5
Townhouse (TH) Dwelling Units	64 DU	64 DU	64 DU
Pupil Yield Factor (PYF) – Townhouse (TH)	0.114	0.073	0.091
TH x PYF = Future Subdivision Enrollment	7	5	6
Adjusted Student Enrollment 9/30/19	6,428	2,797	3,668
Total Future Student Enrollment	6,435	2,802	3,674
State Rated Capacity	7,913	3,304	5,050
Percent Capacity	81	85	73

Section 10-192.01 of the Prince George’s County Code establishes school surcharges and an annual adjustment for inflation, unrelated to the provision of Subtitle 24. The current amount is \$10,180 per dwelling if a building is located between I-95/495 (Capital Beltway) and the District of Columbia; \$10,180 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$17,451 per dwelling for all other buildings. This project is located outside of the Capital Beltway; thus, the surcharge fee is \$17,451. This fee is to be paid to DPIE at the time of issuance of each building permit.

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 December 28, 2021 (Perry to Heath), incorporated by reference herein.

Master Plan Conformance

The master plan provides goals and policies related to public facilities (pages 79–80). The subject PPS aligns with the master plan goal to provide residents of the planning area with “the needed public facilities in locations that efficiently serve the existing and future populations,” and the schools, police, and fire and rescue policies and strategies. There are no police, fire and emergency medical service facilities, schools, parks, or libraries proposed on the subject property. The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, which may be addressed through school surcharges imposed by the County.

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 right-of-way of Oxon Hill Road. The required PUE along Oxon Hill Road is delineated on the PPS. The PPS also includes internal private rights-of-way. Section 24-128(b)(12) requires that 10-foot-wide PUEs be provided along one side of all private streets. The required PUEs are delineated on the PPS along the private streets.

14. **Historic**—A Phase I archeology survey was conducted on the subject property in June 2006. Fieldwork consisted of a pedestrian walkover, the excavation of 22 shovel test pits spaces at regular 50-foot intervals in limited pre-determined locations, and two trenches. There was one modern period standing structure on the subject property. Two features were examined: a fenced garden (Feature 1) and a brick/rubble mound (Feature 2). Excavations identified the fenced area as an abandoned garden, and the brick/rubble mound as the remains of a late-19th or early-20th century structure (no longer standing). A total of 109 artifacts were recovered during the archeological fieldwork. Most of these were architectural and came from the burned-out and collapsed basement of a former house. No further archeological investigations were recommended by the consultant. No further archeological investigations are required on the subject property. Four copies of the final Phase I archeology reports were submitted to Historic Preservation staff.

The master plan goals and policies related to historic preservation are as follows:

Policy 1: Protect historic resources and districts by ensuring provisions of the Historic Preservation Ordinance are uniformly implemented, ensuring zoning regulations encourage retention of historic resource settings and protection from adverse effects of incompatible land uses, and ensuring building codes are interpreted with sensitivity through close coordination with Historic Preservation staff and owners of historic resources throughout the historic area work permit process.

Policy 2: Provide an updated Inventory of Historic Resources for the Henson Creek-South Potomac Area.

The above policies are not applicable to the subject PPS.

The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. The subject property is near the northern corner of the Broad Creek Historic District (80-024-00). This proposal will not impact any historic sites, historic resources, or significant archeological sites.

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

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-072-05	N/A	Staff	Approved	11/1/2005	N/A
4-05067	TCP1-053-05	Planning Board	Approved	3/9/2006	06-66
DSP-06035	TCP2-134-06	Planning Director	Approved	10/5/2006	N/A
NRI-072-05-01	N/A	Staff	Approved	2/20/2020	N/A
4-21017	TCP1-020-2021	Planning Board	Approved	4/28/2022	2022-51

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 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

Site Description

A review of the available information indicates that the site contains regulated environmental features, such as streams and stream buffers. No nontidal wetlands or 100-year floodplain is located on-site. The soil types found on-site, according to the U.S. Department of Agriculture Natural Resources Conservation Services, Web Soil Survey, are Beltsville silt loam, Beltsville-Urban land complex, Sassafras-Croom soils, and Sassafras-Urban land complex soils. No Marlboro clay or Christiana clays are present on-site. According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. The site has a high spot near Oxon Hill Road and then drains to the north, east, and south from the high point. This site is located within two watersheds (Henson Creek and Broad Creek), both of which flow into the Potomac River. The site has frontage on Oxon Hill Road, which is identified as a master plan collector roadway. The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

General Plan

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

CONFORMANCE WITH APPLICABLE PLANS

Master Plan

The site contains both regulated and evaluation areas within *The Countywide Green Infrastructure Plan of the Approved Prince George’s County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan). The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve and enhance the green infrastructure network within the Henson Creek planning area.

The Green Infrastructure Plan indicates that the entire site is within the network area. The majority of the site is within the evaluation area. A long narrow band of regulated area is shown along Oxon Hill Road; however, this regulated area has been identified in error because no regulated environmental features are within or adjacent to this identified area. The proposed development will meet its total woodland conservation requirement on-site with woodland preservation.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Preservation of water quality in this area will be provided through the application of best SWM practices. A SWM Concept Approval Letter (3742-2021-00), which has six conditions of approval that relate to water quality and quantity requirements for final design, and associated plans were submitted with the subject PPS for this site. DPIE issued the approval on January 19, 2022. DPIE will further review the site for conformance with state and local stormwater design.

Policy 3: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

The applicant should consider environmentally sensitive building techniques to reduce overall energy consumption, with future applications. Building placement and materials are determined at the time of DSP.

Policy 4: Reduce light pollution and intrusion into residential, rural and environmentally sensitive areas.

The applicant should consider the use of full cut-off optics for streetlights to ensure that off-site light intrusion into residential areas is minimized. The review of lighting will be applicable at the time of DSP review.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

The proposed development is not expected to be a noise generator and is not impacted by any nearby sources of noise.

Conformance with Countywide Green Infrastructure Plan

According to the 2017 Green Infrastructure Plan, there are regulated and evaluation areas on the subject property. The regulated areas are mapping errors because there are no regulated environmental areas within the identified area. The 2015 Green Infrastructure Plan did not include this regulated area on the subject property. The entire site should be identified as being an

evaluation area. While the 2017 Green Infrastructure Plan elements mapped on the subject site will be impacted, the design of the site meets the zoning requirements and the intent of the growth pattern established in Plan 2035.

ENVIRONMENTAL REVIEW

Natural Resources Inventory Plan/Existing Features

Natural Resource Inventory NRI-075-02-01 was submitted with the review package, which was approved on February 20, 2020. The NRI verifies that the site contains regulated environmental features, woodlands, and specimen trees. No revisions are required for conformance to the NRI.

Woodland Conservation

The site is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size, and it contains more than 10,000 square feet of existing woodland.

Based on the revised Type 1 tree conservation plan (TCP1), the overall site contains a total of 12.30 acres of net tract woodlands. The plan shows a proposal to clear 7.18 acres of on-site woodlands and 0.04 acre of off-site woodlands for a woodland conservation requirement of 4.66 acres. Currently, the plan view and woodland conservation worksheet show 4.66 acres of on-site preservation to meet the woodland requirement.

Technical revisions are required to the TCP1, which are 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 per 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 Environmental Technical Manual 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) of the WCO 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 statement of justification (SOJ) stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 Variance Application and an SOJ in support of a variance, dated December 1, 2021, were submitted.

The approved NRI identifies that the site contains a total of 49 specimen trees with the ratings of good (27 specimen trees), fair (17 specimen trees), and poor (5 specimen trees). The SOJ proposed to remove 15 specimen trees with good (10 trees), fair (3 trees), and poor (2 trees) conditions.

Removal of the 15 specimen trees requested by the applicant is approved, based on the findings below, in accordance with Section 25-119(d)(1).

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 property would cause an unwarranted hardship if the applicant were required to retain these 15 specimen trees, identified as 9, 10, 17a, 18a, 23a, 50a, 59a, 64a, 75a, 77a, 78a, 88a, 100a, 101a, and 102a. The entire property is wooded. In order to develop the site, woodland clearing is required. The PPS has concentrated the development area within the central portion of the site, while preserving the adjacent woodlands. The large amount of specimen trees (49) located throughout the entire property makes it hard to develop the site without affecting a single specimen tree. Retaining these 15 specimen trees would make this proposed development impossible. The vast majority of the specimen trees, 34 specimen trees, will be preserved within the on-site woodland preservation areas with condition ratings of good (17 specimen trees), fair (14 specimen trees), and poor (3 specimen trees).

The proposed use, for single-family attached residential dwellings, 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 15 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 critical root zone, would deprive the applicant of rights commonly enjoyed by others in similar areas. The site contains 49 specimen trees, and the applicant is proposing to remove 15 of these trees. The 15 trees are being removed due to their central location within the proposed development area. The applicant is preserving all their woodland conservation requirements on-site, and 39 of the specimen trees are located within this preservation area. This PPS is saving more specimen trees and on-site woodland preservation than similar developments.

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

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar residential developments were fully wooded with regulated environmental features and large amounts of specimen trees, in similar conditions and locations, it would be given the same considerations 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 applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The removal of the 15 specimen trees is the result of the central location of the trees on the site, and preserving the woodland conservation requirement on-site to achieve optimal development for the single-family attached dwelling subdivision with associated infrastructure.

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, existing land, or building uses on the site, or on neighboring properties 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

Removal of the requested specimen trees would have no measurable effect on water quality. The site development is subject to additional regulations protecting water quality, including SWM regulations, as implemented locally by DPIE. Erosion and sediment control requirements are also reviewed and approved by the Prince George's County 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. In addition, the woodland conservation requirement is to be met with on-site woodland preservation.

The required findings of Section 25-119(d) have been adequately addressed for the removal of 15 specimen trees identified as 9, 10, 17a, 18a, 23a, 50a, 59a, 64a, 75a, 77a, 78a, 88a, 100a, 101a, and 102a.

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 530 linear feet of streams. The PMA is approximately 1.34 acres.

However, no impacts to the PMA are proposed. Therefore, based on the level of design information currently available, and the limits of disturbance shown on the TCP1, regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible.

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

The Prince George’s County District Council passed CB-028-2018 allowing townhouses to be developed in the R-R Zone, subject to Footnote 126 and requires a DSP approval for the use. Conformance with the regulations in Footnote 126 is required for the proposed development and are as follows:

Footnote 126:

- a. **The proposed use is located on lots, parcels, or property with a total land area of fifteen (15) gross acres in size or less;**
- b. **The proposed use is located on land adjacent to and with frontage on an existing, publicly-owned pedestrian/bicycle recreational facility;**
- c. **The proposed use is located on property with frontage and access to a signalized intersection of a publicly-maintained roadway with a functional transportation classification of ‘Collector’ or higher pursuant to the applicable Countywide Master Plan of Transportation; and**

The subject property is less than 15 acres, is adjacent to publicly owned pedestrian/bicycle recreational facilities and has frontage and access to a signalized intersection of a publicly maintained roadway with a collector transportation classification.

- d. **The regulations ordinarily applicable to development within the R-R Zone shall not apply; instead, all requirements for development of the proposed townhouse dwelling unit residential uses shall be determined through a detailed site plan approval process and depicted on the certified Detailed Site Plan as approved by the Planning Board and/or District Council, in accordance with the provisions of Section 27-548(h) of this Subtitle, in pertinent part, as follows:**
 - i. **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 one hundred (1,100) 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 six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District**

Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) 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 six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the minimum building width in any continuous, attached group shall be twenty (20) 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.

- ii. 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°).**
- iii. Garages may not dominate the streetscape. Garages are preferred to be incorporated into the rear of the building and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots.**

Conformance to Criteria d(i)–d(iii) shall be reviewed at the time of DSP.

Conformance with the 2010 Prince George’s County Landscape Manual

The proposed development is subject to the 2010 *Prince George’s County Landscape Manual*, including Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements, Section 4.4 Screening Requirements, Section 4.7 Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets. The layout shown with the TCP1 indicates that the sidewalk’s placement may not have adequate distance from the roadway, as required by Section 4.10. 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 the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. The property is in the R-R Zone and will require 15 percent of gross tract area to be in tree canopy coverage. Compliance with the tree canopy coverage requirements will be evaluated at the time of DSP review.

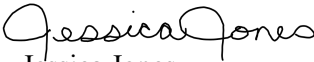
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, and Shapiro voting in favor of the motion, with Commissioner Doerner temporarily absent, and with Commissioner Washington absent at its regular meeting held on Thursday, April 28, 2022, in Upper Marlboro, Maryland.

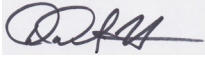
Adopted by the Prince George's County Planning Board this 19th day of May 2022.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:AH:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: May 12, 2022