THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

PGCPB No. 2020-72 File No. 4-16016

RESOLUTION

WHEREAS, Charuhas Foundation, Inc. is the owner of a 14-acre parcel of land known as Parcels 29 and 48, said property being in the 11th Election District of Prince George's County, Maryland, and being zoned Commercial Office; and

WHEREAS, on March 4, 2020, Charuhas Foundation filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-16016 for Bharat Darshan was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 7, 2020, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on May 7, 2020, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-006-2020, and further APPROVED Preliminary Plan of Subdivision 4-16016 for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plans shall be revised as follows:

    a. Provide the current deed reference for existing Parcel 29.

    b. Rename proposed 'Parcel A' to 'Parcel 1.'

    c. Remove the approval blocks from the plan.

    d. Show a 10-foot-wide public utility easement along all public rights-of-way.

2. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:

    a. Add TCP1-006-2020 to the approval block and woodland conservation worksheet.

b. Show the on-site sewer line easement cleared and revise the worksheet with the change.

c. Add dimensions and tag arrows along the on-site preservation area width (required to be 50 feet or greater to count as preservation).

d. Add property owner signature and date in owner certification block.

e. Add qualified professional signature and date in qualified professional block.

3. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-2020). The following note shall be placed on the final plat of subdivision:

> "This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-006-2020), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department."

4. Prior to issuance of permits for this subdivision, a Type 1 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

> "This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 1 Tree Conservation Plan, when approved."

5. In accordance with the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

a. A shared lane marking (sharrow) on the shoulder along the subject site frontage of Brandywine Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.

b. Inverted u-style bicycle parking racks at a location convenient to the entrance of the building.

6. Prior to approval of the first building permit for the subject property, the applicant and the applicant's heirs, successors, and/or assignees shall provide $1,680 to the Prince George's County Department of Permitting, Inspections and Enforcement for the placement of three "Share the Road with a Bike" signage assemblies along Brandywine Road and one "Share the Road with a Bike" signage assembly along Floral Park Road.

7. Total development within the subject property shall be limited to uses that would generate no more than 6 AM and 8 PM weekday peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.

8. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in this resolution of approval, or any residential development, shall require the approval of a new preliminary plan of subdivision prior to approval of any building permits.

9. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan (1577-2017-01) and any subsequent revisions.

10. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:

    a. Reflect the granting of a 10-foot-wide public utility easement along the public rights-of-way on the plat.

    b. Reflect the denial of access to MD 5 (Branch Avenue) on the plat.

    c. Reflect the right-of-way dedication of 40 feet from centerline of Brandywine Road.

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

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.

2. **Background–** The subject property is located west of MD 5 (Branch Avenue) and east of Brandywine Road, approximately 600 feet north of their intersection. The property consists of 14.00 acres, is within the Commercial Office (C-O) Zone and is subject to the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA). This preliminary plan of subdivision (PPS) includes Parcels 29 and 48 recorded among the Prince George's County Land Records in Liber 20396 at folio 581 and Liber 20386 at folio 621, respectively. This site is currently developed with an existing institutional use.

   This application is for one parcel for 9,000 square feet of institutional development. The development is subject to a PPS, in accordance with Section 24-107 of the Prince George's County Subdivision Regulations.

3. **Setting–** The subject property is located within Tax Map 144 in Grids E-2 and F-2 and is in Planning Area 85A. The site is irregularly shaped and is bounded to the east by the right-of-way

of MD 5, to the north and northwest by the Potomac Electric Power Company right-of-way in the Rural Residential Zone, to the west by Brandywine Road, and to the south by a single-family detached dwelling and commercial uses in the C-O and Mixed Use-Transportation (M-X-T) Zones. Vacant properties in the C-O and M-X-T Zone also abut the subject property to the south.

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

	EXISTING	APPROVED
Zone	C-O	C-O
Use(s)	Institutional	Institutional
Acreage	14.00	14.00
Lots	0	0
Parcels	2	1
Dwelling Units	0	0
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on March 20, 2020.

5. **Previous Approvals**—There are no prior approvals on the subject property. However, the PPS should reflect the current deed references for the property. Specifically, the reference provided for Parcel 29 should be the deed which conveyed the property to Charuhas Foundation, Inc.

6. **Community Planning**—Conformance with the *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and the Subregion 5 Master Plan and SMA are evaluated, as follows:

Plan 2035
The subject site is located in the Established Communities Growth Policy area. "Established Communities are most appropriate for context-sensitive infill and low-to-medium density development" (page 20). Plan 2035 recommends commercial and residential low land uses on the subject property.

Subregion 5 Master Plan
The Subregion 5 Master Plan and SMA reclassified the subject property to the C-O Zone and recommends commercial uses on the subject property.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the Subregion 5 Master Plan and SMA.

7. **Stormwater Management**—In accordance with Section 24-120(a)(8) of the Subdivision Regulations, an approved Stormwater Management (SWM) Concept Plan (1577-2017-01) and

letter was submitted with the subject application. Proposed SWM features include two micro-bioretention facilities, one rooftop disconnect, and one non-rooftop disconnect structure. The concept approval expires December 5, 2022. The site is required to pay a SWM fee towards providing on-site attenuation/quality control measures pursuant to the concept approval.

Development of the site shall conform with the SWM concept approval and any subsequent revisions to ensure no on-site or downstream flooding occurs.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, this subdivision application is exempt from the mandatory dedication of parkland requirement because it is a nonresidential use.

9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Subregion 5 Master Plan and SMA to provide the appropriate pedestrian and bicycle transportation recommendations. The subject site is located within the Branch Avenue Corridor and is subject to Section 24-124.01 (Adequacy of Bicycle and Pedestrian Facilities in Centers and Corridors) of the Subdivision Regulations, as well as the "Transportation Review Guidelines, Part 2," at the time of PPS.

Existing Conditions, Sidewalks and Bike Infrastructure
The subject property is located along Brandywine Road, which includes a planned MPOT bike lane in the immediate vicinity. The property is bound to the east by MD 5. There are no sidewalks currently in place along Brandywine Road or within the subject property. Interior sidewalks are included in the PPS and serve the subject site.

Master Plan Conformance
The MPOT recommends the following facilities:

a. Planned bicycle lane along Brandywine Road
b. Planned shared roadway along Accokeek Road
c. Planned sidepath along Floral Park Road

The shared roadway along Accokeek Road and the sidepath along Floral Park Road are beyond the scope of this development. A bicycle lane along the full extent of Brandywine Road can be implemented by the Prince George's County Department of Public Works and Transportation, as part of a future capital improvement or roadway resurfacing project. In the interim, bike way signage and a pavement marking can be installed and are recommended.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommend how to accommodate infrastructure for people walking and bicycling:

> **Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all**

modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

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

The applicant's submission features a sidewalk surrounding the proposed building and a sidewalk from the parking area leading to the proposed building shown on the Type 1 tree conservation plan (TCP1). In addition, the applicant updated the concept plan to include shoulder widening at Brandywine Road per staff comments. Bicycle parking is also an important component of bicycle friendly roadways and the applicant shall provide bicycle parking at a location near the entrance of the building.

The Transportation Systems Section of the Subregion 5 Master Plan and SMA makes the following recommendations:

a. Install bicycle signage and safety improvements along designated shared-use roadways when development occurs, or roadways are upgraded. Bikeway improvements may include paved shoulders, painted bike lanes, and bike signage (page 121).

The applicant proffered to install four bikeway signs; three on Brandywine Road and one on Floral Park Road. A shared lane marking (sharrow) shall be striped along the proposed shoulder.

Pedestrian and Bicycle Adequacy
The development is subject to Section 24-124.01. The applicant submitted an off-site adequacy exhibit to provide bikeway signage.

Adequacy of On-Site Improvements
The proposed development includes walkways surrounding the building and a 5-foot-wide sidewalk along the east edge of the parking lot leading to the building. The entrance to the proposed building is by a gravel road, which will encourage driving speeds that are compatible with walking. The applicant is also providing a wide shoulder along the subject site frontage.

Brandywine Road is a scenic and historic road; adding sidewalks may encroach on efforts to conserve the natural and cultural resources within the rights-of-way. The proposed on-site road shoulder and on-site sidewalks will support walking and bicycling. As future development along Brandywine Road occurs, the roadway shoulder can be extended to further the bicycle network. The proposed and recommended improvements reflect the minimum facilities necessary for adequacy within the subdivision, pursuant to Section 24-124.01(b).

Adequacy of Off-Site Improvements
The subject application includes proposed off-site bicycle adequacy improvements pursuant to Section 24-124.01(c). The cost cap for the site is $3,489.60. This number was developed by multiplying the nonresidential square footage by $0.35 ($3,150.00), adding the number of

dwelling units multiplied by $300 ($0), and then adjusting the total amount ($3,150.00) for inflation based on the U.S. Bureau of Labor Statistics Cost Price Index between June 2013, the effective date of the adequacy legislation, and today.

The applicant proffered bikeway signage improvements to be placed along Brandywine Road and Floral Park Road. These improvements are within the cost cap.

Adding a roadway shoulder in the area near the subject site, to extend space for pedestrian or bicyclists use, would likely exceed the cost cap and require additional right-of-way acquisition which is beyond the intent of the pedestrian and bicycle adequacy legislation per Section 24-124.01(e)(2). Bikeway signage will not impact the conservation efforts for these roadways, nor will it require additional right-of-way. In addition, the number and location of the signs have been confirmed and approved by the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE). These signs shall be required at time of building permit. These improvements reflect the minimum facilities necessary for adequacy in the surrounding area pursuant to Section 24-124.01.

Demonstrated Nexus Finding
The off-site improvements proffered by the applicant will improve the bicycle connectivity to and from the subject site and complement previously recommended bikeway signage along Brandywine Road and Moore's Road. These improvements will increase motorist awareness that people bicycling may also be using the roadway.

Pursuant to Section 24-124.01, there is a demonstrated nexus between the proffered improvements for the development and nearby destinations.

The PPS meets the necessary findings for approval and is deemed acceptable from the standpoint of pedestrian and bicycle transportation.

10. **Transportation**—Transportation findings related to adequacy are made with this application, along with any determinations related to dedication, access, and general subdivision layout.

The subject property is located within Planning Area 85A and is affected by the Brandywine Road Club. Specifically, Prince George's County Council Resolution CR-9-2017 indicates the following:

1. It establishes the use of the Brandywine Road Club for all properties within Planning Area 85A and 85B as a means of addressing significant and persistent transportation deficiencies within these planning areas. In so doing, CR-9-2017 states that the resolution applies to properties meeting adequacy under Section 24-124(a)(8) and "shall include any property whose application for preliminary plan of subdivision shows the subject property to be located, in whole or in part, within Planning Areas 85A or 85B."

2. It establishes a list of projects for which funding from the Brandywine Road Club can be applied.

3. It establishes standard fees by development type associated with the Brandywine Road Club to be assessed on approved development.

The Council resolution works in concert with Prince George's County Council Bill CB-22-2015, which permits participation in roadway improvements as a means of demonstrating adequacy for transportation, as required in Section 24-124. Specifically, CB-22-2015 allows the following:

1. Roadway improvements participated in by the subdivider can be used to alleviate any inadequacy as defined by the "Guidelines." This indicates that sufficient information must be provided to demonstrate that there is an adequacy.

2. To be subject to CB-22-2015, the subject property must be located in an area for which a road club was established prior to November 16, 1993. In fact, the Brandywine Road club was included in Council Resolution CR-60-1993 adopted on September 14, 1993, and it was developed and in use before that date.

While the subject site is within Planning Areas 85A and 85B, the Brandywine Road Club area, the study area for the traffic review is determined using the Transportation Review Guidelines, Part 1. In this review, all intersections deemed critical for the subject site were found to operate adequately in both peak hours. Therefore, the transportation adequacy requirements of Section 24-124(a) are met, and there is no nexus for this development to participate in the Road Club. The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

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

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections a three-part process is employed:

(a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds; (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed:

(a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Analysis of Traffic Impacts

The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the eventual trip cap for the site. The trip generation is estimated using trip rates and requirements in the *Trip Generation Manual* (Institute of Transportation Engineers) and the proposed use has the following trip generation:

Trip Generation Summary: 4-16016: Bharat Darshan								
			AM Peak Hour			PM Peak Hour		
Land Use	Use Quantity	Metric	In	Out	Total	In	Out	Total
Temple	9,000	Square feet	4	2	6	4	4	8
Total Trips, 4-16016			**4**	**2**	**6**	**4**	**4**	**8**

Traffic counts dated December 2019 were submitted and accepted as part of this application. The following tables represent results of the analyses of critical intersections under existing, background, and total traffic conditions:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Brandywine Road at Floral Park Road	22.7*	15.8*	--	--
Brandywine Road at site entrance	Future	--	--	--
Brandywine Road at MD 5 Service Road	554	1,077	A	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

Four approved developments have been identified in the study area for the purpose of developing background traffic. Given the major growth just outside of the study area, a 1.5 percent annual growth rate for a period of two years has been assumed. A second analysis was done to evaluate the impact of background developments. The analysis revealed the following results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	**Critical Lane Volume (AM & PM)**		**Level of Service (LOS, AM & PM)**	
Brandywine Road at Floral Park Road	49.7*	23.2*	--	--
Brandywine Road at site entrance	Future	--	--	--
Brandywine Road at MD 5 Service Road	663	1,315	A	D
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

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

TOTAL TRAFFIC CONDITIONS				
Intersection	**Critical Lane Volume (AM & PM)**		**Level of Service (LOS, AM & PM)**	
Brandywine Road at Floral Park Road	49.9*	23.3*	--	--
Brandywine Road at site entrance	16.3*	17.0*	--	--
Brandywine Road at MD 5 Service Road	665	1,318	A	D
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

All critical intersections operate acceptably in each peak hour.

Plan Comments

The PPS is acceptable as shown. Brandywine Road is a master plan collector facility with a minimum proposed width of 80 feet. The right-of-way dedication of 40 feet from centerline is acceptable as shown on the PPS.

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

11. **Schools**—This PPS has been reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Council Resolutions CR-23-2001 and

CR-38-2002, *Adequate Public Schools Facility Regulations for Schools*, and it is concluded that the commercial property is exempt from a review for schools because it is a nonresidential use.

12. **Public Facilities**—In accordance with Section 24-122.01, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated May 4, 2020 (Thompson to Sievers), provided in the backup of this technical staff report and incorporated by reference herein.

13. **Use Conversion**—The total development included in this PPS is for 9,000 square feet of institutional development in the C-O Zone. If a substantial revision to the mix of uses on the subject property is proposed that substantially affects the Subtitle 24 adequacy findings, as set forth in a resolution of approval, or if any residential development is proposed, that revision of the mix of uses shall require approval of a new PPS, prior to approval of any building permits.

14. **Public Utility Easement (PUE)**—Section 24-122(a) requires that, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

> "Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748."

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on the public rights-of-way of Brandywine Road and MD 5. The required PUE along Brandywine Road is delineated on the PPS and shall also be delineated along MD 5.

15. **Historic**—The subject property was once part of the Woodlawn Plantation of William H. Grimes. Request of a Phase I archeology survey was initially considered. However, recent ground disturbance from construction of new road improvements on MD 5 reduced the probability that intact archeological features are present. The subject property does not contain and is not adjacent to any designated Prince George's county historic sites or resources. A Phase I archeology survey is not recommended.

16. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-050-2013	N/A	Staff	Approved	8/9/2013	N/A
NRI-050-13-01	N/A	Staff	Approved	8/29/2019	N/A
4-16016	TCP1-006-2020	Planning Board	Approved	5/14/2020	2020-72

Grandfathering
The project is subject to the current regulations of Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new PPS.

Site Description
This 14.00-acre site is zoned C-O and is located at 13504 Brandywine Road in Brandywine. A review of the available information indicates that the site contains no regulated environmental features such as a stream, wetlands, associated buffers, and 100-year floodplain, but contains an old farm pond. The soil types found on-site according to the United States Department of Agriculture Natural Resources Conservation Services Web Soil Survey are Aquasco silt loam, Beltsville-silt loam, Downer-Hamonton complex, and Ingleside sandy loam. Marlboro Clay and Christiana complexes are not found to occur on, or in the vicinity of this property. According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. The site is fairly flat, sloping slightly to the east towards MD 5. This site is in the Piscataway Creek watershed, which flows into the Piscataway Creek and then the Potomac River. The site has frontage on Brandywine Road, which is identified as a master plan collector roadway and a historic and science roadway. The site backs up to MD 5, which is identified as a master plan freeway roadway. The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

Master Plan Conformance

Plan Prince George's 2035 Approved General Plan (2014)
The site is located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035; the Established Communities of the General Plan Growth Policy Map; and Residential Low and Commercial of the General Plan Generalized Future Land Use.

Subregion 5 Master Plan and Sectional Map Amendment, July 2013
The Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to this site. The text in **BOLD** is the text from the master plan and the plain text provides comments on the plan conformance.

> **Policy 1: Implement the master plan's desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.**
>
> **Policy 2: Ensure that new development incorporates open spaces, environmental design, and mitigation activities.**
>
> **Policy 3: Protect, preserve, and enhance the identified green infrastructure network within Subregion 5.**

The subject application proposes to use existing open on-site areas for development and no woodland areas are to be removed.

Policy 4: Encourage the restoration and enhancement of water quality in degraded areas and the preservation of water quality in areas not degraded.

Preservation of water quality will be achieved through an approved SWM concept plan utilizing environmentally sensitive design to the maximum extent practicable. A SWM Concept approval letter was submitted with the subject application. SWM Concept 1577-2017-01 was approved on December 5, 2019 with conditions of requiring the use of two micro-bioretention facilities, one rooftop disconnect, and one non-rooftop disconnect structure with a fee-in-lieu of $33,147.00. The concept approval expires December 5, 2022.

Policy 5: Protect and restore groundwater recharge areas such as wetlands and the headwater areas of streams.

The existing on-site pond is being preserved with this application.

Policy 8: Minimize impervious surfaces in the Developing Tier portion of the watershed through use of conservation subdivisions and environmentally sensitive design and, especially in the higher density Brandywine Community Center, incorporate best stormwater design practices to increase infiltration and reduce run-off volumes.

The use of environmentally sensitive design is proposed with the SWM concept plan.

Conformance with the Green Infrastructure Plan

According to the *Countywide Green Infrastructure Plan*, of the *Countywide Resource Conservation Plan* (2017) the site contains both regulated and evaluation areas within the designated network of the plan. This area is mapped on PGAtlas with a blue line stream (DNR mapped) crossing the site; however, both the 2013 and 2019 Natural Resources Inventory reviews determined that the site contained no on-site stream features. The woodlands on-site also are not part of a large woodland tract with roads and overhead powerlines providing a woodland break. The conceptual design as reflected on the preliminary plan and the TCP1 is in keeping with the goals of the *Green Infrastructure Plan* and focuses development within the open unwooded areas of the site.

Environmental Review

Natural Resources Inventory/Existing Conditions
An approved Natural Resources Inventory (NRI-050-2013-01) was submitted with the review package, which was approved on August 29, 2019. The NRI verifies that the site contains woodlands and specimen trees, with no regulated environmental features, and an old farm pond. No revisions are required for conformance to the NRI.

The TCP1 and the PPS show all the required information correctly, in conformance with the approved NRIs. No revisions are required for conformance to the NRI.

Woodland Conservation
This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland.

The site contains a total of 6.86 acres of woodlands with a woodland conservation threshold of 2.10 acres, proposes to clear 0.00 acres of woodland with a total woodland conservation requirement of 2.10 acres. The TCP1 proposes to meet the requirement with on-site preservation (2.10 acres). The plan shows 4.38 acres of woodland retained that is not part of the requirement.

Minor revisions are required to the TCP1.

Specimen Trees
The approved application will not impact any on-site specimen trees as part of the development.

Preservation of Regulated Environmental Features/Primary Management Area
No regulated environmental features or primary management area are located on this site.

17. **Urban Design**—This application is reviewed for conformance with the requirements of the Zoning Ordinance, as follows:

Conformance with the Requirements of the Prince George's County Zoning Ordinance
The development proposal of this site in the C-O Zone will be subject to the requirements of the Zoning Ordinance including, but not limited to, the following:

a. Section 27-453: C-O Zone
b. Section 27-461: Permitted Uses in the C-O Zone
c. Section 27-462: Regulations
d. Part 11 and Part 12 of the Zoning Ordinance regarding parking and signage, respectively.

Conformance with the 2010 Prince George's County Landscape Manual
The proposed development is subject to the provisions of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Conformance with the following requirements of the Landscape Manual: Section 4.2, Requirements for Landscape Strips along Streets; Section 4.3,

Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, will be reviewed at time of permit.

Conformance with the Tree Canopy Coverage Ordinance
Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance requires a minimum percentage of the site to be covered by tree canopy for any development projects that propose more than 5,000 square feet of gross floor area or disturbance and require a grading permit. The subject site, being zoned C-O, is required to provide a minimum of 10 percent of the gross tract area in tree canopy coverage. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at time of permit.

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

* * * * * * * * * * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, May 7, 2020, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of May 2020.

Elizabeth M. Hewlett
Chairman

Jessica Jones

By Jessica Jones
Planning Board Administrator

EMH:JJ:TS:nz

APPROVED AS TO LEGAL SUFFICIENCY

David S. Warner /s/
M-NCPPC Legal Department

Date: May 12, 2020