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October 9, 2019

VIA HAND DELIVERY

Ms. Sherri Conner
Prince George's County Planning Department
Development Review Division
14701 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

RE: The Venue ~ Preliminary Plan of Subdivision (4-19029)

Dear Ms. Conner,

On behalf of our client, Greenwood Park, LLC ("Applicant"), Shipley and Horne, P.A., hereby submits this Statement of Justification in support of a proposed Preliminary Plan of Subdivision. Townhouse development is permitted on the subject property consistent with the standards established pursuant to the Zoning Ordinance text amendment by the adoption of District Council Bill CB-29-2019, where all requirements for development shall be established by and shown on a Detailed Site Plan approved by the Planning Board and/or the District Council. The Preliminary Plan arranges 194 townhouses on fee simple lots on 14.80 acres arranged in a compact, urban layout with private streets and an extensive pedestrian sidewalk network. The proposed project unit density is 13.11 dwelling units/acre (194 du/14.80 acres) which is a comparable townhouse density range found in nearby developments such as Westphalia Row (13.3 du/ac).

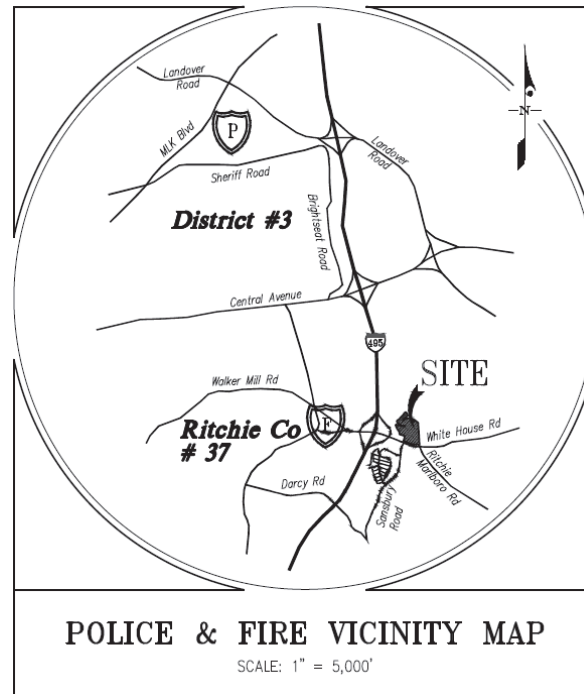
The application is submitted in compliance with the recent Conceptual Site Plan approval of CSP-96073-01 by the Planning Board (PGCPB No. 19-28) adopted on March 21, 2019. The proposed development plan is designed in compliance with the requirements for approval of a preliminary plan of subdivision found in Subtitle 24 of the Prince George's County Code, the Subdivision Regulations, and in accordance with the Zoning Ordinance of Prince George's County, Maryland, Subtitle 27 of the Prince George's County Code.

Section I of this report addresses requirements for preliminary plans of subdivision. Section II describes and justifies requested variations to the subdivision regulations.

SECTION I – PRELIMINARY SUBDIVISION

I. Site Location and Description:

The subject property is located on the north side of Richie Marlboro Road, approximately 750 feet east of the Capital Beltway (I-95/495) intersection, identified as 1700 Ritchie Marlboro Road, Upper Marlboro, Maryland, in Planning Area 73, and Council District 6.



II. Surrounding Uses:

The following uses surround the property:

- North — To the north and northwest of the subject property is Maryland-National Capital Park and Planning Commission (M-NCPPC) parkland.
- East — To the east comprise an existing single-family residential community in the One-Family Detached Residential (R-80) Zone.
- South — Across Ritchie Marlboro Road to the south is property zoned Mixed Use-Transportation Oriented that is developed with townhouses and a food or beverage store/gas station.
- West — To the west of the site is Maryland State Highway Administration (SHA) property, which contains an entrance ramp leading from Ritchie Marlboro Road to the outer loop of the Capital Beltway (I-95/495).

III. Nature of Request:

This Application proposes the subdivision of Lot 1, an existing 54.0-acre lot on which the Greater Morning Star Apostolic Church building currently is constructed. The proposed development will subdivide 194 townhouses fee simple lots on 14.80 acres and the remaining acreage will be retained by the church. The townhouses are arranged in a compact, urban layout with private streets and an extensive pedestrian sidewalk network. The proposed project unit density is 13.11 dwelling units/acre (194 du/14.80 acres) which is a comparable townhouse density range found in nearby developments such as Westphalia Row (13.3 du/ac).

This application is submitted under the applicable requirements of Division 2 of the Subdivision Ordinance regarding Preliminary Plans of Subdivision and by the required findings contained in Section 24-121 (Planning and Design Requirements) of the Subdivision Ordinance. This Preliminary Plan of Subdivision application will be reviewed in accordance with 24-121 (Planning and Design Requirements), 24-122 (Public Facilities Requirements), 24-123 (General Transportation and Circulation Requirements), and 24-124 (Adequate Roads Required) of the County Subdivision Ordinance.

IV. Development Data Summary:

Site Area Summary

EX. CHURCH PROPERTY

SITE AREA - EX. LOT 1 54.00 AC

ZONING:

I-3 37.03 AC
R-T 10.12 AC
R-55 6.20 AC
NO. OF LOTS 1

PROP. CHURCH PROPERTY

SITE AREA - PROP. LOT 4 39.20 AC

ZONING:

I-3 36.67 AC
R-T 2.53 AC
R-55 0.0 AC
NO. OF LOTS 1

PROP. TOWNHOUSE PROPERTY

SITE AREA 14.80 AC

ZONING:

I-3 0.41 AC
R-T 8.19 AC
R-55 6.2 AC
NO. OF LOTS 194 (5-198)
NO OF PARCELS 6 (A-F)

CHURCH PROPERTY

NET LOT AREA FOR CHURCH PROPERTY.....	39.20 AC
I-3 ZONE.....	36.67 AC.
R-T ZONE.....	2.53 AC.
BUILDING COVERAGE ALLOWED IN I-3 ZONE.....	718,805 SF
(45% NET LOT AREA)	
BUILDING COVERAGE PROPOSED IN I-3 ZONE (45%).....	718,805 SF
EX. CHURCH.....	28,365 SF
PROPOSED CHURCH (PROPOSED IN A FUTURE DSP).....	690,170 SF

TOWNHOUSE PROPERTY

TRACT AREA FOR TOWNHOUSES	14.80 AC.
I-3 ZONE	0.41 AC.
R-T ZONE	8.19 AC.
R-55 ZONE	6.20 AC.
TOWNHOUSE DENSITY ALLOWED	N/A*
PROP. TOWNHOUSE UNITS	194 D.U.
PROP. TOWNHOUSE DENSITY	
(194 D.U. / 14.8 AC.)	13.11 D.U. / AC.
PARK DEDICATION REQUIRED (15% OF TOWNHOUSE TRACT AREA)...	2.22 AC.
PARK DEDICATION PROPOSED	NA**

* PER COUNCIL BILL 118-2017, REGULATIONS OF THE I-3, R-55, R-T ZONES SHALL NOT APPLY; ALL REQUIREMENTS FOR DEVELOPMENT SHALL BE ESTABLISHED BY AND SHOWN ON A DETAILED SITE PLAN APPROVED BY THE PLANNING BOARD AND/OR THE DISTRICT COUNCIL.

** FEE IN LIEU, OR FACILITIES IN LIEU, OF MANDATORY DEDICATION

Development Standards

REAR-LOADED TOWNHOUSES (FEE SIMPLE)

MINIMUM LOT SIZE 1,200 S.F.

(PER M-X-T ZONE)

SETBACKS:

MIN. FRONT YARD	10 FEET
MIN. SIDE YARD	4 FT
MIN. REAR YARD	6 FT
MAXIMUM BUILDING HEIGHT	45 FT
MINIMUM LOT WIDTH	20 FT
MINIMUM LOT WIDTH SHOWN.....	20 FT

V. Previous Approvals:

The subject property was rezoned from R-80 to I-3 in the adoption of the 1990 Approved Master Plan Amendment and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73 (Largo-Lottsford Master Plan and SMA). The Prince George's County Planning Board approved Conceptual Site Plan CSP-96073 for Greenwood Manor on July 24, 1997 (PGCPB Resolution No. 97-224). The Planning Board approved the Preliminary Plan of Subdivision (PPS) 4-97107 and Type I Tree Conservation Plan TCPI-067-97 for Greater Morning Star Apostolic Church on October 28, 1997. This PPS created Lot 1, which contains the church, and Lots 2 and 3, which were intended for uses in conformance with the I-3 Zone. Subsequently, Lots 2 and 3, comprising approximately 7.66 acres, were conveyed to SHA, resulting in the current land area of 54 acres. On September 5, 2002, the Planning Board approved the Detailed Site Plan DSP-02018 and Type II Tree Conservation Plan TCP II-053-02 for the development of the existing church on the property. The Prince George's County District Council adopted Zoning Map Amendments A-9991-C and A-9992-C on September 8, 2008, to rezone approximately 5.99 acres of the property to the One-Family Detached Residential (R-55) Zone (A-9991-C), and approximately 10.67 acres to the Townhouse (R-T) Zone (A-9992-C).

On March 21, 2019, the approved CSP-96073-01 (PGCPB No. 1928) subject to nine conditions, and Type 1 Tree Conservation Plan TCP 1-067-97-01 subject to five conditions.

On September 17, 2019, District Council Bill CB-29-2019 was adopted permitting Townhouse development on the subject mixed R-T, R-55, and I-3 zoned property consistent with the standards established by and shown on a Detailed Site Plan approved by the Planning Board and/or the District Council.

VI. Relationship to County Plans and Policies:

General Plan 2035: The redevelopment proposed for the subject property is entirely consistent with the vision, policies, and strategies contained within the 2002 General Plan. This proposal is consistent with the vision, policies, and strategies contained within the 2002 Prince George's County Approved General Plan, and the Plan Prince George's 2035 Approved General Plan (Plan Prince George's 2035). The subject property in this application is in the Developing Tier of the 2002 General Plan. The vision for the Developing Tier was to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. Much of the developing tier did not meet the goals for growth envisioned by the 2002 plan, and the Plan Prince George's 2035 Plan established a growth boundary within which growth would be encouraged. The Plan Prince George's 2035 designates the property within an established community within the Growth Boundary. The plan describes established communities as most appropriate for context-sensitive infill and low- to medium-density development.

1990 Approved Largo-Lottsford Master Plan Amendment and Adopted SMA: classified the property in the I-3 Zone and recommended office and commercial uses on this development site. The Master Plan placed the subject property in Planning Area 73, Largo Community, Neighborhood B. The Master Plan (Pages 84, 85 and 90) also designated land in the northeast quadrant of the proposed Ritchie-Marlboro Road interchange, including the subject property as Employment Area 4. The Master Plan (Page 67) recommended that Neighborhood B south of the PEPCO transmission line be maintained as an area of suburban single-family residences except for a limited employment area adjacent to the proposed interchange at the Capital Beltway and Ritchie-Marlboro Road.

In both decisions associated with the A-9991 and A-9992 cases, the Zoning Hearing Examiner acknowledged that Zoning changes have occurred in the neighborhood with the adoption of the Westphalia Plan, which seeks to implement the policy recommendations of the General Plan to locate industrial/employment centers within centers and corridors and to locate a greater percentage of residential development in the developing tier of the County. Other industrially zoned lands near the subject property have been rezoned to mixed-use or residential zones. Therefore, it is impractical to assume that quality industrial uses would locate on the applicant's property. Furthermore, with this development location immediately adjacent and to the north of the planned northern gateway (i.e., largest of ten gateways) of the Westphalia Community, providing more residential development within the neighborhood, is more in keeping with the establishing development patterns for the subject neighboring community.

2007 Westphalia Sector Plan and Sectional Map Amendment (SMA): Although the subject site is not located within the boundary of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment*, dovetailing upon the findings in the Zoning Hearing Examiner's decisions for A-9991 and A-9992, The Venue project is proposed immediately north/across Ritchie Marlboro Road bordering one of the ten "gateway" entrances identified in the Westphalia Sector Plan. Comparable to The Venue, the three-phase M-X-T Zoned Westphalia Row townhouse "gateway" development is located directly south of the subject site in a designated mixed-use activity center at the northern gateway to the sector plan along a local street (Sansbury Road) and Ritchie Marlboro Road, an arterial highway, east of the interchange for the I-95, a freeway facility.

2017 Countywide Green Infrastructure Plan: The subject property is not within the boundaries of the 2005 Approved Countywide Green Infrastructure Plan and does not contain any regulated environmental features. Therefore, this standard does not apply. The proposed development impacts no on-site wetlands or areas within the 100-year floodplain.

County's Ten-Year Water and Sewerage Plan: The 2010 Water Resources Functional Master Plan amends the 2002 General Plan, and provides growth guidance expressed as goals, policies, and strategies to address water quality impacts associated with land use in the county. The Plan references the Ten-year Water and Sewer Plan and addresses explicitly: Drinking Water Supply, Water Treatment, and Stormwater Management. The subject property is within water and sewer categories W-3 and S-3 and is served by the public water and sewer system operated by WSSC.

2009 Master Plan of Transportation: The Greater Morning Star Apostolic Church is currently served by two parallel access roads, which intersect with Ritchie Marlboro Road at signalized intersections. The application is proposing the upgrading of the eastern access drive to a public street (McCarthy Drive), terminating as a cul-de-sac. From this public street, three private roads are being proposed and will serve as access for all of the proposed townhouses. The second access is proposed directly to the existing access road to the west that is opposite the signalized intersection opposite Sansbury Road.

According to the 2009 Master Plan of Transportation, the subject property fronts on Ritchie Marlboro Road, a County-owned master-planned arterial road (A-36). Along the property's frontage, A-36 is currently built to its ultimate master plan cross-section. Adequate right-of-way consistent with master plan recommendations is presently in place along this roadway section. However, as a consequence of discussions and requests from the staff of both DPIE and M-NCPPC, the Applicant has agreed to incorporate within the bounds of the 4-9026 Preliminary Plan of Subdivision a proposed right-of-way (ROW) dedication. The areas of proposed dedication is defined with gray shading.

An existing Master Planned shared-use trail parallels the property frontage along the south side of Ritchie Marlboro Road.

VII. Relationship to Requirements of the Subdivision Ordinance:

Section 24-121 Planning and design requirements

As described below, the proposed project satisfies each of the requirements which govern the Planning Board's approval of Preliminary Plan applications listed in Sections 24-121:

(a) *The Planning Board shall require that proposed subdivisions conform to the following:*

- (1) *All lots shall be designed to be located wholly within the County and platted in conformance with all of the requirements of the Zoning Ordinance applicable to the subject property.***

RESPONSE: The subject property is wholly within the County and will be platted in accordance with all applicable requirements.

- (2) *In cases where the proposed subdivision is situated in a portion of the Regional District not planned to be served by public water and/or sewerage facilities, proposed lots shall be designed to meet the minimum lot size requirements for individual systems, as contained in Subtitle 22 of this Code and in the Comprehensive Ten-Year Water and Sewerage Plan.***

RESPONSE: This standard does not apply to the subject property. The proposed development is located within an existing water and sewer service area and is planned to tie into the nearby public water and sewer system.

- (3) *When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.***

RESPONSE: The subject property complies with this standard, no individual lots within the project plan will access directly onto nearby arterial roadways.

- (4) *Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.***

RESPONSE: The Applicant is requesting a variance from this requirement. The variation request is found in Section II of this Statement of Justification.

- (5) *The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant plan recommendations no longer appropriate or the District Council has not imposed the recommended zoning.***

RESPONSE: Reflected in the prior CSP-96073-01 Planning Board decision, the Planning Board noted that they had reviewed a memorandum dated January 23, 2019 (Umeozulu to Zhang), incorporated within the documentation presented concerning that CSP case, which indicated that master plan conformance is not required for this application.

- (6) *When indicated by a master plan or the General Plan or when requested by a public agency, land may be placed in reservation, pursuant to Division 7 of this Subtitle.***

RESPONSE: This section is not applicable. No land associated with The Venue has been identified by either the General Plan, the Sector Plan, or requested by a public agency to be placed in a reservation, according to Division 7 of the Zoning Subtitle.

- (7) *Provision shall be made for the eventual ownership of outlots or residue parcels by incorporating them into platted lots or into adjacent parcels or by other means deemed acceptable by the Planning Board.*

RESPONSE: The Preliminary Plan of Subdivision 4-19026 does not propose the creation of any outlots.

- (8) *Corner lots shall be rounded with a radius of not less than twenty (20) feet or provided with an equivalent truncation.*

RESPONSE: Compliant truncations exist or will be provided at the time of future dedication. The proposed plan is designed to meet or exceed County and State standards.

- (9) *Walkways, with rights-of-way not less than ten (10) feet wide, shall be provided through all blocks over seven hundred fifty (750) feet long, when deemed necessary by the Planning Board.*

RESPONSE: The subject site does not contain blocks greater than 750 feet long. Therefore, this standard does not apply.

- (10) *Generally, subdivisions shall be designed to avoid unnecessary and costly roads, utility extensions, grading, and energy consumption.*

RESPONSE: The site is suitable for development and has access to existing utility and vehicular infrastructure. An efficient circulation pattern provides for connectivity within the development and to the surrounding streets and neighborhoods. All proposed internal drive aisles are necessary to provide adequate internal circulation, emergency access, and property access on site.

- (11) *Significant natural features which are impossible or difficult to reproduce, such as waterways, streams, hills, wooded lands, and specimen trees, should be preserved to the degree practicable.*

RESPONSE: There are no significant natural features associated with the subject site.

- (12) *Lot size averaging may be permitted for preliminary plans accepted prior to July 1, 2006 in accordance with the Zoning Ordinance when the Planning Board finds that:*

- (A) *The subdivision design provides for better access, protects or enhances historic resource or natural features and amenities, or otherwise provides for a better environment than that which could be achieved by the exclusive use of standard lots.*

- (B)** *The subdivision design provides for an adequate transition between the proposed sizes and locations of lots and the lots, or lot size standards, of any adjacent residentially zoned parcels.*
- (C)** *The subdivision design, where applicable, provides for an adequate transition between the proposed natural features of the site and any natural features of adjacent parcels.*

RESPONSE: This standard does not apply to the subject application. No lot size averaging is proposed.

- (13)** *Generally, lots, except at corners, should have access to only one (1) street.*

RESPONSE: This is understood.

- (14)** *If an entrance feature or gateway sign is proposed in a residential subdivision, it shall be identified on the preliminary plan on a separate Homeowners' Association parcel, or easement located on a homeowner's lot, and be designed in accordance with the standards in Section 27-624 of the Zoning Ordinance. A Homeowners' Association or other entity or person designated in a maintenance arrangement approved by the Department of Permitting, Inspections and Enforcement, shall be responsible for the maintenance of the entrance feature or gateway sign.*

RESPONSE: There is an entry monument feature proposed on both sides of the McCarthy Drive access road intersection with Ritchie Marlboro Road at the southeast corner of the property. The homeowner's association will maintain this feature.

- (15)** *The Planning Board shall not approve a preliminary plan of subdivision until evidence is submitted that a stormwater management concept plan has been approved by the Department of Permitting, Inspections and Enforcement or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.*

RESPONSE: Concept Plan No. 20636-2018-00 was approved on April 1, 2019, and is valid until April 1, 2022.

- (16)** *Except as indicated in Section 24-132, the subdivision shall be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25.*

RESPONSE: The site is subject to Type 1 Tree Conservation Plan (TCP1-067-97-02).

(17) *Historic resources should be preserved.*
and

(18) *Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review should be preserved in place, to the extent practicable and should be interpreted as appropriate."*

RESPONSE: The Planning Board noted in their resolution of approval for CSP-96073-01 that a memorandum dated January 18, 2019 (Stabler and Smith to Burke), and revised on February 25, 2019, incorporated herein by reference, which provided comments on this application, as follows:

"Because of the proximity of the subject property to a tributary of the Southwest Branch and the recordation of several prehistoric archeological sites next to that tributary, there is a high probability that additional prehistoric sites may be identified on the subject property. Historic maps indicate that the subject property was occupied in the historic period by members of the Hill and Beall families. Remains of the farmstead visible in historic aerial photographs appear to have not been disturbed. This site could provide information on the transition from slavery to freedom on this plantation.

The subject application does not propose any disturbance in the areas of the property that have the potential to contain archeological resources. Any future plans that propose grading or ground disturbance in the areas shown on the TCPI as "Area F", or any of the non-disturbed areas along the streams, shall be subject to archeological investigations.

In accordance with the Planning Board's directives, as described in the 2005 "Guidelines for Archeological Review," and consistent with Sections 24-104, 24-12 l(a)(l 8), and 24-135.01, the subject property should be the subject of a Phase I archeological investigation to identify any archeological sites that may be significant to the understanding of the history of human settlement in Prince George's County, including the possible existence of slave quarters and slave graves, as well as archeological evidence of the presence of Native American people. Archeological investigations were not recommended through the prior PPS because the archeological regulations were not approved until November 2006.

Prior to approval of the final plat, Phase I (Identification) archeological investigations, according to the Planning Board's "Guidelines for Archeological Review" (May 2005), will be required on the above-referenced property to determine if any cultural resources are present. The areas within the developing property that have not been extensively disturbed should be surveyed for archeological sites. The applicant should submit a Phase I Research Plan for approval by the staff archeologist, prior to commencing Phase I work. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations will be required prior to approval. If it is determined that potentially significant archeological resources exist in the project area, further investigations or work may be required."

- (19) Condominium townhouse dwelling units approved after September 1, 2012 shall conform to the lot standards of this Subtitle and Subtitle 27 for possible future conversion to fee simple lots.**

RESPONSE: The proposed townhouse lots are intended to be fee simple ownership.

Sec. 24-122.01. - Adequacy of public facilities.

- (a) The Planning Board may not approve a preliminary plan of subdivision if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" and "Guidelines for the Analysis of the Traffic Impact of Development Proposals." The Planning Board shall require adequate public facilities, as provided in this Section and in Division 4 of this Subtitle.**

RESPONSE: As discussed above, the Preliminary Plan of Subdivision 4-19026 site is currently served by adequate public facilities.

The 2010 Water and Sewer Plan placed this property in water and sewer Category 3, Community System, and within Tier 1 under the Sustainable Growth Act, the site will, therefore, be served by public systems. The proposed development is designed to be served by existing water and sanitary sewer lines that currently serve the existing Greater Morning Star Apostolic Church site.

A traffic impact analysis prepared by Lenhart Traffic Consulting, Inc. ("TIA") dated August 30, 2019, reviews and demonstrates the adequacy of public roadway is included in this submission. The memorandum documents that a detailed Scoping Agreement was reached with the M-NCPPC Transportation Planning Section staff, following the County's "Guidelines for the Analysis of Development Proposals." In light of the results of this study and the recommendations noted in it, this project will satisfy the APFO requirements of Prince George's County and should be approved.

DIVISION 4. REQUIREMENTS: TRANSPORTATION AND CIRCULATION.

(B) Section 24-123. General requirements.

- (a) The Planning Board shall require that preliminary plan conform to the following:**
- (1) The rights-of-way of all highways, streets, and transit facilities shown on the General Plan, functional master plans, and area master plans shall be shown on the preliminary plan and, when reserved or dedicated, shown on the final plat.**

- (5) *Arterial highways shall have a minimum right-of-way width of one hundred and twenty (120) feet; collector streets, a minimum right-of-way width of eighty (80) feet; and parkways, such right-of-way width as may be designated by the Planning Board. The width of secondary subdivision streets shall be not less than fifty (50) feet and the width of primary subdivision streets not less than sixty (60) feet.*

RESPONSE: According to the 2009 Master Plan of Transportation, the subject property fronts on Ritchie Marlboro Road, a County-owned master-planned arterial road (A-36). Along the property's frontage, A-36 is currently built to its ultimate master plan cross-section. Adequate right-of-way consistent with master plan recommendations is currently in place along this roadway section. Consequently, no further widening is anticipated; therefore, no additional right-of-way will be required. An existing master-planned shared-use trail parallels the property frontage along the south side of Ritchie Marlboro Road. The proposed 4-19026 Preliminary Plan of Subdivision site plan complies with this standard.

- (6) *Land for bike trails and pedestrian circulation systems shall be shown on the preliminary plan and, where dedicated or reserved, shown on the final plat when the trails are indicated on a master plan, the County Trails Plan, or where the property abuts an existing or dedicated trail, unless the Board finds that previously proposed trails are no longer warranted.*

RESPONSE: The circulation plan shows continuous sidewalks along all private streets throughout the site, with the exception of private alleys. This adheres to stipulations outlined in the Complete Streets Section of the MPOT. There is an eight (8) foot wide shared-use pathway along the south side of Ritchie Marlboro Road, a County-owned master-planned arterial road (A-36). Internally, the preliminary plan shows an interconnected network of five (5) feet wide sidewalks along all posed streets. Additionally, each residential structure has lead walks providing access to the front door.

(C) *Section 24-124. Adequate roads required.*

- (a) *Before any preliminary plan may be approved, the Planning Board shall find that:*

- (1) *There will be adequate access roads available to serve traffic which would be generated by the proposed subdivision, or there is a proposal for such roads on an adopted and approved master plan and construction scheduled with one hundred percent (100%) of the construction funds allocated within the adopted County Capital*

Improvement Program, within the current State Consolidated Transportation Program, and/or such roads are incorporated in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1);

RESPONSE: The Planning Board noted in their resolution of approval for CSP-96073-01 that a memorandum dated January 18, 2019 (Stabler and Smith to Burke), and revised on February 25, 2019, incorporated herein by reference, which provided comments on this application, as follows:

“The church is currently served by two parallel access roads, which intersect with Ritchie Marlboro Road at signalized intersections. The application is proposing upgrading of the eastern access drive to a public street (McCarthy Drive), terminating as a cul-de-sac. From this public street, three private roads are being proposed, and will serve as the access for all of the proposed townhouses. A second point of access should be provided directly to the existing access road to the west; however, this issue will be determined with the PPS.

The subject property fronts on Ritchie Marlboro Road, a County-owned master-planned arterial road (A-36). Along the property's frontage, A-36 is currently built to its ultimate master plan cross section. Consequently, no further widening is anticipated; therefore, no additional right-of-way will be required.

No traffic study or adequacy-related findings are required by Subtitle 27 of the Prince George's County Code. Therefore, from the standpoint of transportation, it is determined the finding in Section 27-276(b)(1) can be made.”

A traffic impact analysis prepared by Lenhart Traffic Consulting, Inc. (“TIA”) dated August 30, 2019, was prepared for the proposed development named The Venue to be located between Markus Drive and McCarthy Drive on the north side of Ritchie Marlboro Road in Westphalia, Maryland. Exhibit 1 shows the location of the proposed development. The current development proposal includes up to 194 townhouse units. The site is proposed to be accessed from driveways off of McCarthy Drive and Markus Drive.

The site is part of Lot 1 which is one of three lots associated with the previously approved PPS 4-97107. This PPS has a vested trip cap of 203 AM and 243 PM peak hour trips. Lot 1 has an existing 28,365 square foot church which is slated for an expansion up to 80,000 square feet. This TIA considers these 203 and 243 peak hour trips as vested trips within the roadway network and are included in the background conditions. This TIA will determine the adjusted trip cap for the entire site (Lots 1-3).

Scope of Study: The study includes three intersections surrounding the development as shown on Exhibit 1. A Scoping agreement was coordinated with M-NCPPC and is included in the TIA Appendix A.

M-NCPPC Guidelines require that signalized intersections operate with CLV less than 1,450 in the Developing Tier where the site is located.

M-NCPPC Guidelines require that unsignalized intersections be evaluated using the Highway Capacity Manual (HCM) unsignalized methodology based on a three-tier test of adequacy. All intersections operating with an average of less than 50 seconds of delay per vehicle for the minor street movements are considered adequate (tier one). If an intersection exceeds 50 seconds of delay, additional analyses are required including a consideration of the volume of traffic on the minor street approach. If the minor street volumes with greater than 50 seconds of delay are less than 100 vehicles per hour then the intersection is considered adequate (tier two). If average delays exceed 50 seconds per vehicle for any movements with more than 100 vehicles per hour, a CLV analysis is conducted and if the CLV of the unsignalized intersection is 1,150 or better (tier three) the intersection is deemed adequate.

Description of Road Network

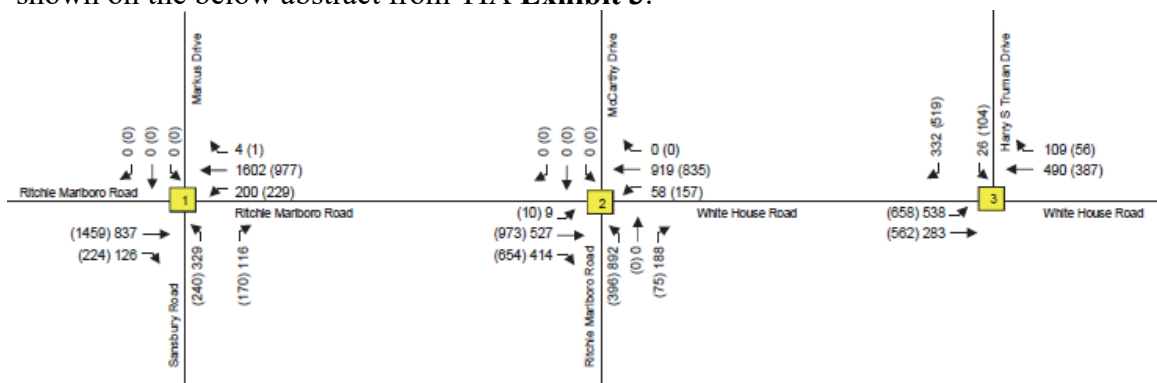
- Ritchie Marlboro Road is a divided four to six-lane road in the vicinity of the site. The posted speed limit is 40 mph.

Existing Lane Configurations

- The Existing Lane Use & Traffic Control Devices are shown on TIA **Exhibit 2**.

Existing Traffic Counts

- Peak hour turning movement counts were conducted for the study intersections and the results are shown on the below abstract from TIA **Exhibit 3**.





Projected Conditions with Site

- The current development proposal includes 194 townhouse units. The site is proposed to be accessed from driveways off of both McCarthy Drive and Markus Drive.
- The trip generation for the site is detailed on TIA **Exhibit 6**. Trip generation rates and totals are based on applicable rates from the Prince George's County Guidelines.

Townhouse (Prince Georges County Rates) Trip Distribution (In/Out)

Morning Trips = $0.7 \times \text{Units}$ 20/80

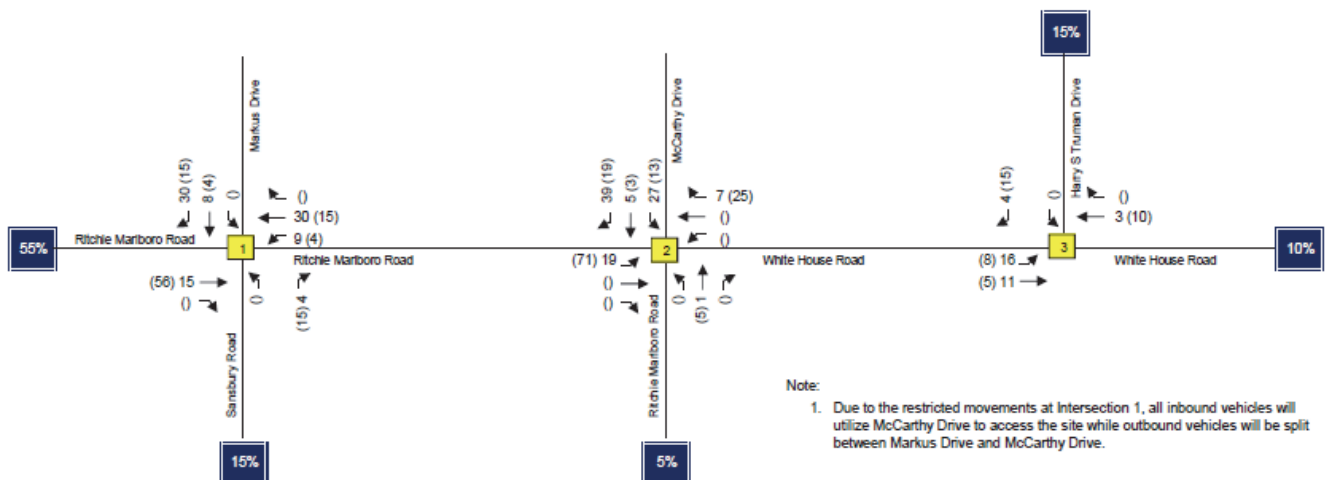
Evening Trips = $0.8 \times \text{Units}$ 65/35

Trip Generation Totals

Proposed	Townhouse (Prince Georges County Rates)	194 units	AM Peak			PM Peak		
			In	Out	Total	In	Out	Total
			27	109	136	101	54	155
Total:			27	109	136	101	54	155

Site Trip Distribution & Trip Assignment

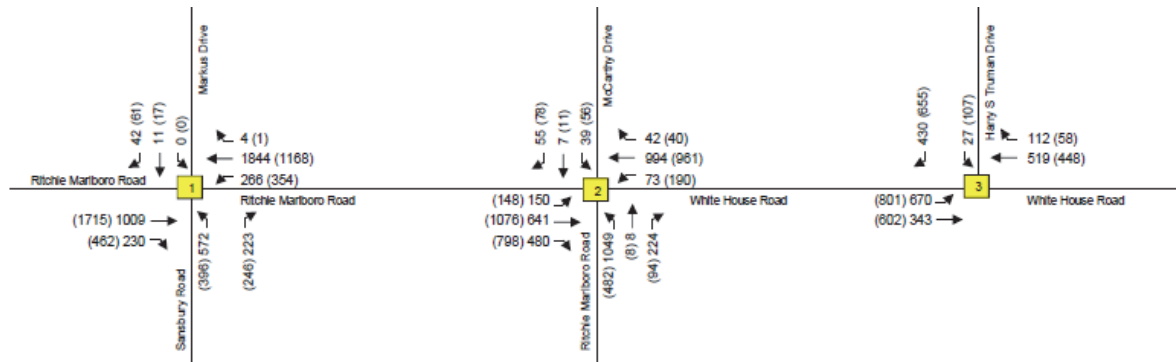
- The below abstract from TIA **Exhibit 7** shows the trip assignment for the site.





Total Traffic Volumes

- The Total Peak Hour Volumes are shown on the below abstract from TIA **Exhibit 8**.



Projected Level of Service

- The results of the HCM & CLV analysis are shown on the below abstract from TIA **Exhibit 9**.

Level of Service Results

Morning Peak Hour	Existing LOS	Background LOS	Total LOS	Meets Standard?
1). Ritchie Marlboro Road & Sansbury Road	B / 1078	B / 1056	B / 1078	Y
2). Ritchie Marlboro Road & McCarthy Drive	B / 1049	C / 1287	D / 1342	Y
3). White House Road & Harry S Truman Drive				N
<i>Tier 1 - HCM Delay Test</i>				
Eastbound Left Turn	C / 15.0	C / 21.5	D / 22.9	Y
Southbound Left Turn	F / > 200	F / > 200	F / > 200	N
Southbound Right Turn	D / 27.9	F / 58.8	F / 61.5	N
<i>Tier 2 - Minor Street Volume Test</i>	> 100 veh.	> 100 veh.	> 100 veh.	N
<i>Tier 3 - CLV Test</i>	C / 1163	D / 1309	D / 1328	N
Evening Peak Hour	Existing LOS	Background LOS	Total LOS	Meets Standard?
1). Ritchie Marlboro Road & Sansbury Road	A / 996	D / 1386	D / 1414	Y
2). Ritchie Marlboro Road & McCarthy Drive	A / 930	B / 1094	B / 1112	Y
3). White House Road & Harry S Truman Drive				N
<i>Tier 1 - HCM Delay Test</i>				
Eastbound Left Turn	B / 14.6	C / 23.5	C / 23.5	Y
Southbound Left Turn	F / > 200	F / > 200	F / > 200	N
Southbound Right Turn	E / 47.0	F / 142.4	F / 142.4	N
<i>Tier 2 - Minor Street Volume Test</i>	> 100 veh.	> 100 veh.	> 100 veh.	N
<i>Tier 3 - CLV Test</i>	C / 1205	D / 1396	D / 1414	N

Notes:

1. Signalized intersections in the Developing Area must have a CLV better than the standard of 1,450, per M-NCPPC guidelines.
2. Unsignalized intersections are subject to a three-tier test of adequacy. An intersection meeting the requirements of any one of the three tiers is considered adequate. Tier one of the tests consider an intersection adequate if HCM delay is less than 50 seconds for all movements. If an intersection fails tier one of the tests, tier two of the test considers the intersection adequate if the minor street approach volumes are less than 100 vehicles during the peak hour. If an intersection also fails tier two of the test, tier three of the test considers the intersection adequate if the CLV is less than 1,150.

Results of Analyses: In the conclusions and recommendation section the TIA concluded that Traffic Impact Analysis was prepared for the proposed development named The Venue to be located between Markus Drive and McCarthy Drive on the north side of Ritchie Marlboro Road in Westphalia, Maryland. The current development proposal includes up to 194 townhouse units.

Based on the analyses contained in the TIA the report found that:

- Intersection 1, Ritchie Marlboro Road & Sansbury Road, operates acceptably based on the CLV requirement of 1,450 or better for signalized intersections.
- Intersection 2, Ritchie Marlboro Road & White House Road, operates acceptably based on the CLV requirement of 1,450 or better for signalized intersections.
- Intersection 3, White House Road & Harry S Truman Drive, fails the three-tier test for unsignalized intersection operations.
 - It is recommended that a condition be approved as follows: “Prior to issuance of the first building permit, the applicant shall provide a traffic signal warrant analysis to the operating agency. If the signal is warranted and required by the operating agency, the signal shall be installed at a time as required and determined by the operating agency.

The site is part of Lot 1 which is one of three lots associated with the previously approved PPS 4-97107. This PPS has a vested trip cap of 203 AM and 243 PM peak hour trips. Lot 1 has an existing 28,365 square foot church which is slated for expansion up to 80,000 square feet. This TIA considers these 203 and 243 peak hour trips as vested trips within the roadway network and is included in the background conditions for Lots 1-3.

Appendix C-2 shows the assignment of the remaining trip cap from 4-97107 with the details as follows:

- Approved trip cap 203 AM and 243 PM.
- Existing Church (28,365 sq ft) generating 15 AM and PM trips.
- 188 AM and 228 PM trips remaining to be assigned in background traffic as shown in Appendix C-9.
- Total of 33 AM and PM trips allocated to 80,000 sq ft church. This leaves 170 AM and 210 PM trips for Lots 2-3 and the remainder of Lot 1.
- Lots 2 (2.53 acres) and 3 (5.13 acres) are a total of 7.66 acres. Using a FAR of 0.30 per the Guidelines, this would yield a total of 100,100 square feet of light industrial on Lots 2 and 3, which would require a total of 73 AM and 75 PM trips with a pro-rated total of 24 AM and 25 PM for Lot 2 and 49 AM and 50 PM for Lot 3. These would be taken from the remaining trip cap of 170 AM and 210 PM trips, which would leave 97 AM and 135 PM trips for the church uses on Lot 1.

- The trip cap for Lot 1 should be as follows:
 - 136 AM and 155 PM for the new 194 TH units.
 - 33 AM and PM for up to 80 ksf church.
 - 97 AM and 135 PM back to the church based on the original 4-97107 approval.
 - This is a total trip cap of 266 AM and 323 PM for Lot 1.
- Remaining trip cap from 4-97101 for Lots 2 and 3 would be as noted above and should be reflected on the updated plat.

In light of the results of this study and the recommendations noted above, this project will satisfy the APFO requirements of Prince George's County and should be approved.

Section 24-124.01 Adequate Public Pedestrian and Bikeway Facilities Required in County Centers and Corridors.

RESPONSE: According to the 2009 Master Plan of Transportation, there is an eight (8) foot wide shared-use pathway along the south side of Ritchie Marlboro Road, a County-owned master-planned arterial road (A-36). Internally, the preliminary plan shows an interconnected network of five (5) feet wide sidewalks along all proposed streets.

Typically the McCarthy Drive, a new public right-of-way would include a sidewalk and public utility easement (PUE) on both sides of the road. The Applicant is requesting that this road have a sidewalk and PUE on the west side only. The east side of the road has no townhouses fronting it, however, there is an existing vegetative buffer that was planted approximately 15 years ago and is very effective at blocking the view from the rear yards of the homes in the Heritage Glen subdivision. In an effort to save the existing vegetation, the Applicant also requests providing a 5-foot-wide shoulder from the edge of curb and then slope down to existing grade at a maximum 2:1 slope. This would allow the road to be constructed with necessary grading and storm drainage and to save the existing vegetative buffer. A proposed road section for McCarthy Drive is shown on the cover sheet of the Preliminary Plan. An extensive network of sidewalks will provide interconnectivity to numerous landscaped activity areas located throughout the development which encourages pedestrian activity.

As requested by Parks and Recreation staff at the time of CSP, the Applicant is proposing to connect the development to the nearby parkland to the north via a 5-foot wide asphalt walkway within the existing 50-foot ingress/egress easement as shown on the Preliminary Plan. The walkway will be shown in more detail at a later time on the Detailed Site Plan. Regarding other connectivity to the surrounding community, crosswalk improvements may be appropriate at signalized intersections along Ritchie Marlboro Road. Per County standards, construction of crosswalks will be coordinated with DPIE.

Section 24-130 Stream, wetland, and water quality protection and stormwater management

- (a) Proposed subdivisions shall be designed to minimize the effects of development on land, streams and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.*

RESPONSE: The property is currently owned by the Greater Morning Star Apostolic Church, and is irregularly shaped due (in part) to approximately 38.29 acres of stream valley dedication to the M-NCPPC Prince George's County Department of Parks and Recreation, and dedication of about 7.66 acres in the southwest section of the property to SHA. The property is currently improved with a church and associated parking located in the center, within the 1-3 Zone, and is accessed via two driveways from Ritchie Marlboro Road to the south, through the residentially zoned property. The existing stormwater management pond on church property will treat stormwater from both the church and the proposed development. All proposed roads, sidewalks, landscaping, and stormwater management facilities within The Venue will be privately owned and maintained by the homeowner's association and in the case of the significant existing stormwater management, pond maintenance will be shared between the Greater Morning Star Apostolic Church and the HOA.

- (b) The Planning Board shall require that proposed subdivisions conform to the following:*

- (1) The preliminary plan shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.*
- (2) The stormwater control shall be provided on-site unless the Planning Board, on recommendation from the County, waives this requirement.*

RESPONSE: Stormwater controls will be provided on-site that are adequate to control the ten (10) year storm as described in the recently approved Stormwater Management Concept Plan pursuant to Items 1 and 2 above.

- (3) The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to preliminary plan approval.*

RESPONSE: Concept Plan No. 20636-2018-00 was approved on April 1, 2019, and is valid until April 1, 2022.

- (4) Where a property is partially or totally within an area covered by an adopted Watershed Plan, the preliminary plan shall conform to such plan.*
- (5) Where a property is located outside the Chesapeake Bay Critical Areas*

Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.

(c) The submission of a sediment control concept study, and approval thereof by the Soil Conservation District, may be required prior to final plat approval.

RESPONSE: Per the Soil Conservation Commission District requirements, sediment control concept study CSC # 236-18, was submitted for review and approval to the District office.

VIII. Previous Approvals:

Zoning Map Amendment A-9991-C and A-9992-C *(attached)*: On March 21, 2019, the Zoning Hearing Examiner approved the applications; and that approval was supported by the District Council on September 8, 2008, that approval subject to five conditions ***highlighted in italic bold***:

1. *A new Forest Stand Delineation, in accordance with the Prince George's Woodland Conservation and Tree Preservation Technical Manual, shall be required at time of subdivision.*

Response: In compliance with this condition, a Forest Stand Delineation was submitted as part of the Natural Resources Inventory (NRI-058-2018) that was approved on June 25, 2018. The NRI was required as part of the Conceptual Site Plan (CSP-96073-01) approval.

2. *A new Tree Conservation Plan must be submitted to M-NCPPC prior to subdivision approval.*

Response: In compliance with this condition, the TCP1-067-97-02 has been prepared and is submitted in conjunction with this Preliminary Plan of Subdivision 4-19029 application.

3. *The unmitigated 65 dBA (Ldn) ground level and second-story noise contours associated with the proposed arterial roads shall be shown on any preliminary plan and Type 1 Tree Conservation Plan.*

Response: In compliance with this condition, both the 65 dBA Unmitigated Ground-Level and 65 dBA Unmitigated Upper-Level noise contour lines are shown on this 4-19029 Preliminary Plan of Subdivision plan.

4. *Since the site is located to the north of the planned northern gateway of the Westphalia Community and to the west of an existing residential development, a Detailed Site Plan shall be required for the single-family development as well as the Metropolitan Dwelling Units to insure that the design and site arrangement will be harmonious with the surrounding development.*

Response: Upon confirmation from M-NCPPC that the 4-19029 Preliminary Plan of Subdivision is a feasible design, the Applicant poised to provide notice to the design team to initiate the preparation of a Detailed Site Plan in compliance with the aforementioned recently adopted District Council Bill CB-29-2019 (*attached*). The Venue is designed as a high-density urban townhome subdivision compatible with Westphalia Row townhouse development across the street that are located on either side of the northern gateway into the Westphalia planning area. Mirroring the design of the nearby Westphalia Row, the subdivision is laid out in a grid pattern with private streets, alleys, and sidewalks that connect townhouses to open space/activity areas. The Venue complies with the current M-X-T zoning standards (including minimum lot sizes) and has utilized similar planning elements that blend with the two developments directly across the street.

5. *Applicant shall provide standard sidewalks on both sides of all internal roads and along the site's entire frontage on Ritchie Marlboro Road, unless this requirement is modified by the Department of Public Works and Transportation.*

Response: The circulation plan shows continuous sidewalks along all private streets throughout the site, with the exception of a section of road along the north property line that borders the church parking lot. At the time of this zoning approval (2007), single family detached homes and front loaded townhouses were planned, and sidewalks would normally always parallel the road in front of the houses. As put forth in this Preliminary Plan and in today's market the Applicant is not proposing either of these housing types. On this Preliminary Plan this stretch of road has no townhouses fronting on it on either side of the road. On one side of the road the townhouses have a perpendicular orientation such that only the side of end units face the road. On that side of the road a sidewalk is proposed. On the other side of the road where there are no homes fronting it there is no sidewalk. There is an eight (8) foot wide shared-use pathway along the south side of Ritchie Marlboro Road, a County-owned master-planned arterial road (A-36). Internally, the preliminary plan shows an interconnected network of five (5) feet wide sidewalks along most proposed streets. Additionally, each residential structure has lead walks connecting the townhouses to the interconnected sidewalk system.

Conceptual Site Plan CSP-96073-01: On March 21, 2019, the approved CSP-96073-01 (PGCPB No. 19-28) subject to five conditions, and Type 1 Tree Conservation Plan TCP 1-067-97-01 subject to five conditions *highlighted in italic bold*:

1. *Prior to certification of this conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:*

- a. Add the bearings and distances for each lot.*

Response: In compliance with this condition, the above information was added to the CSP plans before certification.

- b. Delineate the existing 50-foot-wide ingress/egress easement that extends to Parcel A, which is owned by the Maryland-National Capital Park and Planning Commission. Delineate a potential trail connection, within the easement, from the end of the access road to the parkland.*

Response: In compliance with this condition, the above information was added to the CSP plans before certification. The potential trail connection extending to the M-NCPPC parkland is also reflected on the PPS 4-19026 Site Plan.

- c. Delineate the 65 dBA Ldn unmitigated noise contour line from Ritchie Marlboro Road and the Capital Beltway (I-95/495).*

Response: In compliance with this condition, both the 65 dBA Unmitigated Ground-Level and 65 dBA Unmitigated Upper-Level noise contour lines are shown on this 4-19029 Preliminary Plan of Subdivision plan.

- d. Delineate the 150-foot lot depth along the western and southern property lines abutting the arterial roadway.*

Response: In compliance with this condition, the 150-foot lot depth along the western and southern property lines abutting the arterial roadway line extending from Ritchie Marlboro Road is shown on the site plan.

- 2. Prior to certification of the Type 1 Tree Conservation Plan TCP 1-067-97-01, the following revisions shall be made:*

- a. Add CSP-96073-01 and the reason for revision to the -01 row of the approval block.*

Response: In compliance with this condition, the above information was added to the TCP plan set prior to certification.

- b. Correct the Woodland Conservation Summary Table to match the plan and the worksheet.*

Response: In compliance with this condition, the above information was added to the TCP plans prior to certification (see below).

WOODLAND CONSERVATION SUMMARY TABLE (ACRES)

SHEET	GROSS TRACT AREA	100-YEAR FLOODPLAIN (FP)	NET TRACT AREA (NTA)	EXISTING WOODLAND (NTA)	EXISTING WOODLAND IN FLOODPLAIN (FP)	WOODLAND CLEARED IN NET TRACT (C-NTA)	WOODLAND CLEARED IN FLOODPLAIN (C-FP)	WOODLAND CLEARED OFF-SITE (C-OS)	WOODLAND PRESERVATION AREA (NPA)	WOODLAND AFFORESTATION AREA (NRA)	WOODLAND RETAINED / NOT CREDITED (NR-NC)	WOODLAND RETAINED / ASSUMED CLEARED (NR-AC)	NATURAL REGENERATION AREA (NRA)
2	21.31	0.00	21.31	6.34	0.00	3.13	0.00	0.00	1.16	0.00	0.00	0.00	0.62
3	26.44	0.00	26.44	5.71	0.00	2.30	0.00	0.00	3.47	2.33	0.00	0.00	6.41
OVERALL	54.00	0.00	54.00	12.11	0.00	7.43	0.00	0.00	4.63	2.33	0.00	0.00	7.04

c. Show the unmitigated 65 dBA ground-level and second-story noise contours, as required by Zoning Map Amendments A-9991-C and A-9992-C.

Response: In compliance with this condition, both the 65 dBA Unmitigated Ground Level and 65 dBA Unmitigated Upper-Level noise contour lines are shown on the site plan.
d. Provide the standard TCP 1 notes on the plan.

Response: In compliance with this condition, Sheet 1 of 3 of the TCP1-067-97-02 provides an extensive list of 12 Standard Notes.

e. Have the revised plan signed and dated by the qualified professional preparing the plan.

Response: In compliance with this condition, the TCP plan is shown as being prepared by Kevin Foster, who is identified as being a qualified professional with Gutschick, Little & Weber, P.A.

3. Prior to acceptance of a preliminary plan of subdivision (PPS), the applicant shall delineate the 65 dBA Ldn unmitigated and mitigated noise contour line on the PPS and the Type 1 tree conservation plan and submit a Phase 1 noise analysis in support of the noise contours.

Response: In compliance with this condition, both the 65 dBA Unmitigated Ground Level and 65 dBA Unmitigated Upper-Level noise contour lines are shown on the site plan.

SECTION II – VARIATION REQUEST

1. Section 24.121(a)(4) requires that lots adjacent to an arterial road be a minimum of 150-feet deep. The Applicant is requesting a variation to this section to reduce the minimum 150-foot lot depth. Requiring a 150-foot lot depth would locate the units far into the site with little visibility and no apparent outward orientation. Additionally, Ritchie Marlboro Road has a historic road designation which requires a 20 feet wide landscaped buffer. This buffer and its associated landscaping will effectively screen the townhouses from view by both motorists and pedestrians.

Section 24-113 of the Prince Georges County Code establishes criteria to grant variations where the Planning Board finds that *“extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle”* The following narrative explains how the requested variations to *The Venue Preliminary Plan* requirements are justified under the set of circumstances described in Section 24-113.

For the Venue, the Applicant is requesting a variation from two sections of the County Code, **Subdivision Section 24.121(a)(4) and Section 24-122(a)**.

The Venue is designed as a high-density urban townhome subdivision compatible with properties across the street that are located on either side of the northern gateway into the Westphalia planning area. The Venue is located immediately adjacent to the Washington Beltway (495) and provides easy access to various transportation hubs. The subdivision is laid out in a grid pattern with private streets, alleys, and sidewalks that connect townhouses to open space/activity areas. The Venue complies with the current M-X-T zoning standards (including minimum lot sizes) and has utilized similar planning elements that blend with the two developments directly across the street.

Variation Request #1 – Section 24.121(a)(4) requires a minimum 150-foot lot depth for “adequate protection and screening from traffic nuisances [which] shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate”. The Applicant is requesting a variation to this section to reduce the minimum 150-foot lot depth along Ritchie Marlboro Road, an arterial road, to a range of 95-117 feet.

The Venue is located directly across the street from two properties zoned M-X-T, which are the northern gateway to the Westphalia planning area. The 2007 Approved Westphalia Sector Plan and Sectional Map Amendment identifies this area directly across from the Venue on Ritchie Marlboro Road, as one of ten Westphalia “gateway” entrances and that any ***“development has an outward orientation”***. Although the Venue is not within the Westphalia Sector Plan limits, it is directly across the street and seeks to maintain a consistent urban development pattern to that which currently exists across the street within the Westphalia Row townhouse development. In fact, during the period the Westphalia Sector Plan and Sectional Map Amendment were being developed, representatives of the Greater Morning Star Apostolic Church attended every Sector Plan meeting because the church property was being considered for inclusion as part of the Sector Plan’s northern gateway.

Granting a variance to reduce the 150-foot lot depth for the Venue will repeat the development standards on both sides of the road for motorists and pedestrians traveling from the Washington Beltway on Ritchie Marlboro Road to White House Road. The goal is to create a urban look and feel that will be consistent on both sides of the road.

To offset the reduced lot depth requested by this variance, the following proposed alternative methods will mitigate arterial road traffic nuisances as follows:

1. Noise mitigation through the use of building materials as will be recommended by an acoustical engineer. Similar to the mitigation of noise at Westphalia Row, the Applicant will reduce interior noise levels to 45 dba or less.
2. Positioning the townhouse units to front on Ritchie Marlboro Road will mitigate noise levels and create visual barriers for homeowners at the rear of those units on their decks or driveways to vehicles traveling on Ritchie Marlboro Road.
3. A heavily landscaped buffer along Ritchie Marlboro road along with an aluminum black fencing system to match the look at Westphalia Row at Ritchie Marlboro Road. This buffer and its associated landscaping will provide a visual screen and aid in reducing noise levels for homeowners.

Responses to criteria stated in Section 24-113 are as follows:

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to others or other property.***

RESPONSE: In no way will reducing the lot depth to less than 150-feet be detrimental to public health, safety, or welfare, or injurious to others or other property. Comparable to the project design of the Hall Station development that fronts on Central Avenue (MD 214) which is classified as a freeway in Bowie, The Venue orients the dwelling units fronts toward the arterial road. Most outdoor pedestrian and vehicular activities will occur at the rear of the townhouses where the garages and decks are located. A noise study is provided with this plan submission that shows acceptable noise levels are achieved both inside and at the rear of the townhouses. Thus reducing the lot depth will not be detrimental to the public.

- (2) The conditions on which the variation is based is unique to the property for which the variation is sought and are not applicable generally to other properties;***

RESPONSE: The Venue is uniquely located across the northern gateway to the Westphalia planning area. No other property has that characteristic. To maintain the look and feel of that northern gateway into Westphalia and maintain an identical streetscape on both sides of Ritchie Marlboro Road, the Applicant is proposing design elements (described above) which provide a consistent streetscape on both sides of Ritchie Marlboro Road. Hence, those who commute along Ritchie Marlboro Road will have similar perspectives on both sides of the road at this location.

- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and***

RESPONSE: No law, ordinance, or regulation is violated if this variation is approved.

- (4) *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out;*

RESPONSE: The subject parcel to be subdivided from the Greater Morning Star Apostolic Church property is located on Ritchie Marlboro Road between two signalized intersections at Sansbury Road and White House Road. On the east side of the property, M-NCPPC Parks and Recreation benefits from an existing access easement that connects Ritchie Marlboro Road to the large MNCPPC park located behind the existing Greater Morning Star Apostolic Church. To the West of the property, there is a large stormwater management facility that mitigates potential stormwater pollution prior to reaching the wetlands and US waters located at the stormwater outfall at the pond. To the South of the property is Ritchie Marlboro Road and to the North of the Property is the church parking lot, which serves members of the Greater Morning Star Apostolic Church.

The property is surrounded by environmental features which cannot be disturbed, existing roadways and parking facilities that are built and an access easement, which is to benefit of M-NCPPC. Without this variance, the subject property would not be able to utilize the design elements necessary to create an overall streetscape that is important for the design and architectural harmony that is unique to this section of Ritchie Marlboro Road. This section of a historic road is an important connection to Upper Marlboro from the Beltway and thoughtful streetscape design should reflect positively on the beauty of Prince George's County.

- (5) *In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.*

RESPONSE: This section does not apply to the variation request regarding lot depth.

Variation Request #2 – Section 24-122(a)-Public facilities requirements

When utility easements are required by a public utility company, the developer shall include the following statement in the dedication documents: *Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.*

This Preliminary Plan proposes a single public road, McCarthy Drive. Typically, public utility easements (PUEs) are provided on both sides of the right of way and are 10 feet wide. This variation request is for a 10-foot wide PUE on **only** the west side of McCarthy Drive. The west side

of McCarthy Drive will have townhomes fronting the road that will need utilities typically installed within the PUE (electric, cable TV, internet, gas, etc). The east side of McCarthy Drive has no townhouses fronting it and is currently used primarily to provide a mature landscaped buffer to the Heritage Glen subdivision. By eliminating the PUE on the east side of McCarthy Drive, the Applicant is able to minimize any disturbance to the existing landscape buffer. The Applicant is also requesting in our Statement of Justification (as requested by Fred Shaefer, Trails Coordinator) the elimination of sidewalk on the east side of McCarthy Drive for the same reason.

In summary, by not having to provide the required area and flat slope to install utilities within the right-of-way which are not needed, the Applicant will be able to save and add to the existing landscaping (that was planted as part of DSP-02018 and TCP2-053002 to create a vegetative buffer) that currently very effectively screens the existing homes in the adjacent Heritage Glen subdivision.

A road section is provided on the Cover Sheet of the Preliminary Plan to better illustrate this ultimate condition.

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to others or other property.***

RESPONSE: The granting of the variation will not be detrimental to the public safety, health, or welfare or injurious to others or other property. There is no development on the east side of McCarthy Drive so the public would not be affected by not providing a PUE there. Eliminating public utility easements on the east side of the right-of-way will still leave a public utility easement on the west side of the right-of-way where it is needed for the proposed townhouses.

- (2) The conditions on which the variation is based is unique to the property for which the variation is sought and are not applicable generally to other properties;***

RESPONSE: McCarthy Drive is currently located at an existing signalized intersection and is the best location for a primary entrance into the property. An existing, mature landscape buffer provides an excellent visual barrier between the single-family homes in the Heritage Glen subdivision and the proposed development. This landscape buffer area has no development on the same side of the street and because it is an existing buffer and mature, every effort should be made to save it. These unique conditions are not found on other developments and do not apply generally to other properties.

- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and***

RESPONSE: No law, ordinance, or regulation is violated if this variation is approved.

- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as***

distinguished from a mere inconvenience, if the strict letter of these regulation is carried out;

RESPONSE: Not granting this variation request would be an extreme hardship to the Applicant and to the owners of the adjacent existing single-family development. Due to the **existing** McCarthy Drive and to the existing surrounding roads, there is no need to remove vegetation for ROW and utilities which are not needed. Maintaining a landscaped buffer will better serve the adjacent neighbors and be a more scenic entrance along the MNCPPC park easement access road.

(5) *In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.*

RESPONSE: This section does not apply to the variation request.

IX. Conclusion:

In light of the analysis and findings herein, the Applicant respectfully requests approval of the Preliminary Plan of Subdivision and related variation requests for The Venue. The application is submitted in compliance with the recent Conceptual Site Plan approval of CSP-96073-01 by the Planning Board (PGCPB No. 19-28) adopted on March 21, 2019. The proposed development plan is designed in compliance with the requirements for approval of a Preliminary Plan of Subdivision found in Subtitle 24 of the Prince George's County Code, the Subdivision Regulations, and in accordance with the Zoning Ordinance of Prince George's County, Maryland, Subtitle 27 of the Prince George's County Code. The proposal is also consistent with recommendations in the county's General Plan (Plan Prince George's 2035) other County functional master plans and will remain compatible with surrounding land uses.

Please call me if additional information is required.

Sincerely,



Arthur J. Horne, Jr.

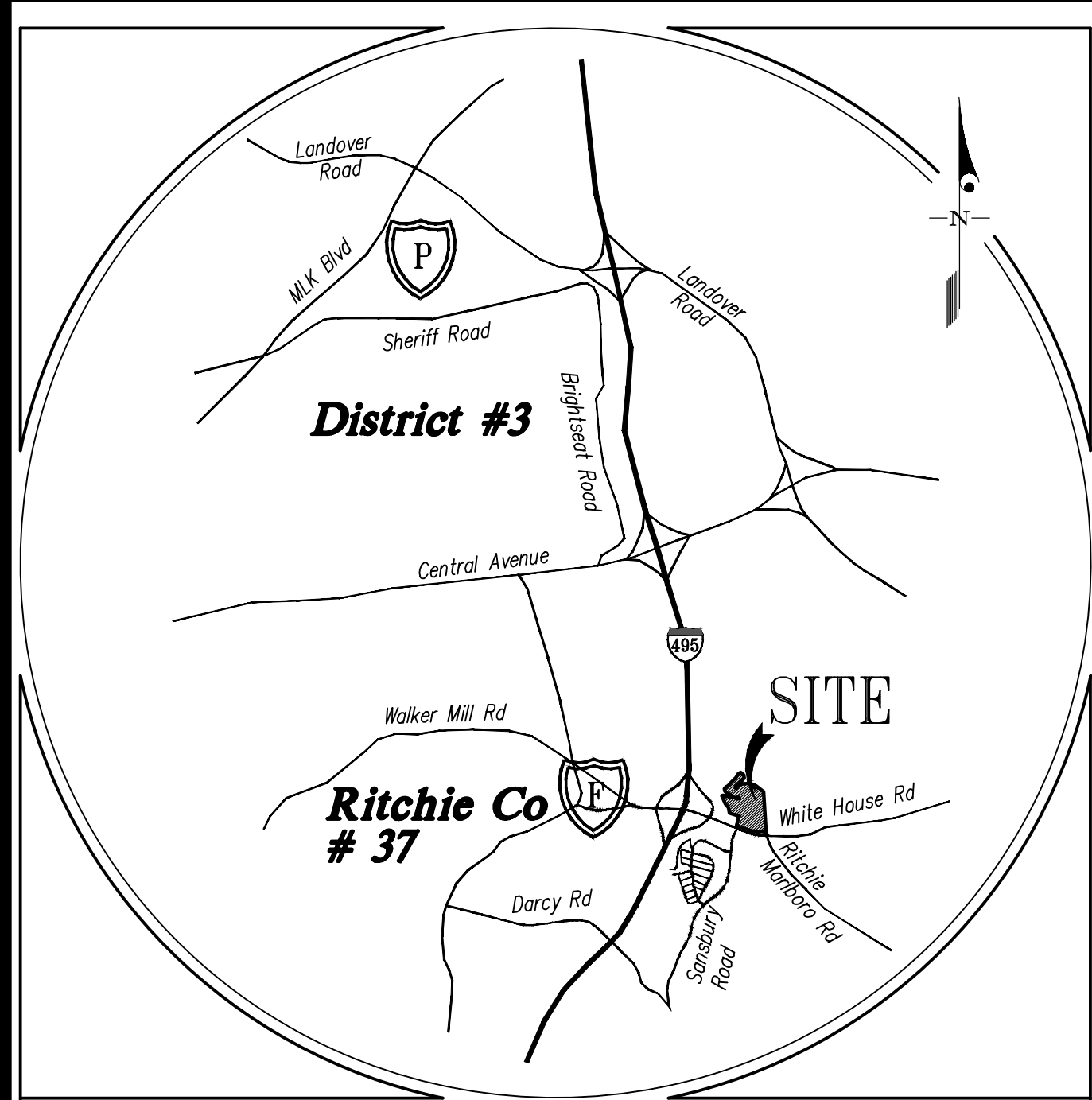
cc: Sevag Balian
Michael Clay

October 9, 2019
4-19029
Page 31

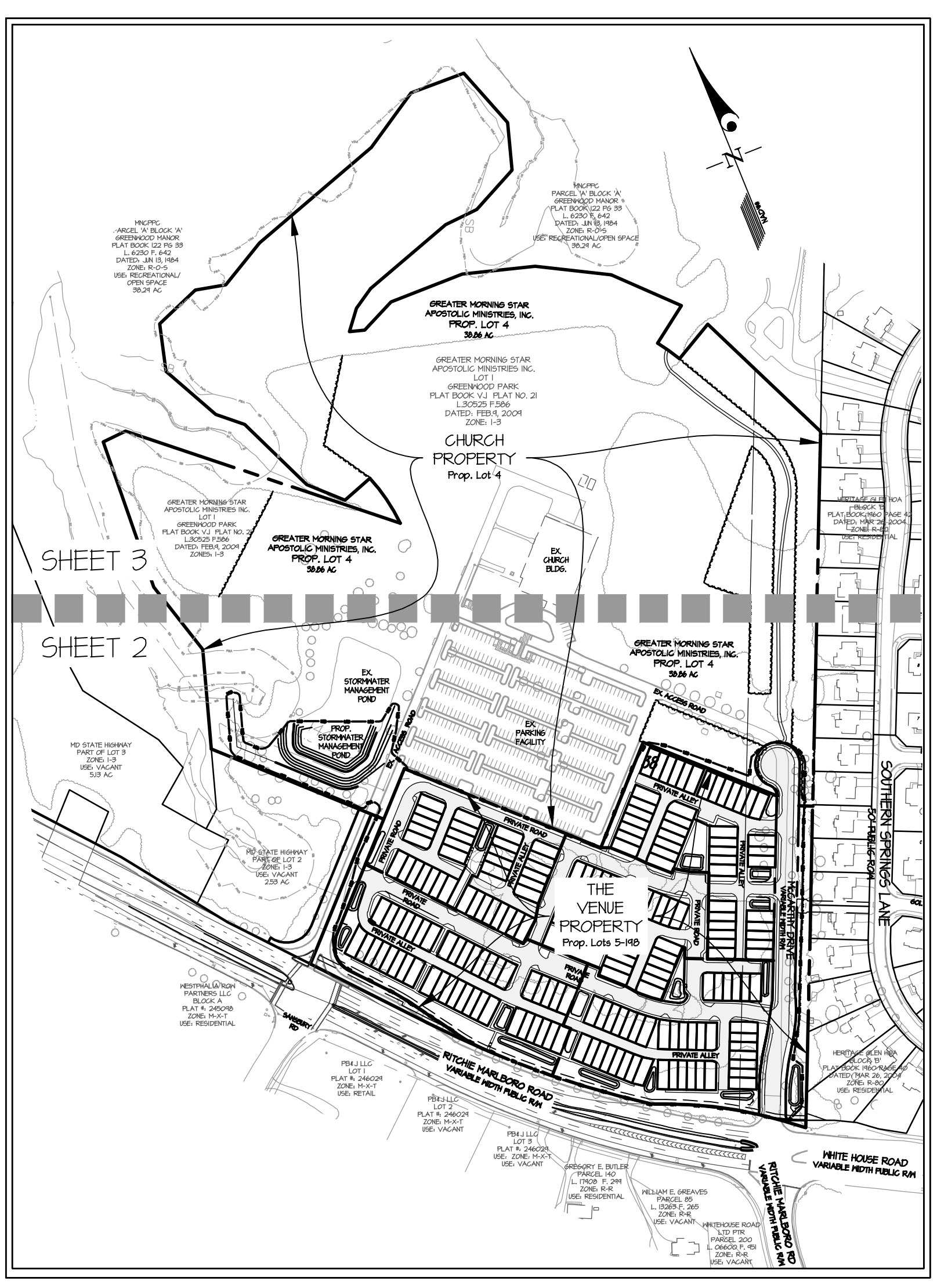
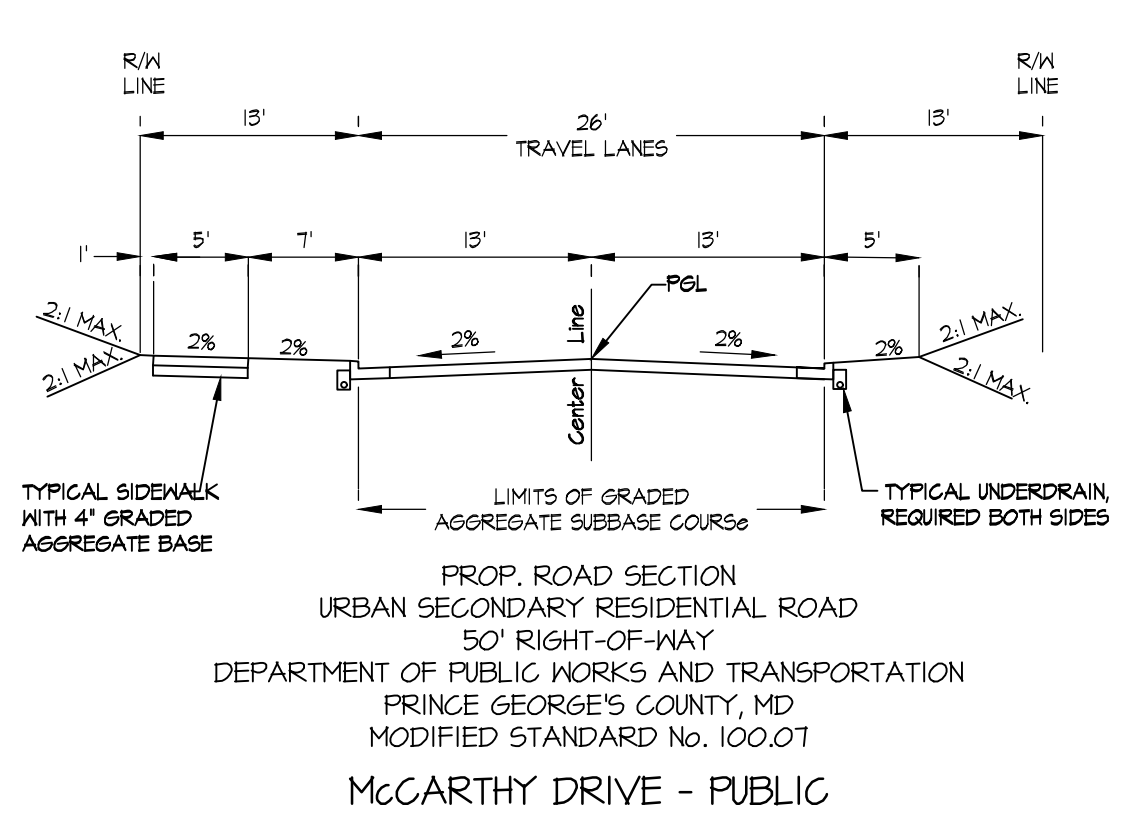
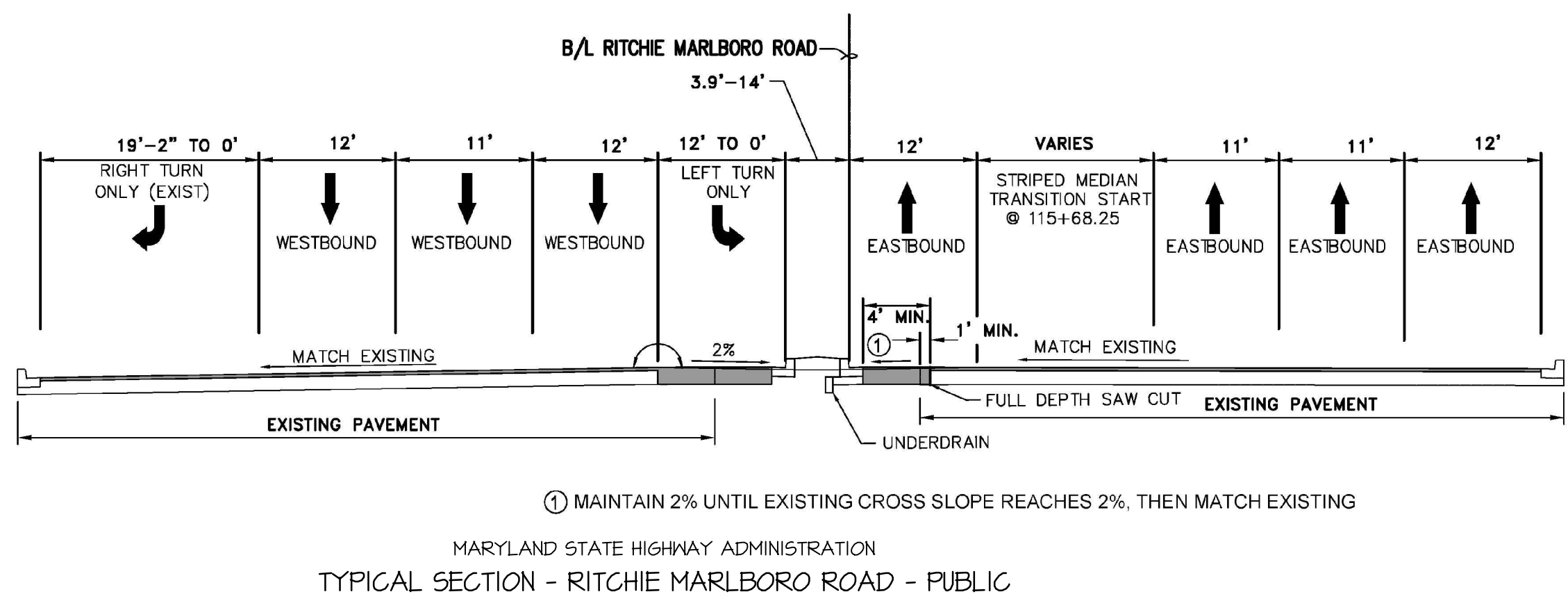
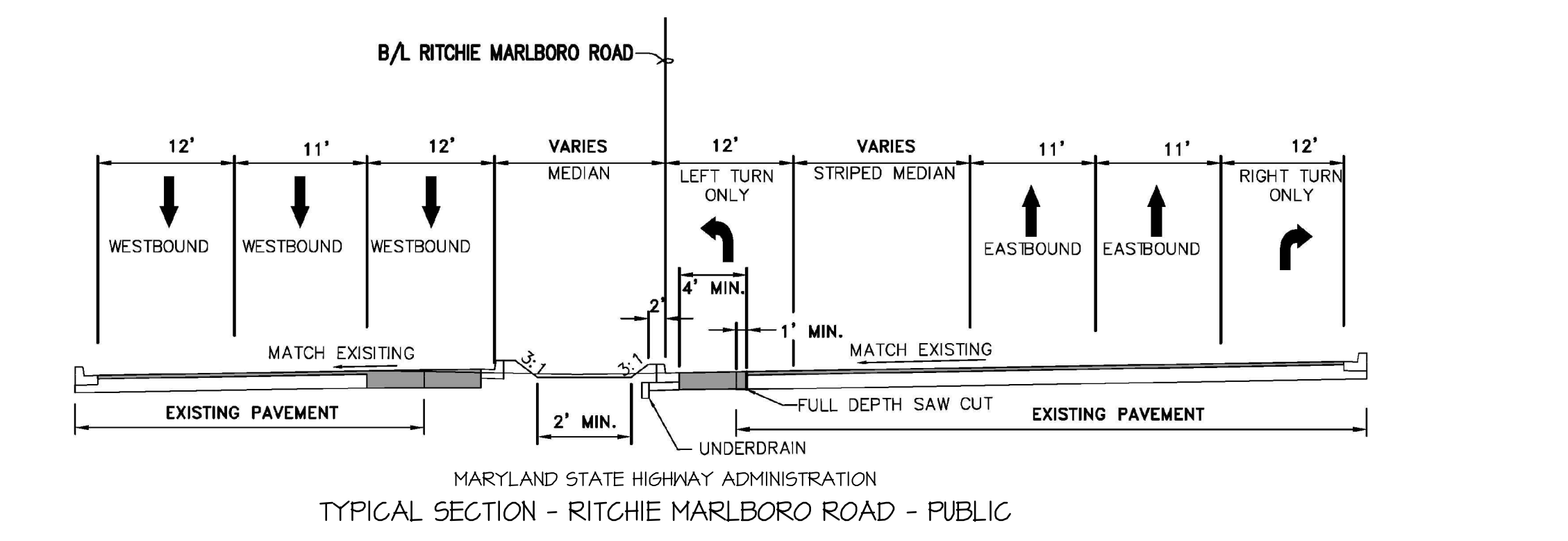
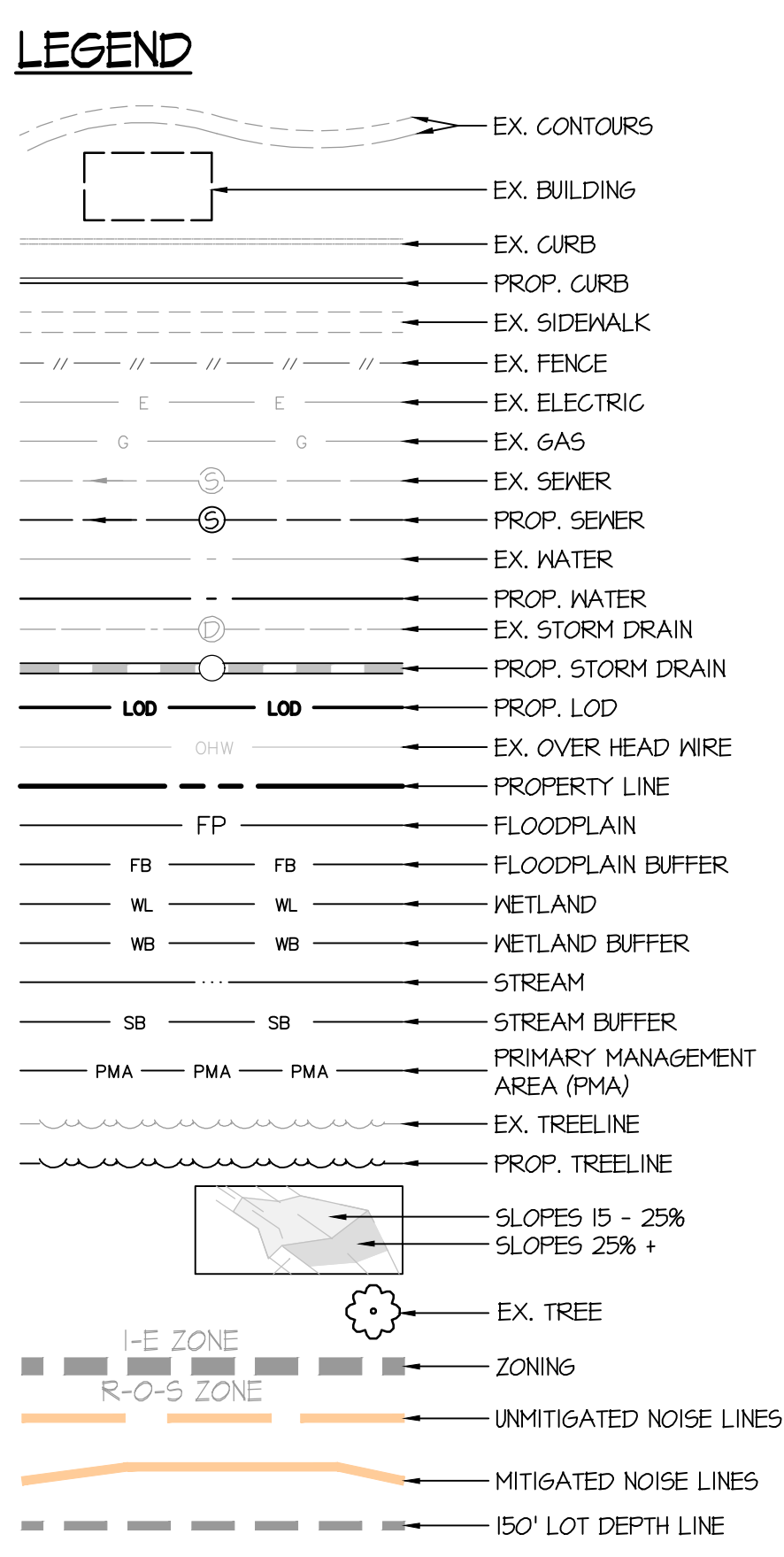
AJH/fms

N:\Haverford_Homes\Greater Morning Star Apostolic Church\4-19029\4-19029 SOJ\The Venue (4-19026) SOJ 10-09-2019GLW.doc

GREATER MORNING STAR APOSTOLIC CHURCH & THE VENUE PRELIMINARY PLAN No. 4-19029



POLICE & FIRE VICINITY MAP
SCALE: 1" = 5,000'

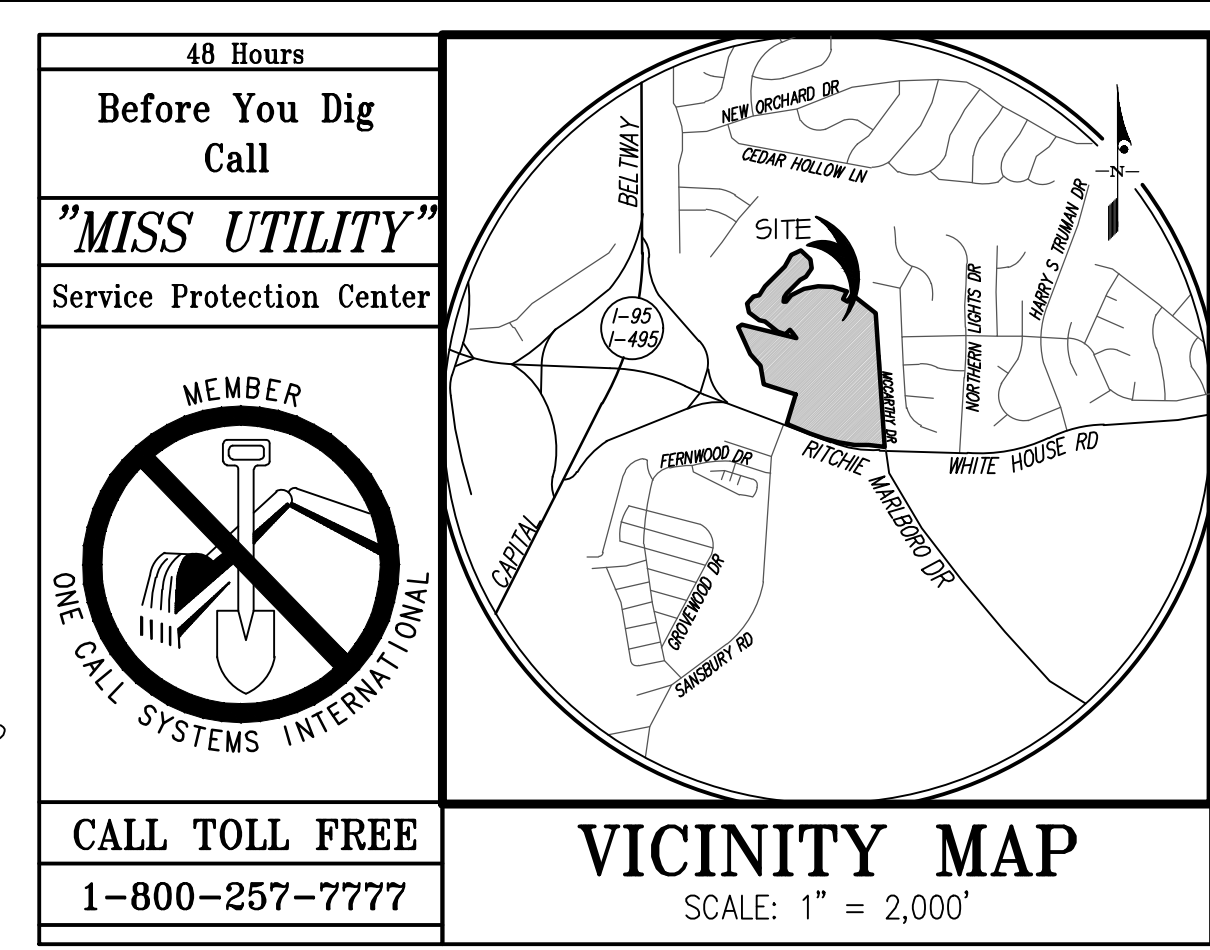


KEY MAP
SCALE: 1"=250'

SHEET NO.	SHEET TITLE
1	COVER SHEET
2 & 3	PRELIMINARY PLANS

EXISTING UTILITY NOTES

- 1) UTILITY INFORMATION SHOWN HEREON IS APPROXIMATE AND HAS BEEN OBTAINED FROM AVAILABLE RECORDS. THE EXACT LOCATION OF ALL UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- 2) THE CONTRACTOR SHALL HAND DIG TEST PITS AT ALL UTILITY CROSSINGS TO DETERMINE THE EXACT LOCATION AND DEPTH WELL IN ADVANCE OF CONSTRUCTION.
- 3) FOR MARKING LOCATIONS OF EXISTING UTILITIES, NOTIFY "MISS UTILITY" AT 1-800-257-7777, 48 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CITY OF ROCKVILLE UTILITIES DIVISION 240.314.8567 (48 HOURS BEFORE).
- 4) FOR FIELD LOCATION OF GAS LINE SERVICES, PLEASE NOTIFY WASHINGTON GAS LIGHT CO., 703-750-1000, 48 HOURS PRIOR TO THE START OF ANY EXCAVATION OR CONSTRUCTION.
- 5) OMISSIONS AND/OR ADDITIONS OF UTILITIES FOUND DURING CONSTRUCTION SHALL BE THE SOLE RESPONSIBILITY OF ANY CONTRACTOR ENGAGED IN EXCAVATION AT THIS SITE. GUTSCHICK, LITTLE & WEBER, P.A. SHALL BE NOTIFIED IMMEDIATELY OF ANY AND ALL UTILITY INFORMATION, OMISSIONS AND ADDITIONS FOUND BY ANY CONTRACTOR.
- 6) DUE TO THE PROXIMITY OF LIVE UNDERGROUND AND OVERHEAD UTILITIES, WE ARE NOT RESPONSIBLE FOR ANY DAMAGE OR INJURY SUSTAINED DURING CONSTRUCTION BY ANY PERSONS, TRUCKS, TRAILERS, OR EQUIPMENT USED ON OR ADJACENT TO THE SITE.



SITE AREA SUMMARY	
EX. CHURCH PROPERTY	
SITE AREA - EX. LOT 1	54.00 AC
ZONING:	
I-3	31.03 AC
R-T	10.72 AC
R-55	6.20 AC
NO. OF LOTS	1
PROP. CHURCH PROPERTY	
SITE AREA	34.20 AC
ZONING:	
I-3	36.61 AC
R-T	8.14 AC
R-55	0.0 AC
NO. OF LOTS	1 (PROPOSED LOT 4)
PROP. TOWNHOUSE PROPERTY	
SITE AREA	14.80 AC
ZONING:	
I-3	0.41 AC
R-T	8.14 AC
R-55	6.2 AC
NO. OF LOTS	144 (PROPOSED LOTS 5-198)
NO. OF PARCELS	6 (PROPOSED PARCELS A-F)

DEVELOPMENT STANDARDS	
BEAR-LOADED TOWNHOUSES (SEE SIMPLE)	
MINIMUM LOT SIZE	
(PER M-X-T ZONE)	
SETBACKS:	
MIN. FRONT YARD	10 FEET
MIN. SIDE YARD	4 FT
MIN. REAR YARD	6 FT
MAXIMUM BUILDING HEIGHT	45 FT
MINIMUM LOT WIDTH	20 FT
MINIMUM LOT WIDTH SHOWN	20 FT

DEVELOPMENT CALCULATIONS	
CHURCH PROPERTY	
NET LOT AREA FOR CHURCH PROPERTY	34.20 AC
I-3 ZONE	36.61 AC
R-T ZONE	2.53 AC
BUILDING COVERAGE ALLOWED IN I-3 ZONE	718,805 SF
(45% NET LOT AREA)	
BUILDING COVERAGE PROPOSED IN I-3 ZONE (45%)	718,805 SF
EX. CHURCH	28,365 SF
PROPOSED CHURCH (PROPOSED IN A FUTURE DSP)	6401 TO SF
TOWNHOUSE PROPERTY	
TRACT AREA FOR TOWNHOUSES	14.80 AC
I-3 ZONE	0.41 AC
R-T ZONE	8.14 AC
R-55 ZONE	6.20 AC
TOWNHOUSE DENSITY ALLOWED	N/A*
PROP. TOWNHOUSE DENSITY	194 D.U. / 14.8 AC
PARK DEDICATION REQUIRED (5% OF TOWNHOUSE TRACT AREA)	13.11 D.U. / AC
PARK DEDICATION PROPOSED	NA**

* PER COUNCIL BILL 118-2017, REGULATIONS OF THE I-3, R-55, R-T ZONES SHALL NOT APPLY; ALL REQUIREMENTS FOR DEVELOPMENT SHALL BE ESTABLISHED BY AND SHOWN ON A DETAILED SITE PLAN APPROVED BY THE PLANNING BOARD AND/OR THE DISTRICT COUNCIL.

** FEE IN LIEU OF FACILITIES IN LIEU OF MANDATORY DEDICATION

SITE DEVELOPMENT TABLE - DEDICATIONS		
LOT/PARCEL/ROAD	ACREAGE	DEDICATION
PARCEL 'A'	6.36	TO HOA
PARCEL 'B'	0.55	TO HOA
PARCEL 'C'	0.15	TO HOA
PARCEL 'D'	0.08	TO HOA
PARCEL 'E'	0.20	TO HOA
PARCEL 'F'	0.15	TO HOA
PUBLIC ACCESS ROAD	0.29 AC	FROM MARYLAND STATE HIGHWAY ASSOCIATION TO PRINCE GEORGE'S COUNTY
PUBLIC ACCESS ROAD	0.44 AC	FROM GREATER MORNING STAR CHURCH TO PRINCE GEORGE'S COUNTY
MCCARTHY DRIVE	1.11 AC	FROM GREATER MORNING STAR CHURCH TO PRINCE GEORGE'S COUNTY
RIGHT OF WAY (AT MCCARTHY DR. AND RITCHIE MARLBORO DR.)	0.01 AC	FROM GREATER MORNING STAR CHURCH TO PRINCE GEORGE'S COUNTY

PROFESSIONAL/ENGINEER'S CERTIFICATION

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION AND THE BELIEF THAT THE PLAN SHOWN HEREON IS TRUE AND CORRECT, HAS BEEN PREPARED IN ACCORDANCE WITH THE SUBTITLE FOUR, DIVISION THREE OF THE PRINCE GEORGE'S COUNTY CODE, AND I HAVE INSPECTED THIS SITE AND THE DRAINAGE ONTO THIS SITE FROM OTHER UPGRADE PROPERTIES AND FROM THIS SITE ONTO OTHER DOWNGRADE PROPERTIES HAS BEEN ADDRESSED IN SUBSTANTIAL ACCORDANCE WITH APPLICABLE CODES. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 24914, EXPIRATION DATE: JAN. 20, 2020.

10/3/19
DATE
TIM LONGFELLOW

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION	THIS BLOCK IS FOR OFFICIAL USE ONLY (QR label certifies that this plan meets conditions of final approval by the Planning Board, its designee or the District Council.)
PRELIMINARY PLAN 4-19029	M-NCPPC APPROVAL
TCP 067-97402	PROJECT NAME: THE VENUE
PLANNING BOARD ACTION: _____	PROJECT NUMBER: 4-19029
PER PGCPB RESOLUTION #: _____	For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet
ADOPTION DATE: _____	Revision numbers must be included in the Project Number
SIGNATURE APPROVAL DATE: _____	
AUTHORIZED SIGNATURE	

	DESIGNED BY	MFC			
	DRAWN BY	LMB			
	CHECKED BY	MFC			
	DATE		REVISION		BY

GREENWOOD PARK, LLC 6110 EXECUTIVE BLVD SUITE 310 ROCKVILLE, MD 20852 MR. SEVAG BALIAN 301-864-6500	SCALE	AS SHOWN	ZONING	R-T/R-55/ I-3	THE VENUE Case No. 4-19029 PRELIMINARY PLAN GREATER MORNINGSTAR APOSTOLIC CHURCH & THE VENUE RESUBDIVISION OF LOT 1 "GREENWOOD PARK" PLAT BOOK VJ 183, PLAT 21 PROPOSED PARCELS A-F, LOTS 4 - 198	G. L. W. FILE No. 16079
	DATE	SEPT, 2019	TAX MAP - GRID	74-F4		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRELIMINARY PLAN: 4-19029

TCP 067-97-02

PLANNING BOARD ACTION: _____

PER PGCPB RESOLUTION #: _____

ADOPTION DATE: _____

SIGNATURE APPROVAL DATE: _____

AUTHORIZED SIGNATURE

**THIS BLOCK IS FOR
OFFICIAL USE ONLY**
QR label certifies that this plan
meets conditions of final approval
by the Planning Board, it's designee
or the District Council.

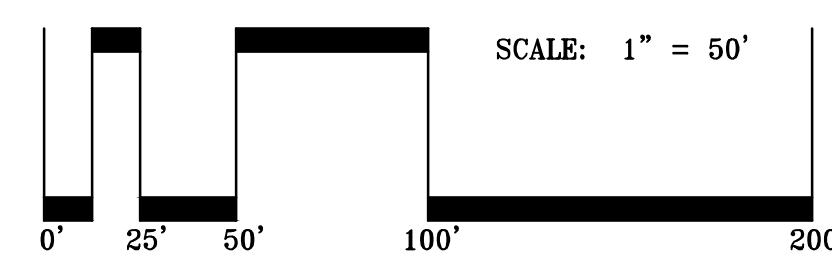
M-NCPPC APPROVAL	
PROJECT NAME:	THE VENUE
PROJECT NUMBER:	4-19029
For Conditions of Approval see Site Plan Cover Sheet or Approval Sheet Revision numbers must be included in the Project Number	

THE VENUE Case No. 4-19029

GREATER MORNINGSTAR APOSTOLIC CHURCH & THE VENUE
RESUBDIVISION OF LOT 1 "GREENWOOD PARK"
PLAT BOOK VJ 183, PLAT 21
PROPOSED PARCELS A-F, LOTS 4 - 198

G. L. W. FILE No
16079
SHEET
2 OF 3

DESIGNED BY:				
DRAWN BY:				
LME				
CHECKED BY:				
MFC				
	DATE	REVISION	BY	APP R.



GREENWOOD PARK, LLC
6110 EXECUTIVE BLVD
SUITE 310
ROCKVILLE, MD 20852
MR. SEVAG BALIAN
301-864-6500

SCALE	ZONING
1"=50'	R-T/R-5 I-3
DATE	TAX MAP - C
SEPT, 2019	74-F4

KENT ELECTION DISTRICT, NO. 13

PRINCE GEORGE'S COUNTY, MARYLAND

