

PGCPB No. 2025-067

File No. 4-24019

R E S O L U T I O N

WHEREAS, 4500 St. Barnabas LLC is the owner of a 3.38-acre tract of land known as Parcel A and Parcel 229, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned Commercial, General and Office (CGO) and Residential, Rural (RR); and

WHEREAS, on March 17, 2025, LACM MD LLC filed an application for approval of a Preliminary Plan of Subdivision for three parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24019 for Holly Place 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 at a public hearing on July 31, 2025; and

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

WHEREAS, pursuant to Section 24-1900 *et seq.* of the Prince George's County Subdivision Regulations, subdivision applications submitted and accepted as complete before April 1, 2022, may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022 ("prior Subdivision Regulations"); and

WHEREAS, the applicant has complied with the procedures required in order to proceed with development under the prior Subdivision Regulations contained in Section 24-1904 of the Prince George's County Subdivision Regulations; and

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

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

WHEREAS, at the July 31, 2025 public hearing, 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 Subtitles 24 and 25, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-004-2025, and APPROVED Variances to Section 25-122(b)(1)(G) and Section 25-121(c)(3), and further APPROVED Preliminary Plan of Subdivision 4-24019 for three parcels, subject to the following conditions:

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

- a. Revise General Note 25 to state that the mandatory dedication of parkland requirement is being addressed by providing on-site recreation facilities.
 - b. Revise General Note 2 to add Tax Map 88, Grid C3.
 - c. Revise the narrative on Sheet 1 to list C-S-C and R-R as prior zones for the property.
 - d. Revise General Note 4 and General Note 6 to provide the correct references to the proposed parcels in accordance with the parcels shown on Sheet 3.
 - e. Revise General Note 12 to list the existing zoning of the property as CGO/RR and prior zoning of the property as C-S-C/R-R.
 - f. Revise General Note 28 to list the correct Type 1 tree conservation plan number as TCP1-004-2025.
 - g. On Sheet 3, revise the label for right-of-way width of MD 414 (Saint Barnabas Road) from the road centerline to the property line as 'existing' instead of 'proposed'.
 - h. On Sheet 3, revise the label for right-of-way width of Holly Tree Road from the road centerline to the boundary line of Parcel 3 as 'existing' instead of 'proposed'.
 - i. On Sheet 3, revise the label for the proposed right-of-way width of Holly Tree Road from the road centerline to the boundary line of Parcel 1 as 30 feet instead of 25 feet, and extend the arrow to the edge of the proposed right-of-way line.
2. Prior to approval, the final plat of subdivision shall include:
 - a. Right-of-way dedication along Holly Tree Road, in accordance with Section 24-123(a)(1) of the prior Prince George's County Subdivision Regulations and the approved preliminary plan of subdivision.
 - b. The granting of a minimum 10-foot-wide public utility easement along all public streets, in accordance with Section 24-122(a) of the prior Prince George's County Subdivision Regulations, and in accordance with the approved preliminary plan of subdivision.
3. Development of this subdivision shall be in conformance with Stormwater Management (SWM) Concept Plan 40233-2024-SDC, and any subsequent revisions.
4. In accordance with Section 24-135 of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, adequate on-site recreational facilities in accordance with the standards outlined in the *Prince George's County Park and Recreation Facilities Design Guidelines*.

5. The on-site recreational facilities shall be reviewed by the Development Review Division of the Prince George's County Planning Department, for sufficiency and proper siting, in accordance with the *Prince George's County Park and Recreation Facilities Design Guidelines*, with the review of the site plan. Timing for construction shall also be determined at the time of the site plan.
6. Prior to submission of the final plat of subdivision for any residential lot/parcel, the applicant and the applicant's heirs, successors, and/or assignees shall submit an executed private recreational facilities agreement (RFA) to the Development Review Division (DRD) of the Prince George's County Planning Department, for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records, and the Book and page of the RFA shall be noted on the final plat prior to plat recordation.
7. In accordance with Section 24-135(b)(2) and (3) of the prior Prince George's County Subdivision Regulations, prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities.
8. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show the following facilities at the time of the site plan:
 - a. Perpendicular Americans with Disabilities Act (ADA)-compliant curb ramps and continental-style crosswalks crossing all vehicular access points along the property frontage of Holly Tree Road and throughout the site crossing internal intersections.
 - b. Long-term and short-term bicycle parking at the residential building.
 - c. A minimum 5-foot-wide sidewalk along the entire property frontage of Holly Tree Road, unless modified by the permitting agency with written correspondence. Any modifications shall be in accordance with Prince George's County Department of Public Works and Transportation and Maryland State Highway Administration adopted standards.
9. Prior to signature approval of the preliminary plan, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Identify the TCP case number as TCP1-004-2025 in the Environmental Planning Section approval block and in the woodland conservation worksheet.
 - b. Correct the woodland worksheet zoning from "RR" to "R-R."
 - c. Identify all hatch patterns on the plan in the legend.

- d. Have the revised plan signed and dated by the qualified professional who prepared the plan.
10. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-004-2025) in conformance with Section 25-121. 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 (TCP1-004-2025 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
11. Prior to the issuance of permits for this subdivision, and in conformance with Section 25-119(a)(2) or (3) of the 2024 Woodland and Wildlife Habitat Conservation Ordinance, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland and Wildlife Habitat Conservation Easement pursuant to Section 25-122(d) of the 2024 Woodland and Wildlife Habitat Conservation Ordinance with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

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 applicable legal requirements of Subtitles 24 and 27 of the Prince George’s County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the east side of MD 414 (Saint Barnabas Road), south of its intersection with Holly Tree Road, and is within Tax Map 88, Grids C3 and C4. The property totals 3.38 acres and consists of Parcel A, recorded in the Land Records of Prince George’s County in Plat Book WWW 51, page 89 approved on June 17, 1964, and Parcel 229 recorded in Land Records by deed in Book 42945, page 497.

Parcel A lies in the Commercial, General and Office (CGO) Zone and Parcel 229 lies in the Residential, Rural (RR) Zone. However, this preliminary plan of subdivision (PPS) was submitted for review in accordance with the Prince George’s County Zoning Ordinance and Prince George’s Subdivision Regulations in effect prior to April 1, 2022 (the “prior Zoning Ordinance” and the “prior Subdivision Regulations”), pursuant to Section 24-1900 *et seq.* of the current Subdivision Regulations. Therefore, the subject PPS was reviewed pursuant to the

standards of the prior Subdivision Regulations, where the subject property lies in the Commercial Shopping Center (C-S-C) and Rural Residential (R-R) Zones, which were effective prior to April 1, 2022. The site is further subject to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (sector plan).

The subject PPS qualified for review under the prior Zoning Ordinance and prior Subdivision Regulations because it met the requirements of Section 24-1904 of the current Subdivision Regulations. In accordance with Section 24-1904 (a), the applicant participated in a pre-application conference for the subject PPS on May 31, 2024. In accordance with Section 24-1904 (b), the applicant provided a statement of justification (SOJ) explaining why they were requesting to use the prior regulations. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by and subject to an approved Certificate of Adequacy ADQ-2024-031.

Parcel A is currently developed with a 24,464-square-foot vehicle parts store and associated parking lot, while Parcel 229 is partially developed with a parking lot serving the vehicle parts store on Parcel A. This PPS allows the subdivision of the two existing parcels (Parcel A and Parcel 229) into three parcels (Parcels 1, 2, and 3) for mixed-use development. Specifically, 72 multifamily residential dwelling units for the elderly are evaluated on Parcel 1, with associated parking on Parcel 2. The existing commercial building and its associated parking will remain on Parcel 3. In accordance with Sections 24-107 and 24-111(c) of the prior Subdivision Regulations, the subdivision of land and the addition of 72 multi-family residential dwelling units requires filing a PPS and final plat. The subject property is not within the limits of any municipality.

The applicant filed a variance request to Section 25-122(b)(1)(G) of the 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), to allow the removal of one specimen tree. The applicant also filed a variance request to Section 25-121(c)(3) of the WCO, to not meet the required woodland conservation threshold on-site. These variance requests are discussed further in the Environmental finding of this resolution.

3. **Setting**—The subject site is located within Planning Area 76A. The site is bound on the northeast by Holly Tree Road with commercial use in CGO Zone (previously C-S-C Zone) beyond. The site is bound by MD 414 (Saint Barnabas Road) to the northwest with commercial uses in Residential, Multifamily-48 and Commercial, Service Zones beyond (previously Mixed Use-Transportation Oriented Zone and Commercial Miscellaneous Zone, respectively). To the southwest, the property is bound by commercial uses in the CGO Zone (previously C-S-C Zone) and Industrial, Employment Zone (previously Light Industrial Zone). The site is bound to the southeast by an institutional use in the RR Zone (previously R-R Zone).
4. **Development Data Summary**—The following information relates to the subject PPS and the evaluated development.

	EXISTING	EVALUATED
Zone	CGO/RR	C-S-C/R-R
Use(s)	Commercial	Commercial and Residential

	EXISTING	EVALUATED
Acreage	3.38	3.38
Lots	0	0
Parcels	2	3
Dwelling Units	0	72
Gross Floor Area	24,464 sq. ft.	24,464 sq. ft.
Subtitle 25 Variance	No	Yes Sections 25-121(c)(3) and 25-122(b)(1)(G)
Subtitle 24 Variation	No	No

The subject PPS was accepted for review on March 17, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this PPS was referred to the Subdivision and Development Review Committee, which held a meeting on March 28, 2025, where comments were provided to the applicant. Revised plans were received on May 2, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—There are no previous development approvals for Parcel 229. Parcel A is subject to a prior approved PPS 12-2486, of which no documents are available. The final plat for Parcel A was subsequently recorded in Plat Book WWW 51, Plat No. 89, in 1964. There are no notes on the final plat related to development on Parcel A. The current commercial use on the property was constructed in or about 1964.
6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated as follows:

Plan 2035

The subject property is located in the Established Communities. “Plan 2035 classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met” (page 20).

Sector Plan

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035 remain in full force and effect, except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS and final plat shall conform to the area master plan, including maps and text, unless events have occurred to render the relevant recommendations within the plan no longer appropriate, no longer applicable, or the Prince George's County District Council has not imposed the recommended zoning. The sector plan recommends Commercial-Neighborhood land use on the western part of the site and Residential

Low land use on the eastern part of the site. The site is currently developed with a commercial use at the western part of the site and apartment housing for the elderly (Parcel 1) is to be located at the eastern part of the site. The Residential Low recommended land use is intended for “Residential areas at or below... 5.7 dwelling units per acre in the Developed Tier; primarily single-family detached dwelling.” To implement this recommendation, the District Council retained the subject property in the R-R Zone, which generally allows for low-density, single-family detached residential development. However, the R-R and the C-S-C Zones also permit the evaluated use of the property, apartment housing for the elderly, with approval of a special exception.

The proposed apartment building for the elderly will be constructed only on the R-R-zoned portion of the property, which is approved as Parcel 1. For the evaluated use, the provisions governing density in the R-R Zone are not found in the R-R Zone bulk regulations, but instead are contained in Section 27-337(b)(4) of the prior Zoning Ordinance. Specifically, Section 27-337(b)(4)(A) states: “The requirements of paragraphs (1), (2), (3), and (4) of Subsection (a), above, shall be met.” Section 27-337(a)(4) explains that density, among other bulk standards, are established at the time of special exception: “The height, lot coverage, density, frontage, yard, and green area requirements, including restrictions on the location and height of accessory buildings, as specified for the zone in which the use is proposed, shall not apply to the uses or structures provided in this Section. The dimensions, percentages, and density shown on the approved site plan shall constitute the regulations for development under a given Special Exception.”

Therefore, the zoning approved by the District Council allows for the evaluated use and density to be determined at the time of consideration of a special exception. In addition, pursuant to Section 27-317(a)(3) of the prior Zoning Ordinance, approval of a special exception requires a finding that the “proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan.” Accordingly, for the evaluated use, the District Council has chosen to allow the use by special exception, and not impose the recommended zoning (density), as provided in the sector plan, causing the applicable use and density recommendations of the sector plan to be inapplicable. The evaluated development consists of 72 single-family attached dwellings, at a density of 75.39 dwelling units per net and gross acre. This does not fall within the range recommended by the sector plan, but as noted above, the District Council has determined that the density for an apartment housing for the elderly use must be determined and approved with the special exception and, therefore, the PPS meets the requirements of Section 24-121(a)(5).

Furthermore, this use does not substantially impair the implementation of the sector plan, rather it supports the plan’s recommendations for developing new housing that “comprise a range of choices, including a variety of multifamily types that will allow older residents to downsize and age in place.”

In addition, the sector plan recommends the following guidelines to help advance the intent and purpose of the plan.

Site Design (page 115)

- **Place parking at the rear or side of all buildings in order to avoid a direct view of parking lots from the street. Provide parking islands with landscaping to soften the view of asphalt pavement and to avoid the prospect of a sea of parked cars.**
- **Provide low screen walls, hedges, or both, at those places where surface parking can be viewed from the street.**
- **Use landscaping to beautify the street and public spaces, to buffer incompatible uses, and to screen unsightly views.**

At the time of the special exception site plan, the applicant should demonstrate conformance with these recommendations. The schematic design provided with the PPS shows the proposed parking at the side of the building with parking islands, which will include landscaping. The site design should include screening of the parking lots from Holly Tree Road. Conformance to the 2010 *Prince George's County Landscape Manual* (Landscape Manual) will be evaluated at the time of the special exception application.

Building Design (page 116)

- **Design all buildings with high-quality materials and treatments. Exterior building walls should be constructed with brick, stone, precast concrete, and other high-quality compatible materials.**
- **Provide architectural elements and proportion that relates to a pedestrian scale in building facades. Large expanses of identical building walls should be avoided. Facades that provide a regular and frequent pattern of architectural variety through modulation of wall plane, detailing, color, texture, material, and the incorporation of art and ornament are encouraged.**

The schematic design provided with the PPS highlights the proposed usage of brick, fiber cement, and lap siding to create an aesthetically pleasing façade with a unique pattern and texture. Building architecture, and compatibility with the surrounding neighborhood, will be further reviewed at the time of special exception.

Connectivity and Circulation (page 118)

- **Provide sidewalks through the sector plan area. Use special paving in high pedestrian areas to provide visible connecting elements that reinforce the pedestrian system. Seek opportunities to connect sidewalks to the trail network.**

The applicant displays the provision of sidewalks in their development plans. The applicant shall provide sidewalks to the extent that they connect to the existing sidewalk network and to the adjacent properties. Special paving should be used across driveway aprons to enhance the crossings and should be shown on the site plan at the time of special exception.

Additional relevant sector plan policies related to the environment and to bicycle and pedestrian friendly development are listed and addressed in the Environmental and Transportation findings of this resolution, respectively.

7. **Stormwater Management**—In accordance with Section 24-120(a)(8) of the prior Subdivision Regulations, an application for a major subdivision must include an approved SWM concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. A SWM Concept Plan and letter (40233-2024-SDC/P00204-2024-SDC) approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) was submitted with this PPS, which shows the use of three micro-bioretenention facilities, and an underground detention facility. No further information pertaining to SWM is required.

The development of the site, in conformance with the SWM concept plan and any subsequent revisions, will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—This PPS was reviewed for conformance with the requirements and recommendations of Plan 2035, the sector plan, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George’s County* (LPPRP), the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the prior Subdivision Regulations, as they pertain to public parks and recreational facilities.

The property is within Park Service Area 7. The sector plan recommends the incorporation of urban parks throughout the area (page 132) and the LPPRP identifies a need for community parks throughout this service area.

The sector plan highlights the importance of integrating “attractive and usable” open spaces to “enhance development character, encourage pedestrian use, contribute to community life, and improve the positive experience of daily activities.” (page 119) The sector plan recommends providing usable open spaces that are dispersed throughout the mixed-use area, using the principles of crime prevention through environmental design (page 119). Recommendations include:

- **Design elements such as fountains, public art or sculpture, and other architectural and landscape elements to create safe resting and gathering places.**
- **Pavements of varied physical texture, color, and pattern to guide movement and define functional areas.**

- **Wide sidewalks, street furniture, well designed bus shelters and bike racks.**

The proposed development, which aims to provide outdoor recreational areas that offer safe resting and gathering spaces for future residents, is consistent with the objectives of the sector plan.

The provisions of the prior Subdivision Regulations, Sections 24-134 and 24-135, which relate to the mandatory dedication of parkland, stipulate that the applicant dedicate land, pay a fee-in-lieu, and/or provide on-site recreational facilities to meet the active recreational needs of the residential development. With a density of 75.39 dwelling units per acre, and in accordance with Section 24-134(a)(1) of the prior Subdivision Regulations, 15 percent of the net residential lot area (or 0.15 acre) would be the required amount of suitable and adequate land for active and or passive recreation for dedication to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parks. The land area of 0.15 acre is unsuitable and insufficient to meet the mandatory parkland dedication requirement pursuant to Section 24-134.

This PPS fulfills mandatory dedication of parkland via the provision of on-site recreational facilities. The outdoor patio, located at the north side of the building, is to contain garden planters and lounging and dining furniture. A theater, a library, a flex room, and a fitness room will provide indoor recreation facilities. Both the flex space and the fitness room will connect to the outdoor patio. These facilities are sufficient to meet the mandatory dedication of parkland requirement in accordance with the 2024 *Park and Recreation Facilities Design Guidelines*.

It is further recommended that on-site recreational facilities include an Americans with Disabilities (ADA)-accessible community garden, ADA-accessible outdoor patio furniture, and ADA-accessible fitness equipment. The details of the on-site recreation facilities, including location, will be further evaluated at the time of the special exception site plan. The disbursement of recreation facilities for convenient accessibility of the residents shall meet the mandatory dedication of parkland requirement in accordance with the 2024 *Park and Recreation Facilities Design Guidelines*.

Based on the preceding findings, the provision of mandatory dedication of parkland shall be met through the provision of on-site recreational facilities, in accordance with Section 24-135(b) of the prior Subdivision Regulations.

9. **Transportation**—This PPS was reviewed for conformance with the sector plan, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the prior Subdivision Regulations, to provide the appropriate transportation facilities.

MPOT and Sector Plan Conformance

Master Plan Right-of-Way

The site has frontage along Saint Barnabas Road, which is a master-planned arterial roadway. The site also has frontage along Holly Tree Road, which is not identified as a master-planned roadway.

- **Saint Barnabas Road, MD 414 (A-45)**

The MPOT recommends a 120-foot-wide right-of-way (ROW) for MD 414. The PPS plan sheets show a delineated ROW for MD 414, 60 feet from the centerline, as recommended in the MPOT. This ROW was previously dedicated as shown on Maryland State Highway Administration (SHA) ROW Plats 34072 and 34079, recorded in January 1968. The sector plan, however, amended the MPOT to recommend an overall roadway facility of 230 feet wide, measured building-to-building, with a minimum ROW width of 210 feet. These recommendations are also included in the table of existing and recommended road facilities of the sector plan (page 126). Roadway recommendations for MD 414 (A-45) in the sector plan include the following (page 123):

- **Six travel lanes**
- **Service roadways on both sides**
- **15-foot two-way pedestrian/bike path on the south side**
- **35-foot area on the north side to accommodate future fixed guideway transit**
- **Wide sidewalks on both sides**

Providing the ROW width as recommended in the sector plan would require the applicant to dedicate an additional 45 feet of ROW along the frontage of MD 414. The proposed ROW includes a 35-foot-wide area for a future fixed guideway transit line.

The Maryland Department of Transportation's (MDOT) Maryland Transit Administration (MTA) is working to further advance a rapid transit system along MD 5 (Branch Avenue)/US 301 (Robert Crain Highway) corridor, between the Branch Avenue Metrorail Station in Prince George's County and the Waldorf-White Plains area in Charles County. This project is referred to as the Southern Maryland Rapid Transit (SMRT). The SMRT study area, which originated from MTA's 2016 *Southern Maryland Rapid Transit Project Corridor Vision*, does not extend beyond the metro station to St. Barnabas Road.

The Branch Avenue Metrorail Station is within two miles of the subject site, and at the time of its adoption, the sector plan expected that this transit line may be designed along MD 414. The sector plan also acknowledged that there would be a need to complete a new sector plan prior to any such project, and states; "The land use classification is expected to change along the St. Barnabas corridor with the provision of transit in the future. However, transit is not anticipated for several decades, at which time a new plan should be completed to determine the appropriate land use classification for transit-oriented development." (page 65)

Based on the study area of the SMRT project, it does not appear that there is currently a plan for a transit line within the ROW of MD 414 under the current design. However, as recommended above, this need will be reevaluated when a new sector plan is completed.

The PPS is required to conform to the sector plan. Making a determination of dedication or reservation of ROW is a significant part of demonstrating this conformance. However, the dedication of additional ROW is not required to find conformance with the sector plan for this project due to the lack of any current plan for a transit line along MD 414 (St. Barnabas Road) and the fact that any potential SMRT project is speculative and will not be realized for several decades into the future.

When dedication is not available, Section 24-139(b) of the prior Subdivision Regulations requires review of the General Plan, master plans, or amendments and parts thereof, to determine if there is a need for reserving for public use any of the land included in the preliminary plan.

As discussed above, the sector plan recommends a 210-foot-wide ROW along MD 414, but the public's need for such ROW at this time remains speculative and far into the future. In addition, Section 24-140(c) of the prior Subdivision Regulations imposes restrictions on areas that are placed in reservation that could not be met given the existing development on the site:

During the reservation period, no building or structure shall be erected upon the land so reserved, except as provided in Subsection (d). No trees, topsoil, or cover shall be removed or destroyed, no grading shall be done, and no drainage structures shall be built so as to discharge water on the reserved land, except as provided in Subsection (d).

The PPS retains the existing retail building on the site and allows construction of 72 senior adult housing multifamily dwelling units on a parcel with frontage on Holly Tree Road. The existing retail building was constructed prior to the SHA plats referenced above, in or around 1964, and a portion of the building is within the 210-foot-wide ROW recommended by the sector plan. The existing ROW on MD 414 is also sufficient to address the added trips associated with the proposed development. For the foregoing reasons, it was found that reservation is not desirable at this time.

Master Plan Pedestrian and Bicycle Facilities

The MPOT recommends the following pedestrian and bike facilities relevant to the review of this PPS:

- **Sidewalks and a bicycle lane along MD 414**

The sector plan recommends the following pedestrian and bike facilities relevant to the review of this PPS:

- **Bicycle lane and side path along MD 414**

A 5-foot-wide sidewalk is constructed along the site's frontage of MD 414. A "Share the Road" bicycle sign exists along the site's frontage with MD 414 and meets the intent of the MPOT and sector plan.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10):

Complete Streets

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 PPS shows an existing 5-foot-wide sidewalk along the frontage of MD 414. Currently, there also exists share-the-road bicycle signage along the site's frontage of MD 414.

The sector plan includes the following guidelines for multimodal circulation throughout the sector plan area:

- **Provide sidewalks through the sector plan area. Use special paving in high pedestrian areas to provide visible connecting elements that reinforce the pedestrian system. Seek opportunities to connect sidewalks to the trail network.** (page 118)

The conceptual site plans for the development show the provision of sidewalks to and around the proposed building. The plans also show a sidewalk along the frontage of Parcel 1 and Parcel 2 along Holly Tree Road. The applicant shall provide sidewalks to the extent that they connect to the existing sidewalk network and to the adjacent properties. Special paving should be used across driveway aprons to enhance the crossings and be shown on the permit site plans. There are no trails in the vicinity of the site, to which connections could be provided.

- **Provide wide storefront walkways along new retail frontages or where vertical mixed-use with ground floor retail is recommended. Include pedestrian amenities such as benches, trash receptacles, bike racks, and bus shelters to encourage window shopping and outdoor cafés.** (page 118)

The PPS shows an existing 5-foot-wide sidewalk along the frontage of MD 414. No new retail frontages or vertical mixed-use with ground-floor retail are proposed. The applicant shall provide on-site long- and short-term bicycle parking at the residential building to be reviewed at the time of the permit site

plan. The project includes internal sidewalks near the entrance of the residential building with appropriate ADA-compliant curb cuts and ramps.

Access and Circulation

Access to the site is provided by two driveways from Holly Tree Road. The PPS includes a new driveway to access the proposed residential building. The existing driveway from Holly Tree Road will remain unchanged to serve the existing retail building. A second existing driveway from Holly Tree Road, currently serving the retail building, will be removed. Holly Tree Road is delineated on the PPS with a 60-foot-wide ROW. The PPS also identifies an area of ROW dedication of 1,106 square feet (0.025 acre) to meet the minimum ROW width requirements for a public roadway in accordance with Section 24-123(a)(5) of the prior Subdivision Regulations. The areas of dedication shall be shown on the final plat and be consistent with the approved PPS.

The project also includes sidewalk facilities along the frontage of Parcel 1 and Parcel 2 along Holly Tree Road, and a crosswalk to the existing sidewalk on the north side of Holly Tree Road. The applicant shall provide sidewalks to the extent that they connect to the existing sidewalk network and to the adjacent properties. The project includes internal sidewalks near the entrance of the residential building with appropriate ADA-compliant curb cuts and ramps. Long- and short-term bicycle parking shall also be provided at the residential building. The existing and required access and circulation are sufficient.

Based on the findings presented above, multimodal transportation facilities will exist to serve the subdivision, as required under the prior Subdivision Regulations, and will conform to the MPOT and sector plan.

10. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5) of the prior Subdivision Regulations.

The sector plan does not contain any goals or policies related to public facilities. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property. The analysis provided with this resolution, and approved Certificate of Adequacy ADQ-2024-031, illustrates that pursuant to adopted tests and standards, public safety facilities and water and sewer services are adequate to serve the proposed development.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, however, none of its recommendations affect the subject site.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that the location of the property, within the appropriate service area of the Ten-Year Water and Sewerage Plan, is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for PPS or final plat approval. The 2018 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act, which includes

those properties served by public sewerage systems. Accordingly, the subject property is in the appropriate service area for PPS approval.

11. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

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

The standard requirement for public utility easements (PUEs) is a minimum of 10 feet wide along public ROWs. The site abuts MD 414 to the northwest, and Holly Tree Road to the northeast. The required PUE is correctly reflected on the PPS, along both roads.

12. **Historic**—The sector plan contains goals and policies (pages 10–20) related to historic preservation. However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required.
13. **Environmental**—The PPS was reviewed for conformance with the applicable environmental regulations of the prior Subdivision Regulations and the prior Zoning Ordinance. The following applications and associated plans were previously reviewed for the subject site:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
NRI-032-2024	N/A	Staff	Approved	03/20/2024	N/A
4-24019	TCP1-004-2025	Planning Board	Approved	07/31/2025	2025-067

Grandfathering

The project is subject to the 2024 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the environmental regulations contained in prior Subtitles 24 and 27.

Environmental Site Description

From a review of available information, and as shown on the approved natural resources inventory (NRI), there are no on-site regulated environmental features (REF). The site does not contain any wetlands of special state concern, as mapped by the Maryland Department of Natural Resources (DNR). The County’s Department of the Environment watershed map shows the entire site within the Henson Creek watershed of the Potomac River basin. The mostly developed site is relatively flat which drains to the south. DNR does not identify the site as being within a stronghold watershed area or in a Tier II catchment area. According to available information from the DNR Natural Heritage Program, no rare, threatened, and endangered species are known on-site or on adjacent properties.

Plan 2035

The site is located within Environmental Strategy Area 1 of the Regulated Environmental Protection Areas Map and in the Established Communities of the General Plan Growth Policy map, as designated by Plan 2035. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

Environmental Conformance with Applicable Plans

Sector Plan Conformance

The Environmental Infrastructure section of the sector plan contains goals, policies, recommendations, and strategies. The following recommendations have been determined to be applicable to the current project. The text in **bold** is the text from the sector plan and the plain text provides comments on plan conformance:

- **Expand tree and forest canopy coverage by ensuring that new development meets its woodland conservation requirements either on site or within the plan area's watersheds. Establish woodland conservation banks within the Piscataway and Henson Creek watersheds for use when off-site woodland conservation acreage is needed as part of new development.** (page 128)

The subject site is within the Henson Creek watershed; however, the PPS shows all 0.67 acre of existing on-site woodlands being cleared and does not provide any woodland conservation on-site. The proposed development includes apartment housing for the elderly within a 0.97-acre portion of the property zoned R-R. The existing on-site woodland area of 0.67 acre is within this R-R-zoned area. This PPS will remove all the on-site woodland in order to locate the apartment housing for the elderly use within the residential zoned portion of the property.

This sector plan recommendation encourages the woodland requirement to be met on-site or within the plan area's watersheds by establishing woodland banks. The project shows the entire requirement to be met off-site. The Prince George's County Code allows for the off-site woodland conservation requirement to be met using the hierarchy of options "within the same eight-digit sub-watershed, within the same watershed, within the same river basin, within the same growth policy tier, or within Prince George's County." In this case, there is only one woodland bank currently approved in the Henson Creek watershed, and there are four banks established in the Piscataway Creek watershed. If credits cannot be secured within the watershed as recommended in the sector plan, the applicant would be required to establish an off-site bank. This PPS is not proposing to establish a woodland bank and the variance request to not meet the woodland threshold on-site is approved. The use of off-site woodland conservation credits is approved for the development, and the applicant shall demonstrate conformance with the requirements of Section 25-122(a)(3) of the WCO at time of permit by demonstrating due diligence in securing off-site credits following the hierarchy established by the County Code.

- **Protect existing woodland and natural areas, restore wetlands and forests in stream buffers, and stabilize and restore ecosystem functions of receiving streams as part of the stormwater management designs for development projects or as separate, publicly funded projects.**

The existing on-site woodlands are part of a larger connected tract of woodlands located off-site, with woodland preservation located on the adjacent property to the east; however, there are no REF located on-site or on adjacent properties. The on-site woodlands are approved to be cleared as part of the development because the space within the residential zone is limited, the woodlands are located within the narrow residentially zoned area where a reasonably sized apartment housing for the elderly use can be located with a subsequent special exception review. In accordance with Section 24-130(b)(3) of the prior Subdivision Regulations, the on-site SWM is proposed through the use of three infiltration micro-bioretenion facilities and underground detention.

- **Encourage private landowners, including homeowner associations (HOAs) and institutions, such as schools and churches who own large tracts of undeveloped land, to preserve forested stream buffers, minimize forest fragmentation, and establish reforestation banks or woodland banks on their properties.**

The on-site woodlands are part of a larger tract of woodlands, with woodland preservation located on the adjacent property to the east; however, there are no REF located on-site nor on the adjacent properties. No opportunities are present with this PPS to establish a reforestation or woodland bank.

- **Promote the use of environmentally sensitive (green) development techniques in redevelopment and new development projects, including the use of bioretention landscaping, minimizing impervious surfaces, and the use of grass channels and swales to reduce runoff and sheet flow into stream and wetland buffers.**

The development will use micro-bioretenion ponds and underground stormwater detention to treat and manage stormwater. The approved SWM concept plan submitted with this PPS demonstrates control for managing the stormwater generated from rainfall on-site and for managing the stormwater through the use of micro-bioretenion facilities and underground stormwater detention. The property area does not contain any REF or primary management area (PMA).

- **Ensure that site and street designs include the use of full cutoff optic lighting systems that provide consistent light levels throughout the revitalization areas.**

The proposed development should use full cut-off optic lights, to limit light pollution to the adjacent areas. This should be demonstrated with the future special exception application for the subject property.

- **Mitigate noise created by transportation uses on existing and future residential communities by designing residential uses to minimize noise impacts through building placement or construction materials. Discourage inappropriate land uses, such as outdoor recreation, in areas subject to high noise levels.**

The subject property fronts on Saint Barnabas Road, which is designated as a master-planned arterial roadway. While the proposed multifamily residential building is located more than 450 feet away from the ROW of the arterial roadway, the building form and construction materials should minimize noise levels from the road. Any outdoor recreation areas should also be located as far away as possible from the arterial roadway.

Green Infrastructure Plan

The Green Infrastructure Plan (GI Plan) was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017). According to the GI Plan, the site area contains no designated network area such as regulated or evaluation areas.

Other Environmental Review

Natural Resource Inventory (NRI)

Section 24-120(a)(22) of the prior Subdivision Regulations requires an approved NRI plan with PPS applications. NRI-032-2024 was approved on March 20, 2024, and was submitted with the PPS. The Type 1 tree conservation plan (TCP1) shows the required information in conformance with the NRI. No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in area. This project is also subject to the 2018 Environmental Technical Manual (ETM). TCP1-004-2025 was submitted with this PPS. The overall site contains a total of 0.67 acre of net tract woodlands and has a woodland conservation threshold (WCT) of 0.56 acre. The PPS consists of two zones: C-S-C, which has a minimum WCT of 15 percent; and R-R, which has a minimum WCT of 20 percent. The resulting weighted WCT requirement is 16.43 percent.

The acreage of the WCT is determined by multiplying the WCT percentage for that zone by the net tract area of the overall site. This site consists of 3.38 acres (2.41 acres zoned C-S-C and 0.97 acre zoned R-R) and this PPS shows clearing of 0.67 acre of woodland, resulting in a woodland conservation requirement of 1.23 acres. The TCP1 and woodland conservation worksheet reflect the entire woodland conservation requirements being met with 1.23 acres of off-site woodland bank credits.

The applicant submitted an SOJ for Section 25-122(c)(1) of the WCO for recommended priorities for on-site woodland conservation methods. This request is contingent on the approval of a variance by the Planning Board from the requirements of Section 25-121(c)(3) of the WCO for not providing the WCT on-site. An analysis of this request is provided below. It is determined that this request has been satisfactorily addressed and the variance from Section 25-121(c)(3) is approved to allow the use of off-site woodland bank credits to fulfill the woodland conservation requirement of this development.

In accordance with Section 25-119(c)(5)(B) of the WCO, notices were mailed to the parties listed in Subsection 27-125.01(a) of the prior Zoning Ordinance at least 20 days before the TCP approval. According to the affidavit provided by the applicant, notice letters were mailed on March 7, 2025. No public comment about this TCP was received as a result of the mailing.

Analysis of Section 25-121(c)(3) WCO Variance Request

Section 25-121(c)(3) of the WCO requires that, “The woodland conservation and afforestation threshold requirements shall be met on-site or an application for a variance must be submitted and approved per Section 25-119(d).”

The authorizing legislation of Prince George’s County’s WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article of the state code requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in the WCO are set forth in Section 25-119(d) of the WCO. Section 25-119(d)(6) of the WCO clarifies that variances granted under Subtitle 25 are not considered zoning variances.

A Subtitle 25 variance application and associated statement of justification dated March 11, 2025, and revised March 20, 2025, were submitted for review with this PPS to justify why the required woodland conservation threshold cannot be met on-site. The PPS evaluates a mixed-use development of apartment housing for the elderly and retention of an existing commercial use. The apartment housing for the elderly use can only be developed within the 0.97 acre R-R-zoned portion of the site, in accordance with the prior zoning ordinance.

Section 25-119(d) of the WCO contains six required findings to be made before a variance to the WCO can be granted. An evaluation of this variance request, with respect to the required findings, is provided below. The request to not provide the woodland conservation threshold on-site is approved, based on these findings:

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

Using the WCT percentages of Subtitle 25-121(c)(3) of the WCO for this PPS results in the minimum WCT requirement of 16.43 percent or 0.56 acre.

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship if the applicant were required to meet the WCO requirements on-site. The existing on-site woodland of 0.67 acre is located within the 0.97-acre R-R-zoned portion of the overall 3.38 acres. The applicant states that special conditions peculiar to the property exist on Parcel 229, which is the R-R-zoned portion of the PPS with the review of a special exception; however, the WCT is calculated for the overall net tract area including both the R-R and C-S-C portions of the property in accordance with Section 25-121(c)(3) of the WCO. The applicant states that the irregular shape of the property and the location of the existing woodland in the center of Parcel 229 are not characteristics shared by neighboring properties and that the request for apartment housing for the elderly is significant because the proposed use is in conformance with the sector plan. The sector plan recommends new housing “beyond the current single-family focus” that comprises “a range of choices, including a variety of multifamily types that will allow older residents to downsize and age in place.”

The rectangular shape of the property, however, is not irregular and the evaluated use, even if favored by the sector plan, is not a “special condition” that is peculiar to this property. In addition, the location of the existing woodland in the center of Parcel 229 causes an unwarranted hardship for the applicant, because it would prevent any reasonable development of the property, but that alone does not establish grounds for not requiring the applicant to meet the WCO requirements on-site.

Instead, it was found that the small size of the property (0.97 acre) would cause an unwarranted hardship for the applicant if WCO requirements were required to be met on-site because the proposed development is both significant and reasonable. As discussed above, the District Council has found the use appropriate for the property (upon issuance of a special exception) and the sector plan supports uses “beyond the current single family focus,” but the WCO’s required retention of more than 50 percent of the woodland on-site would almost entirely prohibit the development of an elderly housing project that would also be able to meet the requirements of the prior Subdivision Regulations and other applicable state and local laws imposing requirements such as recreational amenities, sidewalks, SWM, grading, safe circulation, utilities, and landscaping. In addition, Parcel 229 is constrained by developed properties on three sides and Holly Tree Road to the north.

The C-S-C portion of the property, Parcel A, was developed in or around 1964, without retaining any woodlands. The applicant is not proposing any afforestation on Parcel A. With the prior zoning ordinance limiting the apartment housing for the elderly use to the residentially zoned property on Parcel 229, any development on Parcel 229 in conformance with the WCO, other than small single-family detached dwellings, would not be reasonably possible. Saving any

portion of the small forest stand would, therefore, make the site undevelopable for the evaluated use.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

The applicant states that the enforcement of these rules would deprive the applicant of rights commonly enjoyed by others in similar areas. The development is required to provide SWM, grading, safe circulation, utilities, and landscaping on-site in conformance with other sections of the County Code. The applicant states that complying with the additional requirement to preserve the existing centrally located woodland, there is just not enough room to then develop the site as apartment housing for the elderly. The applicant proposes to meet their woodland requirement off-site to conform with the surrounding commercial and industrial character. If similar constraints are encountered on other properties for comparable developments requesting a variance, they will be evaluated under the same criteria.

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

The applicant states that granting the variance will not confer on it a special privilege that would be denied to other applicants.

Without the approval of this variance, the development proposed on the R-R-zoned existing Parcel 229 could not be developed in a functional and efficient manner and would not achieve commonly accepted planning goals, including those set forth in the prior Zoning Ordinance and sector plan.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

This request is not based on conditions or circumstances which are the result of actions by the applicant. The applicant is not proposing to provide the WCT on any other portion of the overall PPS.

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

The applicant states that granting a variance for not meeting the WCT on-site does not arise from any condition on a neighboring property. The adjacent uses are existing commercial and industrial businesses to the north, south and west, and a church to the west. The subject property was not affected by the neighboring uses.

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

The applicant states that granting the variance will not adversely affect water quality because the SWM design for the site is required to meet the current regulations of Subtitle 32 of the County Code, which require the post-development conditions to mimic a pre-development woodland condition of the site. The approved SWM concept plan proposes to provide the required environmental site design to the maximum extent practicable and water quality requirements through the use of an underground detention facility and micro-bioretenention facilities. The project is subject to the erosion and sediment control requirements of the Prince George's County Soil Conservation District, and the approval of a stormwater concept plan by DPIE.

The required findings of Section 25-119(d) of the WCO have been adequately addressed for not providing the woodland conservation or afforestation threshold on-site. The variance to Section 25-121(c)(3) of the WCO is, therefore, approved. The development of apartment housing for the elderly shall meet their woodland requirement at a County approved woodland conservation bank in accordance with Section 25-122(a)(6) of the WCO.

Specimen Trees

Section 25-122(b)(1)(G) of the WCO requires that, "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the [Environmental] Technical Manual."

The applicant proposed the removal of one specimen tree, identified as Specimen Tree ST-1, a 33-inch diameter at breast height (dbh) White Oak in fair condition.

Analysis of 25-122(b)(1)(G) WCO Variance Request

A Subtitle 25 Variance application and an SOJ in support of a variance were received for review with this PPS on February 11, 2025, and revised on March 20, 2025. The request is for the removal of one specimen tree, identified as ST-1.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The submitted SOJ seeks to address the required findings for the one specimen tree (ST-1 White Oak) proposed for removal.

A variance from Section 25-122(b)(1)(G) of the WCO was requested for the clearing of one on-site specimen tree, identified as ST-1. The PPS evaluates a mixed-use development of apartment housing for the elderly and an existing commercial use. Considerations for the evaluation included construction tolerance, distance from development impacts to the tree, and condition of the tree.

This variance was requested from the WCO, which requires, under Section 25-122 of the WCO, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle 25 variance application requires an SOJ of how the findings are being met.

Below are the six criteria listed in Section 25-119(d)(1) of the WCO. The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship;

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

The SOJ indicates that Specimen Tree ST-1 is proposed for removal because it is centrally located within the residentially zoned area of the site. This location is surrounded by developed properties. The proposed development of the property, as an apartment housing for the elderly, is significant because the use is in conformance with the sector plan which recommends new housing “beyond the current single-family focus” that comprises “a range of choices, including a variety of multifamily types that will allow older residents to downsize and age in place.” (sector plan, page 29) With the prior zoning ordinance limiting the apartment housing for the elderly use to the R-R-zoned portion of the site on Parcel 229, any development on Parcel 229, other than small single-family detached dwellings, would severely impact the existing woodlands. The development of the property, as an apartment housing for the elderly, requires SWM, grading, safe circulation, utilities, and landscaping on-site, in conformance with other sections of the County Code. Requiring the applicant to retain the one specimen tree centrally located on Parcel 229 on the site would further limit the area of the site available for development, to the extent that it causes an applicant unwarranted hardship.

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

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical root zone, would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of the WCO and the ETM for site-specific conditions.

Specimen trees grow to such a large size because they were left undisturbed on a site for sufficient time to grow. The development is required to provide SWM,

grading, safe circulation, utilities, and landscaping on-site in conformance with other sections of the County Code. The applicant states that complying with the additional requirement to preserve the existing centrally located specimen tree, there is just not enough room to then develop the site as apartment housing for the elderly. The applicant proposes to meet their woodland requirement off-site which conforms with the surrounding commercial and industrial character. If similar constraints are encountered on other properties for comparable developments requesting a variance, they will be evaluated under the same criteria.

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

Not granting the variance would prevent the apartment housing for the elderly from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. Other similar residential developments, with a centrally located specimen tree, would be given the same considerations during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The variance is not based on conditions or circumstances which are the result of actions by the applicant, but is based on the request to remove a specimen tree to develop apartment housing for the elderly within the R-R-zoned property, a use supported by the sector plan.

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

There are no existing conditions, existing land or building uses on the site or on neighboring properties that have any impact on the location or size of the one specimen tree. This specimen tree (ST-1) has grown to specimen tree size based on natural conditions and has not been impacted by any neighboring land or building uses.

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

The applicant states that granting the variance will not adversely affect water quality because the SWM design for the site is required to meet the current regulations of Subtitle 32 of the County Code, which require the post-development conditions to mimic a pre-development woodland condition of the site. The approved SWM concept plan proposes to provide the required environmental site design to the maximum extent practicable and water quality requirements through the use of an underground detention facility and micro-bioretenment facilities. The project is subject to the erosion and sediment

control requirements of the Prince George's County Soil Conservation District, and the approval of a stormwater concept plan by DPIE.

The required findings of Section 25-119(d) of the WCO have been adequately addressed for the removal of Specimen Tree ST-1.

The variance to Section 25-121(c)(3) of the WCO for the removal of one specimen tree, identified as ST-1, for the development of apartment housing for the elderly, is approved.

Regulated Environmental Features

This PPS area does not contain REF or PMA.

Soils

Section 24-131 of the prior Subdivision Regulations states, "The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes." The U.S. Department of Agriculture, Natural Resource Conservation Service Web Soil Survey, identifies one soil type, Chillum-Urban land complex, present on the property. Marlboro and Christiana clay are not found to occur on this property.

14. **Urban Design**—This PPS meets the planning and design requirements of Section 24-121 of the prior Subdivision Regulations, and the applicable provisions of the prior Zoning Ordinance at this stage. This development does not require filing a detailed site plan. Per Section 27-441 of the prior Zoning Ordinance, "apartment housing for elderly or handicapped families in a building other than a surplus public school building" is a permitted use in the R-R Zone subject to approval of a special exception. The requirements listed in Footnote 63, Section 27-441(b) Table of Uses, are not applicable to the subject development. Per Section 27-461(b)(6), the "apartment housing for elderly or physically handicapped" is a permitted use in the C-S-C Zone subject to approval of a special exception. The "vehicle parts or tire store without installation facilities" use is permitted in the C-S-C Zone by right. Under the prior Zoning Ordinance, conformance with, but not limited to, the following regulations shall be demonstrated at the time of special exception review for the proposed residential development:

- Section 27-317 – SE Required Findings;
- Section 27-337 – Apartment housing for elderly or physically handicapped families;
- Section 27-428 – R-R Zone (Rural Residential);
- Section 27-441 –Uses permitted;
- Section 27-442 – Regulations;

- Section 27-454 – C-S-C Zone (Commercial Shopping Center);
- Section 27-461 – Uses permitted;
- Section 27-462 – Regulations;
- Part 11 – Off-Street Parking and Loading; and
- Part 12 – Signage.

The proposed development is subject to the requirements of the Landscape Manual. The site is subject to Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets, Section 4.7, Buffering Incompatible Uses, and Section 4.9, Sustainable Landscaping Requirements.

Based on the submitted plan, the existing uses of the abutting properties are commercial office and church, which are classified as “Medium Impact.” Therefore, a Type B bufferyard will be required along the southeast and southwest property lines, which requires a minimum 30 feet of building setback, a minimum 20 feet of landscape yard, and 80 plant units per 100 linear feet of the property line. At the time of special exception review, the applicant should clearly label the existing uses of the abutting properties on the plan. When more detailed information is provided, the requirements of the bufferyard might change.

Prince George’s County Council Bill CB-21-2024 for the Tree Canopy Coverage Ordinance became effective July 1, 2024. Subsequently, 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 2,500 square feet of gross floor area, or disturbance, and requires a building or grading permit. The subject site in the CGO and RR Zones are required to respectively provide a minimum of 15 and 20 percent of the net tract area to be covered by tree canopy. Compliance with this requirement will be evaluated at the time of the special exception review or permit review.

15. **Citizen feedback**—The Prince George’s County Planning Department did not receive any correspondence from the community for this subject application.
16. **Planning Board Hearing on July 31, 2025**—At the July 31, 2025 Planning Board hearing, staff presented the PPS to the Planning Board. Three items were submitted by the applicant prior to the noon deadline on July 29, 2025, which were entered into the record as Applicants Exhibits 1, 2, and 3. Exhibit 1 included a proposed revision to Condition 8, related to provision of a continuous sidewalk along the property’s frontage, as recommended in the technical staff report. Applicant Exhibits 2 and 3 included letters of support from local community organizations. The applicant’s attorney then provided a project history and summary for the proposed development, concluding with the applicant’s concurrence with staff’s recommendations. The Planning Board Chair asked the applicant to clarify that they were no longer requesting revision to Condition 8. No member of

the community signed up to speak on the PPS. The Planning Board approved the PPS unanimously, with conditions, as recommended by staff.

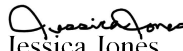
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, Bailey, and Barnes voting in favor of the motion at its regular meeting held on Thursday, July 31, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of September 2025.

Darryl Barnes
Chairman

By 
Jessica Jones
Planning Board Administrator

DB:JJ:BS:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: August 13, 2025