

PRINCE GEORGE'S FIRE STATION
#46 ±4.5 MILES WEST FROM SITE

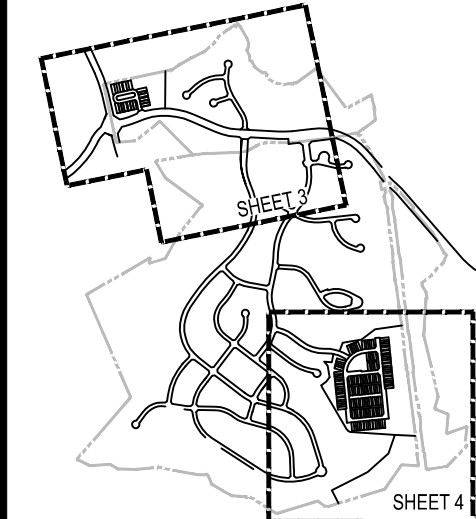
PRINCE GEORGE'S COUNTY POLICE
DEPARTMENT (DISTRICT 2) ±8.4
MILES NORTH-EAST FROM SITE



VICINITY MAP
1"=4000'

ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL
ESE Consultants, Inc.
6731 Columbia Gateway Drive • Suite 120 • Columbia, MD 21046
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[illegible]

MISS UTILITY NOTE

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APPLICANT

WBLH, LLC
C/O TOLL BROTHERS, INC.
6731 COLUMBIA GATEWAY DR, SUITE 120
COLUMBIA, MARYLAND 21046
PHONE: 410-872-9105
FAX: 410-872-9141

DATE:	NOVEMBER 2024
DESIGN/DRAWN:	DEJ / GS
SCALE:	AS SHOWN
JOB NUMBER:	3626

PHASE 3
PRELIMINARY
PLAN

— FOR —

LOCUST HILL

LOCATION OF SITE

14721 OAK GROVE ROAD
UPPER MARLBORO, MD
PRINCE GEORGE'S COUNTY
3RD AND 7TH
ELECTION DISTRICT



PROFESSIONAL CERTIFICATION
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.

37668

LICENSE NO.
07/13/2025

EXPIRATION DATE

SHEET TITLE:

COVER

SHEET NUMBER:

01

NOT APPROVED FOR
CONSTRUCTION

SFA Townhomes
2,000 sf and Larger
Max Building Height: 4 Stories

3,840 sf and Larger
Max Building Height: 4 Stories

PHASE 3B
OUTPARCEL A
AREA=8.69 AC
(LAND SUBJECT
TO THIS APPLICATION)

PHASE 3 SUBDIVISION
SUMMARY TABLE

NUMBER OF CARRIAGE LOTS	20
NUMBER OF TOWNHOUSE LOTS	141
TOTAL NUMBER OF LOTS	161
AVERAGE CARRIAGE LOT SIZE	4,924 SF
AVERAGE TH LOT SIZE	2,960 SF
NUMBER OF BLOCKS	2
NUMBER OF PARCELS	8

NOTES

1. VARIATION TO THE ABOVE STANDARDS MAY BE PERMITTED ON A CASE BY CASE BASIS, BY THE PLANNING BOARD AT THE TIME OF SPECIFIC DESIGN PLAN IF CIRCUMSTANCES WARRANT.
2. ENCROACHMENTS INTO SETBACKS ARE PERMITTED FOR BAY WINDOWS (3 FEET), DECKS (10 FEET), PORCHES (10 FEET), CHIMNEYS (2 FEET), STOOPS (4 FEET), OUTSIDE OPEN STAIRCASES (5 FEET), FOUNDATIONS (4 FEET), CANTILEVERS (6 FEET) AND SHEDS (ALLOWED WITHIN FULL REAR YARD SETBACK)

PHASE 3 SITE STATISTICS

	TOTAL
GROSS TRACT AREA	50.09 AC
EXISTING 100-YEAR FLOODPLAIN	9.74 AC
NET TRACT AREA	40.36 AC
EXISTING WOODLAND IN THE FLOODPLAIN	8.93 AC
EXISTING WOODLAND NET TRACT	39.45 AC
EXISTING PMA	11.99 AC
REGULATED STREAMS (LINEAR FEET OF CENTERLINE)	1,522 LF

PHASE 3 DEVELOPMENT TYPE SUMMARY



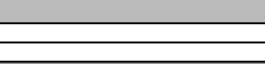
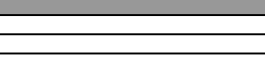
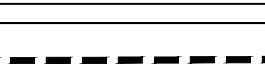
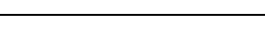
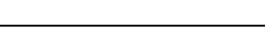



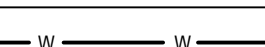
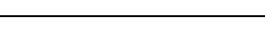
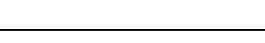
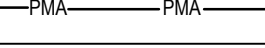



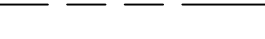
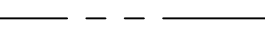
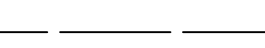
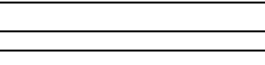



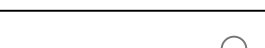



LAND USE	SQUARE FEET	ACRES	LAND PERCENTAGE
RESIDENTIAL LOTS	515,767 SF	11.84 AC	23.6 %
OPEN SPACE	1,407,863 SF	32.32 AC	64.5 %
PRIVATE ROAD & ALLEY	249,084 SF	5.72 AC	11.4 %
PUBLIC RIGHT-OF-WAY	9,314 SF	0.21 AC	0.4 %
TOTAL	2,182,028 SF	50.09 AC	100 %

GENERAL NOTES

- PROJECT NAME: LOCUST HILL PHASE 3
 PHASE 3 CONSISTS OF TWO OUTPARCELS:
 OUTPARCEL A RECORDED IN PLAT BOOK ME 288 & PLAT NO. 65 (TAX ACCT NO. _____)
 OUTPARCEL B RECORDED IN PLAT BOOK ME 288 & PLAT NO. 67 (TAX ACCT NO. _____)
 2. TAX MAP: 76, GRID: E4, F3 and TAX MAP: 77 GRID: B4
 3. 200 FOOT MAP REFERENCE NUMBERS (WSSC): 2025E12 (3B) & 2035E13 (3A)
 4. PURPOSE OF SUBDIVISION: RESIDENTIAL
 5. PREVIOUS APPROVALS:
 BASIC PLANNING ZONING MAP AMENDMENT NO. A-9975, A-9975-C AND A-9975-F1
 COMPREHENSIVE DESIGN PLAN NO. CDP-0506-01
 PRELIMINARY PLAN NO. 4-06075
 NATURAL RESOURCES INVENTORY PLAN NO. NRI-047-06
 TREE CONSERVATION PLAN TYPE 1 NO. TCP1-0204-06
 TREE CONSERVATION PLAN TYPE 2 NO. TCP2-027-2015
 SPECIFIC DESIGN PLAN NO. SDP-1705-02 AND SDP-2101
 6. TOTAL ACREAGE WITHIN LCD ZONE
 GROSS ACREAGE: 50.09 ACRES
 FLOODPLAIN ACREAGE: 9.74 ACRES
 NET ACREAGE: 40.35 ACRES
 7. NET DEVELOPABLE AREA OUTSIDE OF PM: 38.10 ACRES
 8. ACREAGE OF ENVIRONMENTAL REGULATED FEATURES: 11.99 ACRES
 9. ACREAGE OF 100-YEAR FLOODPLAIN: 9.74 ACRES
 10. ACREAGE OF ROAD DEDICATION: 0.21 ACRES
 11. EXISTING ZONING: LCD; FILED UNDER PRIOR R-1 ZONE
 12. NUMBER OF PROPOSED LOTS, PARCELS AND OUT PARCELS:
 LOTS: 161
 PARCELS: 8
 13. BREAKDOWN OF PROPOSED DWELLING UNITS (DU) BY TYPE:
 SINGLE FAMILY DETACHED: 0 DU
 SINGLE FAMILY ATTACHED: 161 DU
 TOTAL: 161 DU
 14. MINIMUM LOT SIZE REQUIRED BY ZONING: 1,800 SF
 15. MINIMUM LOT WIDTH AT FRONT BUILDING LINE AND FRONT STREET LINE: 20 FEET
 16. SUSTAINABLE GREENING TIER 1 PUBLIC SERVICE APPROVED
 17. MILITARY INSTALLATION OVERLAY ZONE: NO
 18. CENTER OR CORRIDOR LOCATION: NO
 19. GROSS FLOOR AREA: N/A
 20. STORMWATER MANAGEMENT CONCEPT PLAN NO. 47462-2005 (APPROVED 05/09/06), 42211-2014-00 (APPROVED 03/30/15), 42211-2014-01 (APPROVED 03/25/19), & 42211-2014-02 (APPROVED 03/25/22)
 21. EXISTING WATER AND SEWER DESIGNATION: W-4, S-4
 22. PROPOSED WATER AND SEWER DESIGNATION: W-3, S-3
 23. AVIATION POLICY AREA: NO
 24. PARKLAND DEDICATION REQUIREMENT PROVIDED BY DEDICATION OF 4.30 ACRES OF LAND EAST OF CSX RAILROAD, +20 ACRES OF LAND NORTH OF PROPOSED LEELAND ROAD AND 49 ACRES OF LAND WEST OF THE CSX RAILROAD IN THE SOUTHEAST CORNER OF THE OVERALL PROPERTY.
 25. THE LEELAND CEMETERY, IS ADJACENT TO PHASE 1 OF THE OVERALL PROPERTY. THERE IS ALSO AN EXISTING CEMETERY, 18PR1214-2, THE OAK GROVE BURIAL GROUND, LOCATED IN PHASE 2. THE LIMITS OF THE CEMETERY ARE SHOWN ON SHEET 4.
 26. THE SITE IS ADJACENT TO ST. BARNABAS CHURCH AND CEMETERY, PRINCE GEORGE'S COUNTY HISTORIC SITE 75-059
 27. SITE ONE TREE CONSERVATION PLAN: TCP1-024-06-03
 28. THE SITE IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA (CBCA)
 29. THERE ARE EXISTING STREAMS AND WETLANDS IN THE PROPERTY (THE WETLANDS DELINEATED ON THIS PLAN ARE THE RESULT OF FIELD INVESTIGATIONS CONDUCTED BY MCCARTHY AND ASSOCIATES, NOV. 2004; UPDATED NOV. 2010)
 30. THE SITE IS NOT IN OR ADJACENT TO AN EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, OR ANY LAND TRUST OR ORGANIZATION
 31. THE CONVEYANCE SHALL USE FULL CUT-OFF OPTICS AND BE DIRECTED DOWNWARD TO REDUCE GLARE AND LIGHT SPLIT-OVER



GENERAL LEGEND

	PROPERTY BOUNDARY
	MATCH LINE
	PHASE 1 LIMITS (COVERED UNDER PPS 4-06075 APPROVAL)
	PHASE 2 LIMITS (COVERED UNDER PPS 4-06075 APPROVAL)
	PHASE 3 LIMITS (COVERED UNDER THIS PPS 4-24038 APPLICATION)
	PHASE 3 LINE LIMITS
	RARE, ENDANGERED, OR THREATENED SPECIES HABITAT
	100-YEAR FLOODPLAIN
	STREAM BUFFER
	STREAM
	WETLAND
	WETLAND BUFFER
	PRIMARY MANAGEMENT AREA
	TREE LINE
	EXISTING MARLBORO CLAY
	EXISTING STEEP SLOPES
	PUBLIC STREET RIGHT-OF-WAY
	LOT LINES
	EASEMENTS
	5' WIDE CONCRETE SIDEWALK WITH CURB RAMP
	CROSSWALK
	ASPHALT TRAIL
	WATER
	SANITARY SEWER
	STORM DRAIN
	EXISTING CONTOURS
	PROPOSED CONTOURS
	LIMITS OF DISTURBANCE

SHEET INDEX

COVER SHEET	1
COMPOSITE AND PHASING PLAN	2
PLAN SHEETS	3-4
APPROVAL SHEET	5

PHASE 3A
A PORTION OF
OUTPARCEL Q
AREA=41.40 AC
(LAND SUBJECT TO
THIS APPLICATION)



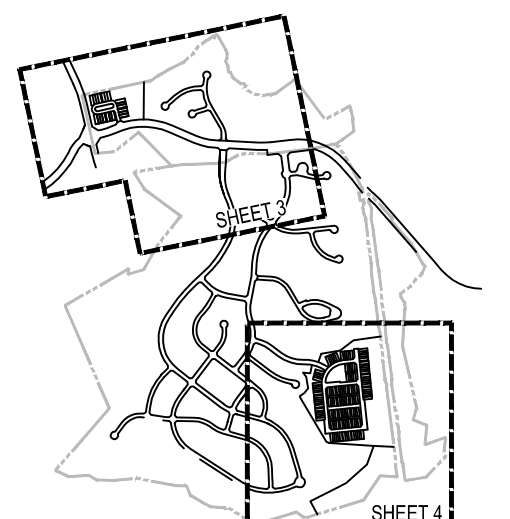
PHASE 3B
PPS 4-24038
CDP-0506-01
TCPI-024-06-02

PHASE 1
PPS 4-06075
SDP-1705-02
TCP11-027-2015-02

PHASE 3A
PPS 4-24038
CDP-0506-01
TCPI-024-06-02
CPII-027-2015-02

PHASE 2A
PPS 4-06075
CDP-0506-01
TCPI-024-06-02
SDP-2504
TCPII-027-2015-03

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DATE:	NOVEMBER 2024
DESIGN/DRAWN:	DEJ / GS
SCALE:	AS SHOWN
JOB NUMBER:	3626

PHASE 3
PRELIMINARY
PLAN

FOR

LOCUST HILL

LOCATION OF SITE
14721 OAK GROVE ROAD
UPPER MARLBORO, MD
PRINCE GEORGE'S COUNTY
3RD AND 7TH
ELECTION DISTRICT



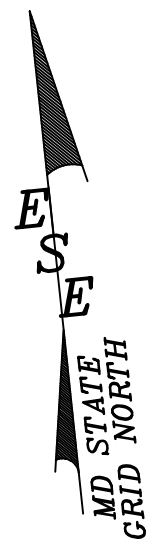
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37668
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COMPOSITE AND PHASING PLAN

SHEET NUMBER:
02

NOT APPROVED FOR
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	PUBLIC STREET RIGHT-OF-WAY
	LOT LINES
	EASEMENTS
	5' WIDE CONCRETE SIDEWALK WITH CURB RAMP
	CROSSWALK
	ASPHALT TRAIL
	WATER
	SANITARY SEWER
	STORM DRAIN
	EXISTING CONTOURS
	PROPOSED CONTOURS
	LIMITS OF DISTURBANCE

GRAPHIC SCALE

1 INCH = 100 FT

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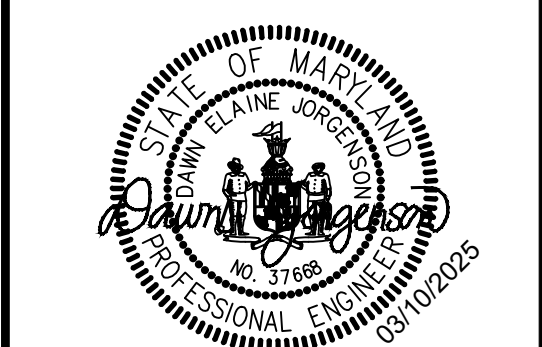
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PLAN

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03

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FROM SECTION 27-433(D) OF THE PRIOR PRINCE GEORGE'S COUNTY ZONING ORDINANCE

- 1) ALL DWELLINGS SHALL BE LOCATED ON RECORD LOTS SHOWN ON A RECORD PLAT.
- 2) THERE SHALL BE NOT MORE THAN SIX (6) OR LESS THAN THREE (3) DWELLING UNITS FOUR (4) DWELLING UNITS FOR ONE FAMILY ATTACHED DWELLING UNITS (DWELLINGS) IN ANY HORIZONTAL, VERTICAL OR DIAGONAL ROW OF DWELLING UNITS (DWELLINGS) ATTACHED TO ONE ANOTHER, AS APPLICABLE. DETERMINES THAT MORE THAN SIX (6) DWELLING UNITS (BUT NOT MORE THAN EIGHT (8) DWELLING UNITS) FOR THAT ONE FAMILY SEMI-DETACHED DWELLINGS WOULD CREATE A ROW OF DWELLING UNITS (DWELLINGS) ATTACHED TO ONE ANOTHER, BUT NOT MORE THAN TWO (2) OTHERWISE ACHIEVE THE PURPOSES OF THIS DIVISION. IN NO EVENT SHALL THE NUMBER OF DWELLING UNITS (DWELLINGS) GROUPED TOGETHER EXCEED ONE (1) PERCENT (1%) OF THE TOTAL NUMBER OF BUILDINGS GROUPS. AND THE END UNITS ON SUCH BUILDING GROUPS SHALL BE A MINIMUM OF TWENTY-FOUR (24) FEET IN WIDTH.
- 3) THE MINIMUM WIDTH OF DWELLINGS IN ANY CONTINUOUS, ATTACHED GROUP SHALL BE AT LEAST TWENTY-FOUR (24) FEET IN WIDTH. THE MINIMUM WIDTH OF DWELLINGS ATTACHED TO ONE ANOTHER SHALL BE AT LEAST TWENTY-FOUR (24) FEET IN WIDTH. ATTACHED GROUPS CONTAINING UNITS ALL THE SAME WIDTH AND DESIGN SHOULD BE AVOIDED, AND WITHIN EACH ATTACHED GROUP INTERIOR SPACE SHOULD BE GIVEN TO THE MAXIMUM OF UNITS EIGHT (8).
- 4) THE MINIMUM GROSS LIVING SPACE, WHICH SHALL INCLUDE ALL EXTERIOR SPACE EXCEPT GARAGE AND UNSHFINISHED BASEMENT OR ATTIC AREA, SHALL BE ONE THOUSAND TWO HUNDRED AND FIFTY (1,250) SQUARE FEET FOR TOWNHOUSES, AND TWO THOUSAND TWO HUNDRED (2,200) SQUARE FEET FOR ONE OR MORE DWELLING UNITS (DWELLINGS) ATTACHED TO ONE ANOTHER.
- 5) SIDE AND REAR WALLS SHALL BE ARTICULATED WITH WINDOWS, RECESSES, CHIMNEYS, OF OTHER ARCHITECTURAL TREATMENTS. ALL ENDWALLS SHALL HAVE A MINIMUM OF TWO (2) ARCHITECTURAL FEATURES. BUILDINGS ON LOT WHERE ENDWALLS ARE PROMINENT (SUCH AS THOSE WITH 120° VERTICAL CURVATURE) SHALL HAVE TWO (2) ADDITIONAL FEATURES (SUCH AS ROAD CURVATURE) SHALL HAVE ADDITIONAL ENDWALL TREATMENTS CONSISTING OF ARCHITECTURAL FEATURES OF VARYING COMPOSITION, OR NATURAL FEATURES WHICH SHALL INCLUDE BRICK, STONE, OR STUCCO.
- 6) ABOVE-GRADE FOUNDATION WALLS SHALL EITHER BE CLAD WITH FINISH MATERIALS COMPATIBLE WITH THE PRIMARY FACADE DESIGN, OR SHALL BE TEXTURED OR FORMED TO SIMULATE A CLAD FINISH. EXTERIOR WALLS SHALL BE FINISHED WITH FINISH MATERIALS. EXPOSED FOUNDATION WALLS OF UNCLAD OR UNSHFINISHED CONCRETE ARE PROHIBITED.
- 7) A MINIMUM OF SIXTY PERCENT (60%) OF ALL TOWNHOUSE UNITS IN A DEVELOPMENT SHALL HAVE A FULL FRONT FACADE (EXCLUDING GABLES, BAY WINDOWS, TRIM, AND DOORS) OF BRICK, STONE, OR STUCCO. EACH BUILDING SHALL BE DEEMED TO HAVE ONLY ONE "FRONT".
- 8) ONE-FAMILY ATTACHED DWELLING METROPOLITAN DWELLING SHALL BE DESIGNED WITH A SINGLE FRONT FACING VERTICAL CURVATURE. THE MINIMUM CURVATURE SHALL BE TWENTY PERCENT (20%) OF THE FRONT WALL. EXCLUDING GARAGE DOOR AREAS, WINDOWS, OR DOORWAYS SHALL BE CLAD WITH FINISH MATERIALS OF HIGH QUALITY SUCH AS BRICK OR STONE AND CONTAIN OTHER DISTINCTIVE ARCHITECTURAL FEATURES.

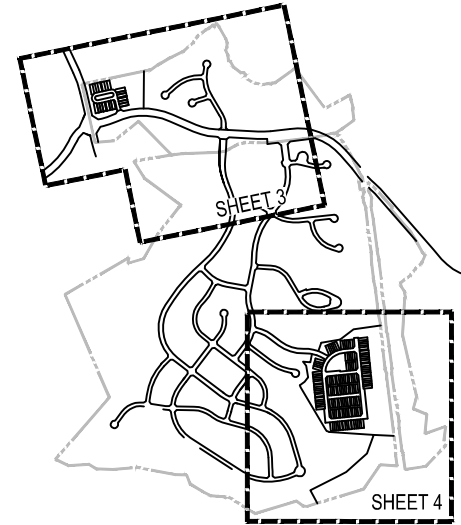
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CONSTRUCTION

LAW OFFICES
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March 24, 2025

VIA EMAIL DELIVERY

Ms. Sherri Conner
Acting Division Chief
Prince George's County Planning Department
Development Review Division
1616 McCormick Drive
Largo, MD 20774

RE: LOCUST HILL, PHASE 3 (Preliminary Plan 4-24038)
Statement of Justification for Variation Request from
Section 24-128(b)(7)(A) of the Prior Subdivision Regulations

Dear Ms. Conner:

On behalf of our client, WBLH, LLC¹ (the "Applicant"), Robert J. Antonetti, Jr., and Shipley and Horne, P.A., hereby submits this Statement of Justification in support of a Preliminary Plan of Subdivision application 4-24038 (the "PPS"), which requests a variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations. The PPS is for Phase 3 of the planned residential community known as "Locust Hill".

The site is located on Tax Map 76 in Grids E-4 and F-3, and Tax Map 77 in Grid B-4. The overall Locust Hill site is known as Parcels 22, 23 and 30, and consists of 505.81 acres in the LCD Zone. Notwithstanding, the Applicant elects to process the requested PPS utilizing the applicable provisions of the prior Subdivision Regulations in effect prior to April 1, 2022. The overall Locust Hill property has a net tract area consisting of 437.37 acres and is situated in the 3rd Election District of Prince George's County in Planning Areas 79 and 74A.

Locust Hill is located along both the north and south sides of Oak Grove Road and south of Leeland Road, generally between Church Road and Collington Branch, approximately 1.2 miles west of US 301. Within the overall site, there are approximately 395.4 acres south of Oak Grove Road and west of the Pennsylvania Railroad right-of-way, approximately 30.9 acres south of Leeland Road between the railroad right-of-way and Collington Branch, and approximately 79.5 acres along the north side of Oak Grove Road between Church Road and the railroad tracks.

The requested PPS for Phase 3 includes a gross tract area of 50.09 acres, consisting of the following subphases: Phase 3A, (41.40 acres); Phase 3B, (8.69 acres). Phase 3A, (41.40 acres), is located along the southeast portion of the overall Locust Hill project just west of the CSX Railroad

¹ WBLH, LLC. Is the owner and developer of the Locust Hill project. WBLH, LLC is a joint venture involving companies associated with both Toll Brothers, Inc. and NVR, Inc. This application reflects the revisions to the architecture associated with homes to be built by NVR, Inc. (d.b.a. NV Homes, Inc. and Ryan Homes, Inc.) within the project.

tracks, while Phase 3B, (8.69 acres), is located along the northern side of Leeland Road and eastern side of Church Road.

The application proposes the development of 161 lots, (to include 20 carriage lots and 141 townhouse lots), and 8 parcels, utilizing the provisions of the prior R-L Zone. The acreage distribution for the 50.09 acres that make up Phase 3 is provided below:

PHASE 3 DEVELOPMENT TYPE SUMMARY

LAND USE	SQUARE FEET	ACRES	LAND PERCENTAGE
RESIDENTIAL LOTS	515,767 SF	11.84 AC	23.6 %
OPEN SPACE	1,407,863 SF	32.32 AC	64.5 %
PRIVATE ROAD & ALLEY	249,084 SF	5.72 AC	11.4 %
PUBLIC RIGHT-OF-WAY	9,314 SF	0.21 AC	0.4 %
TOTAL	2,182,028 SF	50.09 AC	100 %

The Applicant is also requesting a variation from 24-128(b)(7)(A) of the prior Subdivision Regulations to allow 66 of the 141 proposed townhouse lots to be served by alleys without having frontage on and pedestrian access to a public right-of-way.

ELECTION TO UTILIZE PRIOR ZONING ORDINANCE & SUBDIVISION REGULATIONS (Per Section 27-1903(d) of the prior Zoning Ordinance & Section 24-1903 of the prior Subdivision Regulations)

On April 1, 2022, the County Council (sitting as the District Council) approved the CMA and the updated Prince George's County Zoning Ordinance ("New Zoning Ordinance") and Subdivision Regulations ("New Subdivision Regulations") became effective. The CMA rezoned the subject Property to the newly created LCD Zone. Notwithstanding, the Applicant elects to process the PPS application utilizing the applicable provisions of the prior Subdivision Regulations pursuant to Section 24-1903 of the New Subdivision Regulations. The Applicant believes that the prior Subdivision Regulations offer the most efficient and effective processes for obtaining approval of its desired development of the Property.

Comprehensive Design Plan, CDP-0506-01, for Locust Hill was approved on October 3, 2023, via PGCPB Resolution No. 2024-091, and is valid until October 3, 2044. Since this underlying approval is currently valid, the Applicant can proceed with applications utilizing the provisions of the Zoning Ordinance or Subdivision Regulations that existed prior to April 1, 2022, (per Section 27-1704 of the New Zoning Ordinance). Upon approval of this PPS for Phase 3 of Locust Hill, a future specific design plan (SDP) will be filed in accordance with the appropriate provisions of the prior Zoning Ordinance.

A. Neighboring properties, use, and zoning:

There are several developments located near the Locust Hill site. The northern portion of Locust Hill abuts the Oak Creek Club residential subdivision located in the LCD Zone. Located at the northwest corner of Oak Grove Road and Church Road are the St. Barnabas Episcopal Church Cemetery in the AR Zone, and the former Queen Anne Parish School in the RE Zone. Across the railroad tracks and Collington Branch stream valley to the northeast is the proposed National Capital Business Park located in the IH Zone. Further to the north of the National Capital Business Park is the Collington Corporate Center, Collington Center, and Collington Land Reserve Area located in the IH Zone. Scattered single-family dwellings are located along Leeland Road, which are on larger acreage parcels in the AR Zone. The Beechtree neighborhood, which is located south of Leeland Road, west of US 301, and east of the subject Property is located in the LCD Zone and is developed with both single-family detached dwelling units and townhouse units.

B. Prior Approvals

Below are the previous land use approvals that are relevant to Locust Hill:

March 30, 2006 - Basic Plan Zoning Map Amendment Number A-9975 is approved by the Prince George's County Planning Board via Planning Board Resolution No. 06-61

April 21, 2006 - Natural Resources Inventory Plan Number NRI-047-06 is approved by the M-NCPPC Environmental Planning Section

May 9, 2006 - Stormwater Management Concept Plan No. 47462-2005-00 is approved by the Department of Environmental Resources (DER)

August 6, 2006 - A 100 Year Floodplain Study is approved by the Department of Permitting, Inspection and Enforcement (DPIE), (FPS No. 200521)

October 31, 2006 - Basic Plan Amendment Number A-9975-C is approved by the Prince George's County District Council via Zoning Ordinance No. 19-2006, (rezoning the subject property from the R-A (Residential-Agricultural) and R-E Zones (Residential-Estate) to the R-L (Residential Low Development) Zone)

December 22, 2006 - Natural Resources Inventory Plan Number NRI-047-06-01 is approved by the M-NCPPC Environmental Planning Section

January 4, 2007 - Comprehensive Design Plan Number CDP-0506 is approved by the Prince George's County Planning Board via Planning Board Resolution No. 06-274

March 15, 2007 - Preliminary Plan of Subdivision 4-06075 and Type I Tree Conservation Plan, TCPI-24-06-01 are approved by the Prince George's County Planning Board via Planning Board Resolution No. 07-28. A 2-Year Extension Request is approved by the Prince George's County Planning Board on June 13, 2013. A corrected resolution is adopted by the Prince George's County Planning Board on September 28, 2017, via Planning Board Resolution No. 07-28(C). A corrected and amended resolution is adopted by the Prince George's County Planning Board on March 8, 2018, via Planning Board Resolution No. 07-28(C)(A). A 6-Year Extension Request is approved by the Prince George's County Planning Board on January 20, 2022

March 30, 2015 - Site Development Concept Plan No. 42211-2014-00 is approved by the Department of Permitting, Inspection and Enforcement (DPIE)

December 3, 2015 - Type 2 Tree Conservation Plan, TCP2-027-2015 is approved by the M-NCPPC Environmental Planning Section

February 25, 2016 - Natural Resources Inventory Plan Number NRI-047-06-02 is approved by the
M-NCPPC Environmental Planning Section

March 30, 2016 - Site Development Concept Plan Number 42211-2014 is approved by the Department of Permitting, Inspection and Enforcement (DPIE)

February 26, 2018 - Natural Resources Inventory Plan Number NRI-047-06-03 is approved by the
M-NCPPC Environmental Planning Section

March 8, 2018 - A corrected and amended resolution is adopted by the Prince George's County Planning Board for Preliminary Plan of Subdivision 4-06075 and Type I Tree Conservation Plan, TCPI-24-06-01, via Planning Board Resolution No. 07-28(C)(A)

March 25, 2019 - Site Development Concept Plan Number 42211-2014-01 is approved by the Department of Permitting, Inspection and Enforcement (DPIE)

May 13, 2019 - Basic Plan A-9975-C-01 is approved by the District Council subject to 21 conditions and nine (9) considerations

August 28, 2019 - Natural Resources Inventory Plan Number NRI-047-06-04 is approved by the
M-NCPPC Environmental Planning Section

April 30, 2020 - Specific Design Plan SDP-1705 and TCP2-027-2015-01 are approved by the Prince George's County Planning Board for Phase-1, Infrastructure via Planning Board Resolution No. 2020-57

August 24, 2020 - The District Council waives their right to review Specific Design Plan SDP-1705

January 21, 2022 - A pre-application is submitted for Specific Design Plan SDP-1705-01. This application is not pursued or formally accepted by the Planning Department

February 8, 2022 - A revised 100 Year Floodplain Study is approved by the Department of Permitting, Inspection and Enforcement (DPIE), (FPS No. 200521)

March 25, 2022 - Site Development Concept Plan No. 42211-2014-02 is approved by the Department of Permitting, Inspection and Enforcement (DPIE)

April 21, 2022 - Specific Design Plan SDP-2101 is approved by the Prince George's County Planning Board for Phase-1, Locust Hill via Planning Board Resolution No. 2022-36

May 10, 2022 - The District Council waives their right to review Specific Design Plan SDP-2101

January 25, 2023 - SDP-2101 is certified by the Planning Staff

March 1, 2023 - SDP-1705 and TCP2-027-2015-01 are certified by the Planning Staff

November 2, 2023 - Final Plats of Subdivision 1 through 19 are approved by the Prince George's County Planning Board

November 7, 2023 - Specific Design Plan SDP-2101-01 is approved by the Planning Director and certified by the Planning Staff for minor amendments to the approved umbrella architecture SDP (SDP-2101) for certain detached single-family dwelling units within the Locust Hill development

February 7, 2024 - Alternative Compliance Committee recommends approval of AC-23015

March 7, 2024 - Specific Design Plan SDP-1705-02, Type II Tree Conservation Plan, TCPII-027-2015-02, and Alternative Compliance, AC-23015 are approved by the Prince George's County Planning Board for Phase-1, Locust Hill via Planning Board Resolution No. 2024-010. This approval included 335 units, of which 285 were single-family detached dwelling units, and 50 units were single-family attached carriage houses within Phase 1 of the Locust Hill project.

March 18, 2024 - The District Council waives their right to review Specific Design Plan SDP-1705-02

March 25, 2024 - Natural Resources Inventory Plan Number NRI-047-06-05 is approved by the M-NCPPC Environmental Planning Section

July 11, 2024 - SDP-1705-02 and TCPH-027-2015-02 are certified by the Planning Staff

October 3, 2024 - Comprehensive Design Plan CDP-0506-01 and Type I Tree Conservation Plan TCPI-24-06-02 are approved by the Prince George's County Planning Board via Planning Board Resolution No. 2024-091

November 8, 2024 - The District Council waives their right to review Comprehensive Design Plan Number, CDP-0506-01

December 5, 2024 - Final Plats of Subdivision 20 through 26 are approved by the Prince George's County Planning Board for Locust Hill, Phase-2

December 16, 2024 - Final Plats of Subdivision 27 through 30 are approved by the Prince George's County Planning Board for Locust Hill, Phase-2

January 17, 2025 - Comprehensive Design Plan CDP-0506-01, Type I Tree Conservation Plan TCPI-24-06-02, and the approved CDP Guidelines are certified by the Planning Staff

January 31, 2025 - A Pre-Acceptance Review Application for Preliminary Plan of Subdivision 4-24038 & ADQ-2024-072 are submitted to the Planning Department for Phase 3, Locust Hill

March 10, 2025 - Specific Design Plan SDP-2101-02 is formally accepted by the Planning Department. This application proposes revisions to the umbrella architecture for certain single-family detached dwelling units within the Locust Hill development and minor revisions to the prior SDP plan sheets to ensure concurrence with the latest layout for Phase 1 approved in Specific Design Plan, SDP-1705-02.

C. Compliance with General Plan and Master Plan

Plan Prince George's 2035 (the "2035 General Plan")

The property that comprises Locust Hill is located within the Established Communities growth policy area, as designated by the Plan Prince George's 2035 Approved General Plan (Plan 2035). The vision for the Established Communities area is most appropriate for

context-sensitive infill and low- to medium-density development (page 20). The project is also located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

Master Plan Conformance

The overall Locust Hill project is covered by two approved master plans. The 2022 *Approved Master Plan for Bowie -Mitchellville and Vicinity* for Planning Areas 71A, 71B, 74A, and 74B (“Bowie Master Plan”) governs 79.5 acres located on the north side of Oak Grove Road, while the 2013 *Approved Subregion 6 Master Plan and Section Map Amendment* (“Subregion 6 Master Plan”) governs the remaining 426 acres located south of PGCPB No. 18-93 File No. A-9975-01 Page 4 Oak Grove Road. Both master plans recommend R-L/LCD land uses on the subject Property. The proposed PPS conforms to the densities specified by the R-L Zone (1.0– 1.5 DU/acre) and the residential-low (3.5 DU/acre) land use recommendations of the master plans.

D. Variation Requests

The Applicant requests a variation to Section 24-128(b)(7)(A) to permit 66 townhouse lots that are served by alleys and do not have frontage on and pedestrian access to a public right-of-way.

Section 24-128. Private roads and easements.

(b) The Planning Board may approve preliminary plans of development containing private roads, rights-of-way, alleys, and/or easements under the following conditions:

(7) In Comprehensive Design and Mixed Use Zones:

(A) For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an "alley" shall mean a road providing vehicular

access to the rear or side of abutting lots, and which is not intended for general traffic circulation.

RESPONSE: As a result of site constraints within Locust Hill, approximately 66 townhomes will be located on lots served by private alleys without frontage on and pedestrian access to a public street. The proposed alleys meet all the dimensional requirements of the Subdivision Regulations and will allow for an efficient and safe circulation pattern for residents of the development.

Section 24-113. Variations.

- (a) *Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle and Section 9-206 of the Environment Article; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:*

RESPONSE: The granting of the provided variation request is consistent with the relevant purposes of the Subdivision Regulations and will not harm the public interest as explained herein. Moreover, denial of the instant variation request will certainly create practical difficulties for the Applicant in its pursuit to develop the site in the manner contemplated in CDP-0506-01. It is important to note that Maryland courts have long distinguished variations (or in other contexts referred to as “variances”) based on “area” versus “use.” *McLean v. Soley*, 270 Md. 208, 215, 310 A.2d 783, 787 (1973); see also, *Zengerle v. Board of County Commissioners for Frederick County*, 262 Md. 1, 276 A.2d 646 (1971). The Court of Special Appeals described the differences between the two types of requests in the following manner:

An “[A]rea variance” (a variance from area, height, density, setback, or sideline restrictions, such as a variance from the distance required between buildings) and not a “use variance” (a variance which permits a use other than that permitted in the particular district by the ordinance, such as a variance for an office or commercial use in a zone restricted to residential uses). *Anderson v. Board of Appeals*, 22 Md. App. 28, 37-38, 322 A.2d 220, 225-26.

This distinction is significant as the type of variation (i.e. “area” or “use”) dictates the extent an applicant has to demonstrate practical difficulty or undue/extraordinary hardship resulting from the strict application of the relevant ordinance. The Maryland Court of Appeals held in *Richard Roeser Profl Builder v. Anne Arundel County*, 368 Md. 294 (2002) that most jurisdictions, including

Maryland, have adopted the position that when reviewing an “area variance” the lesser standard of “practical difficulty” should be used, and when “use variances” are sought, the more strict “undue hardship” standard should be utilized.

In the instant matter, the Applicant is requesting an “area” variation from the requirements in Section 24-128 (b)(7)(A) requiring that townhomes served by alleys have frontage on a public street. The “practical difficulty” in this case results from the site constraints within Locust Hill which will prevent 66 townhouse units approved in CDP-0506-01 from being served by alleys while maintaining frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (including Marlboro clays), the presence of an existing cemetery area near the location of the proposed townhouse units, the location of MC-600 that divides the overall project, and proximity to the CSX rail line to the east. The combination of all the aforementioned site constraints limit the areas where lots and streets/alleys can be located within Locust Hill. The hardship/practical difficulties related to the aforementioned site constraints would be largely eliminated if the Applicant could utilize alleys to access the rear of the 66 interior townhouse units. If the instant variation request is not allowed, it is not possible for the Applicant to create an efficient subdivision layout with the subject 66 townhouse units utilizing alleys and having frontage on a public street.

It should also be noted that the Applicant was requested by the Planning Staff, at the time of submission of CDP-0506-01 to respond to the following pre-acceptance comment:

Per Sec. 27-480(d), ensure there are no more than 6 townhouses per building group. Garage parking within all building groups shall be provided in rear-loaded garages except where the rears of the units are located along open space areas along the perimeter of the development area or areas of steep topography.

In response to the above pre-acceptance comment (and the requirements of Section 27-480(d) of the Zoning Ordinance), the Applicant revised its townhouse layout to have all units on the interior of Phase 3A to become rear-loaded with vehicular access by alley. Without approval of the requested variation, the Applicant will be prevented from developing the townhouse units approved in CDP-0506-01.

In addition to the statements above, Section 24-113 of the Subdivision Regulations requires the following findings be made in approving any variation request.

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

RESPONSE: The granting of the instant variation request will not be detrimental to public safety, health or welfare or be injurious to other property. Each of the subject 66 lots will be accessed by alleys (serving the rear of each unit) with a minimum pavement width of 22 feet. Further, each

alley will allow for direct vehicular access to an adequate private and public street network which conforms to all requirements of the Subdivision Regulations.

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

RESPONSE: The overall Locust Hill project (a total of 505.81 acres) has numerous conditions which, in aggregate, are unique and are not applicable generally to other abutting properties. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly Marlboro Clay formations), the presence of an existing cemetery area onsite, the on-site accommodation of the future master planned roadway MC-600 (which is a 100-foot wide right-of-way that bifurcates the overall Locust Hill property), and the proximity to a CSX rail line which requires a 150-foot residential lot setback per Condition 11 of Basic Plan Amendment A-9975-01. The overall Locust Hill project has been approved for development of 706 residential dwelling units in CDP-0506-01 (including carriage units, **townhomes**, and single-family detached units). The natural changes in topography, the location of Marlboro Clay formations, the existing cemetery area, the location of MC-600, and the site's proximity to the CSX railroad line (and its required 150-foot lot setback per Condition 11 of Basic Plan Amendment A-9975-01) limits where sticks of townhouses (and by association the location of the necessary road/alleys to serve the townhouse units) can be placed on the site. In sum, the combination of all the aforementioned site constraints on a single development site are unique to Locust Hill and are not generally applicable to other properties.

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

RESPONSE: Granting the variation will not be in violation of any law, ordinance, or regulation. To the contrary, the granting of the instant variation request would allow the Locust Hill project to create the mix of residential uses contemplated in CDP-0506-01 without negatively impacting sensitive environmental features (i.e., steep slopes, Marlboro clays, woodland conservation) required to be protected and/or avoided by other County ordinances and/or regulations. The variation to Section 24-128(b)(7)(A) is unique to the Subdivision Regulations and under the sole authority of the Planning Board. Therefore, the variation does not constitute a violation of any other law, ordinance, or regulation.

- (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 regulations is carried out;***

RESPONSE: Because of the combination of factors stated above the Applicant would experience practical difficulties if the instant variation request is not granted. Again, the "practical difficulty" in

this case results from the site constraints within overall Locust Hill site which prohibits 66 proposed townhouse lots from being served by alleys that do not maintain frontage on a public street. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly Marlboro Clay formations), the presence of an existing cemetery area near the proposed townhouse units, the on-site accommodation of the future master planned roadway MC-600 (which is a 100-foot wide right-of-way that bifurcates the overall Locust Hill property), and the proximity to a CSX rail line which requires a 150-foot residential lot setback per Condition 11 of Basic Plan Amendment A-9975-01. The combination of all the aforementioned site constraints limits the areas where lots and streets/alleys can be located. The hardship/practical difficulties related to the site constraints would be largely eliminated if the Applicant could utilize alleys to access 66 proposed townhouse lots without frontage on a public street. If the instant variation request is not allowed, it is not possible for the Applicant to create an efficient subdivision layout with the subject 66 townhouse units utilizing alleys and having frontage on a public street.

- (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: The Property is zoned LCD and is proceeding under the prior Zoning Ordinance, where the site was previously zoned R-L. Therefore, this section is not applicable.

E. Conclusion

The Applicant respectfully requests approval of a variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations. As discussed herein, these variation requests meet all the criteria of approval set forth in the appropriate sections of the prior Subdivision Regulations.

Your favorable consideration of this request is greatly appreciated.

Respectfully Submitted,



Robert J. Antonetti, Jr.

cc: WBLH, LLC
Mr. Michael German
ESE Consultants, Inc.
Lenhart Traffic Consulting, Inc.