

PGCPB No. 2025-107

File No. 4-24021

R E S O L U T I O N

WHEREAS, Hart3, LLC is the owner of a 4.68-acre tract of land known as Parcels 115, 114, 113, 96, 111, 112, and 30, said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned Residential, Multifamily-48 (RMF-48); and

WHEREAS, on August 25, 2025, Hart3, LLC filed an application for approval of a Preliminary Plan of Subdivision for 4 lots and 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24021 for Upper Marlboro Gateway 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 October 30, 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 27-1704(b) of the Prince George's County Zoning Ordinance, subdivision applications submitted under a valid conceptual site plan, approved under the prior Zoning Ordinance and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of approval of the conceptual site plan; 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 October 30, 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 TCP1-2025-0025, and further APPROVED Preliminary Plan of Subdivision 4-24021 for 4 lots and 1 parcel, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be modified as follows:
 - a. Identify the limits of a public use access easement to include the extent of the proposed Public Plaza Area, as shown on the applicant's exhibits, for any portions that are not located in the public rights-of-way.

- b. Consolidate the number of proposed access driveways serving Lots/Parcels 1 and 2 to one access driveway, in accordance with Section 24-128(b)(9) of the prior Prince George's County Subdivision Regulations.
 - c. Show an outlet (Outlot A) to cover the entire extents of the existing driveway for adjoining Parcel 110, and label it to be conveyed to the owner of Parcel 110 or show an access easement on Parcel A/5 for an access driveway to Parcel 110, pursuant to Section 24-128(b)(9) of the prior Prince George's County Subdivision Regulations.
 - d. Label all proposed nonresidential lots as proposed parcels, with numeral designation (Parcels 1–4). Update the Proposed Parcel Table and General Note 4 accordingly.
 - e. Assign a numeral designation to Parcel A (Parcel 5).
 - f. In General Note 13, clarify if the proposed 225,108-square-foot building area is the total gross floor area, in accordance with Section 27-107.01(105), Gross Floor Area, of the prior Prince George's County Zoning Ordinance.
 - g. Correct the case number in the title block to state "4-24021".
 - h. Have a licensed professional seal, sign, and date the PPS, in accordance with Section 24-120(a) of the prior Prince George's County Subdivision Regulations.
 - i. Revise General Note 11 to correct the current use as residential.
 - j. Revise General Note 21 to list existing nonresidential gross floor area as zero square feet.
 - k. Revise General Note 25 to state that the mandatory dedication of parkland requirement is met pursuant to Section 24-4507 of the Prince George's County Subdivision Regulations.
2. Prior to approval, the final plat of subdivision shall include:
- a. Right-of-way dedication along MD 725 (Marlboro Pike), in accordance with the approved preliminary plan of subdivision and Section 24-123(a)(1) of the prior Prince George's County Subdivision Regulations.
 - b. In accordance with Section 24-122(a) of the prior Prince George's County Subdivision Regulations, the granting of minimum 10-foot-wide public utility easements along both sides of all public streets, in accordance with the approved preliminary plan of subdivision.
3. Development of the site shall be in conformance with Stormwater Management Concept Plan 43132-2021 and any subsequent revisions, in accordance with Section 24-130 of the prior Prince George's County Subdivision Regulations.

4. At the time of final plat, a conservation easement shall be described by bearings and distances, in conformance with Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section of the Countywide Planning Division, of the Prince George's County Planning Department, prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the Prince George's County Planning Department Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

5. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-2025-0025), in conformance with Section 25-121 of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. 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 (TCP1-2025-0025, 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.”

6. Prior to issuance of permits for this subdivision, and in conformance with Section 25-119(a)(2) of the Prince George's County 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 Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

7. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the United States, the applicant shall submit copies of all federal and state wetland permits with evidence of compliance with any approval conditions, and associated mitigation plans.
8. At the time of detailed site plan, plans shall include:
 - a. A global stability analysis for retaining wall stability, in accordance with Prince George's County Department of Permitting, Inspections and Enforcement Techno Gram 002-2021.

- b. Consolidation of the proposed access driveways to Lot/Parcel 4 and Parcel A/5, if feasible, based upon the final site grading, in accordance with Section 24-128(b)(9) of the prior Prince George's County Subdivision Regulations.
9. In accordance with the 2013 *Approved Subregion 6 Master Plan* and the 2009 *Approved Countywide Master Plan of Transportation*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following facilities and show the locations and extent of the following facilities, at the time of detailed site plan:
 - a. A minimum 5-foot-wide sidewalk and standard bicycle lane along the subject property's frontage of MD 725 (Marlboro Pike), unless modified by the permitting agency, with written correspondence. Any modifications shall be in accordance with Maryland State Highway Administration adopted standards.
 - b. Provide perpendicular Americans with Disabilities Act-compliant curb ramps and crosswalks crossing all vehicular access points along the frontage of MD 725 (Marlboro Pike), unless modified by the permitting agency, with written correspondence. Any modifications shall be in accordance with Maryland State Highway Administration adopted standards.
 - c. Minimum of two inverted U-style short-term bicycle parking near the entrance to residential buildings.
10. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Add the updated TCP1 number to the woodland conservation worksheet.
 - b. Add a tree conservation plan approval history table to the plan.
 - c. Adjust the limits of disturbance line shown on the TCP1 to match the allowed primary management area impact labeled as Part 2 on the "Impacts to Primary Management Area" exhibit.
11. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a draft public use access easement agreement or covenant, for the Public Plaza Area, to The Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department, for approval. The easement agreement shall contain the rights of the Prince George's County Planning Board, be recorded in land records, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement, in accordance with the approved preliminary plan of subdivision and detailed site plan.
12. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit a draft access easement document, pursuant to Section 24-128(b)(9) of the prior Prince George's County Subdivision Regulations, over the shared access to serve

Lots/Parcels 1 and 2, and if feasible, Lot/Parcel 4 and Parcel A/5, as reflected on the approved preliminary plan of subdivision and detailed site plan. The draft easement document shall be submitted to the Subdivision Section of the Development Review Division, of the Prince George's County Planning Department, for review and approval. The easement document shall set forth the rights, responsibilities, and liabilities of the parties and shall include the rights of The Maryland-National Capital Park and Planning Commission. Prior to recordation of the final plat, the easement shall be recorded in the Prince George's County Land Records. The final plat shall carry a note that vehicular access is authorized, pursuant to Section 24-128(b)(9).

13. In accordance with the 2013 *Approved Subregion 6 Master Plan*, the applicant and the applicant's heirs, successors, and/or assignees shall submit an inventory of scenic and historic features along the property's frontage on MD 725 (Marlboro Pike), prior to acceptance of a detailed site plan.
14. The detailed site plan shall show the position of the driveways and private access easements approved pursuant to Section 24-128(b)(9) of the prior Prince George's County Subdivision Regulations, which serve the development.
15. Prior to acceptance of the detailed site plan (DSP), the applicant shall provide correspondence from the Maryland State Highway Administration (SHA) commenting on the proposed access driveway connections along MD 725 (Marlboro Pike) and their conformance to SHA access management standards. Any conformance issues identified shall be addressed prior to or with the approval of the DSP.
16. Prior to approval of any grading permit for the subject property, and pursuant to Section 24-121(a)(7) of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall convey Outlot A to the owner of Parcel 110, unless the owner of Parcel 110 obtains other adequate access to Parcel 110, or access via the proposed access driveway on Parcel A/Parcel 5 is established via easement, pursuant to Section 24-128(b)(9) of the prior Subdivision Regulations.

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 site is located on the north side of MD 725 (Marlboro Pike), approximately 1,200 feet west of US 301 (Robert Crain Highway), on Tax Map 93 Grids A-4 and B-4. The property consists of seven parcels described by deed known as Parcels 115, 114, 113, 96, 111, 112, and 30, all of which were recorded in the Prince George's County Land Records in Book 41827 page 67; Book 41553 page 488; Book 41643 page 302; Book 50850 page 106; Book 50850 page 94; Book 42601 page 175; and Book 50850 page 98, respectively. The site is subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (master plan), prior Subtitles 24 and 27 of the Prince George's County Code, and other applicable plans as outlined herein.

The property lies in the Residential, Multifamily-48 (RMF-48) Zone. However, this preliminary plan of subdivision (PPS) has been reviewed under the applicable provisions of the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 (the prior Zoning Ordinance and prior Subdivision Regulations), pursuant to Section 27-1704 of the Zoning Ordinance. Under the prior Zoning Ordinance, the site was in the Mixed Use-Transportation Oriented (M-X-T) Zone, which was effective prior to April 1, 2022.

The subject property is included in Conceptual Site Plan CSP-21003, which was approved by the Prince George's County Planning Board on October 27, 2022 (PGCPB Resolution No. 2022-111), pursuant to the prior Zoning Ordinance. Pursuant to Section 27-1704(a) of the Zoning Ordinance, CSP-21003 remains valid for a period of 20 years from April 1, 2022. In accordance with Section 27-1704(b), a preliminary plan of subdivision (PPS) submitted under a valid CSP, approved under the prior Zoning Ordinance, and still valid within the time limit specified in Section 27-1704(a), may be reviewed and decided in accordance with the prior Subdivision Regulations.

Therefore, the subject PPS qualifies for review under the prior Zoning Ordinance and prior Subdivision Regulations. Pursuant to Section 24-107(c)(7) of the prior Subdivision Regulations, a new PPS and final plat are required for the division of land, construction of multiple dwelling units, and development of more than 5,000 square feet of gross floor area. In accordance with Section 24-4503(a)(4) of the Subdivision Regulations, this PPS is supported by and subject to an approved Certificate of Adequacy, ADQ-2024-033.

The subject property is 4.68 acres. This PPS allows subdivision of the property into four lots and one parcel, for development of 168 multifamily residential dwelling units and 6,444 square feet of commercial use. Four lots are evaluated for commercial development, and one parcel is designated for multifamily residential development, specifically, age-restricted housing. The site is currently improved with five single-family dwelling units and is located within the Western Branch watershed. The property contains woodlands, primary management area (PMA), 100-year floodplain, wetlands, and wetland buffer. These environmental features are further discussed in the Environmental finding of this resolution.

3. **Setting**—The subject site is located on Tax Map 93 Grids A-4 and B-4 and is within Planning Area 75A. The subject site is bound to the north by an existing stormwater management (SWM) pond serving multifamily development in the RMF-48 Zone. The site is bound to the east by single-family residential use in the RMF-48 Zone. MD 725 (Marlboro Pike) abuts the property to the south, with industrial and commercial uses in the Industrial, Employment (IE) Zone beyond. West of the property is industrial use in the RMF-48 Zone.

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

	EXISTING	EVALUATED
Zone	RMF-48	M-X-T
Use(s)	Vacant/Single-family residential	Multifamily Residential/Commercial
Acreage	4.68	4.68
Lots	0	4
Parcels	7	1
Outparcels	0	0
Dwelling Units	5	168
Nonresidential Gross Floor Area	0	6,444 sq. ft.
Subtitle 24 Variation	No	No
Subtitle 25 Variance	No	No

The subject PPS was accepted for review on August 25, 2025. Pursuant to Section 24-119(d)(2) of the prior Prince George’s County Subdivision Regulations, this case was referred to the Subdivision and Development Review Committee, which held a meeting on September 12, 2025, where comments were provided to the applicant. Revised plans were received on September 19, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—The Prince George’s County District Council approved CSP-21003 on October 27, 2022 (PGCPB Resolution No. 2022-111), subject to eight conditions. This approval included development of 153 multifamily dwelling units and 31,678 square feet of commercial/retail/office use on the subject property. The CSP conceptually approved four mixed-use buildings with ground-floor retail/office and upper-story residential units, a private road accessed from MD 725 (Marlboro Pike), parking areas, recreation areas, stormwater management (SWM) facilities, and signage.

The following conditions of approval from CSP-21003 are applicable to the review of the PPS. The conditions are shown in **BOLD**, and the plain text provides findings on conformance:

3. **At the time of future development applications for this site, the applicant shall submit an approved stormwater management concept plan and approval letter.**

Approved SWM Concept Plan and letter, No. 43132-2021, were provided with this PPS.

4. **At the time of preliminary plan of subdivision for this site, the applicant shall submit a Geotechnical Report for review and approval to determine the presence of Marlboro clay and determine the slope stability factor.**

A geotechnical report was provided with this PPS which showed no Marlboro clay present on-site. A geotechnical report will also be required at the time of detailed site plan (DSP), for slope stability for a retaining wall proposed along a SWM pond and shown on the TCP1.

- 5. At the time of preliminary plan of subdivision review, the applicant proposes a fee-in lieu and/or recreational facilities to fulfill the dedication of parkland requirement.**

The PPS includes indoor recreation in the multifamily buildings, including club rooms and fitness rooms, a public plaza adjoining Marlboro Pike, and outdoor amenities such as a walking path around the SWM pond, and sitting areas between multifamily buildings. These facilities offer both active and passive recreation and align with the master plan and the 2022 *Land Preservation, Parks, and Recreation Plan for Prince George's County* (LPPRP). The provision of recreational facilities to address the dedication of parkland requirement is addressed with approved Certificate of Adequacy ADQ-2024-033.

- 7. Prior to acceptance of a preliminary plan of subdivision (PPS), the applicant and the applicant's heirs, successors, and/or assignees shall:**

- a. Submit a signal warrant analysis for the site access driveway and the MD 725 (Marlboro Pike) intersection, if the traffic impact study submitted with the PPS application shows that a traffic signal is needed to offset traffic impacts at this intersection.**
- b. Submit an operational and queuing analysis using the Highway Capacity Manual methodology for the proposed site access driveway and MD 725 (Marlboro Pike) intersection.**

Evaluation of transportation adequacy was performed with ADQ-2024-033, which was submitted with the subject PPS. This condition has been satisfied.

- 6. Site Layout**—The approved CSP includes development of 153 multifamily dwelling units and 31,678 square feet of commercial/retail space across multiple parcels. The approved CSP conceptually shows four new mixed-use buildings accessed from Marlboro Pike via a 24-foot-wide private road. Each building includes ground-floor commercial and retail space with residential units above. The plan also includes a monument sign at the entrance, a roundabout along the private road, a parking lot with 20 spaces and 2 bicycle racks between Buildings G and F, and on-site SWM and recreation areas.

Under the current PPS, several site layout differences from the approved CSP have been identified. The PPS shows six access points: five existing driveways serving former single-family dwellings and one new 24-foot-wide private driveway providing access to multifamily residential buildings located north of the SWM pond. While the general access layout remains consistent with the CSP, there are a few changes related to disposition of uses. Firstly, the CSP indicated razing existing dwellings on existing Parcels 30 and 112. The PPS, however, shows the building

on Parcel 30 to be razed, but the building on Parcel 112 to be retained, which differs from the layout shown on CSP-21003. Secondly, the CSP retained three existing dwellings on existing Parcels 113, 114, and 115 as residential dwellings. With the PPS, the four existing residential structures on existing Parcels 30, 113, 114, and 115 will remain and be converted to commercial use. Each of the existing structures will be located in its own parcel, with frontage and direct access to Marlboro Pike. The CSP included development with a vertical separation of uses, with commercial and retail uses on the ground floor, and multifamily residential use above. With the subject PPS, only multifamily residential use is shown on Parcel A, and commercial/retail use is limited to the existing buildings along Marlboro Pike. Access to the overall subject property and individual parcels is further discussed in the Transportation finding.

The commercial parcels are labeled on the PPS as Lots 1 through 4, and the multifamily parcel is labeled as Parcel A. These shall all be labeled as parcels and designated numerically as Parcels 1 through 5. Technical corrections are required to the PPS, prior to its signature approval.

The PPS evaluates 168 residential dwelling units and 6,444 square feet of commercial space, compared with 153 residential dwelling units and 31,678 square feet of commercial space approved under the CSP. The PPS also shows a lot width of 73 feet, whereas a minimum lot width of 85 feet was approved with the CSP. Furthermore, the development evaluated with the PPS will result in a floor area ratio (FAR) of 2.39, which is higher than the maximum allowable FAR approved with the CSP.

For purposes of PPS review, the development evaluated with this PPS shall be within the maximum density and intensity approved under CSP-21003. The eventual residential unit count and FAR are therefore limited to the maximum density and intensity approved under the CSP, unless a future DSP approves a CSP amendment in accordance with Section 27-282(g) of the prior Prince George's County Zoning Ordinance.

7. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) is discussed, and conformance with the master plan is evaluated, as follows:

Plan 2035

Plan 2035 places the subject property in the Established Communities Growth Policy Area. 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).

While this PPS is not required to conform with Plan 2035, this PPS is consistent with Plan 2035's Established Communities designation, as it represents appropriate medium-density development.

Master 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 must 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 subject property is located within the Greater Upper Marlboro area, where the master plan recommends mixed-use land uses (Map 27, page 287). The master plan defines mixed-use land use as "areas of mixed residential, commercial, employment, and institutional uses. Residential uses are expected to dominate overall land use in the designated area and may include a range of unit types" (Table 7, page 40). The evaluated use conforms with the recommended land use by including a horizontal mix of uses on the property.

In addition, the master plan also makes the following recommendations that affect the subject property:

Development Pattern and Land Use

Developing Tier

Policy 1: Promote a development pattern that allocates appropriate amounts of land for residential, commercial, employment, industrial, and institutional land uses in accordance with county development goals by considering local and regional needs, the integration of land uses wherever possible, and the impact of development proposals on the economy, environment, equity, and efficiency. (page 58)

Strategy:

- 1. Maintain low to moderate-density land uses except as part of mixed-use development and planned communities.**

The project shows 168 multifamily dwelling units on 2.13 net acres, at 79 dwelling units per acre, as part of a mixed-use development. The density is consistent with this recommendation and does not conflict with the future land use for the property.

Scenic and Historic Roads

Conservation and Enhancement of Special Roadways

Table 11: Designated and Proposed Scenic and Historic Roadways in Subregion 6

Marlboro Pike from Largo Road to Robert Crain Highway is designated as a historic roadway.

Policy 1: Conserve and enhance the scenic and historic values along special roadways. (page 102)

Strategies:

- 2. Require submission of an inventory of scenic and historic features with all applications that propose work within the right-of-way of a designated roadway.**
- 3. Utilize the “Guidelines for the Design of Scenic and Historic Roadways in Prince George’s County, Maryland” (DPW&T, 2006) and the scenic-historic road sections from DPW&T standards when evaluating applications within the rights-of-way of scenic and historic roadways.**
- 4. Consider a variety of techniques in order to protect the scenic and historic qualities of the designated roads during the review of applications that involve work within the right-of-way of a designated roadway. These techniques include alternative ways to circulate traffic, the use of the historic road section as one leg of a needed dual highway, provision of bypass roads, and limiting certain types of development and signs in the viewshed.**
- 11. Limit street lighting along designated roadways to only that necessary to address safety concerns.**
- 12. Require new and replacement lighting along designated roadways to utilize full cut-off optic luminaries to minimize glare and light pollution.**
- 13. Work with the Maryland State Highway Administration in applying the guidance provided by the document, Context Sensitive Solutions for Work on Scenic Byways (SHA, April 2005), to state roadways that are also designated roadways in Subregion 6.**

This project has frontage along the segment of Marlboro Pike that is designated as a historic roadway.

Subtitle 23, Roads and Sidewalks, of the County Code, defines a historic road as “A public or private road, as designated by the County Council, which has been documented by historic surveys or maps, and which maintains its historic alignment and historic landscape context through views of natural features, historic landscape patterns, historic sites and structures, historic farmstead groupings, or rural villages.” (Section 23-102 Definitions)

The lot layout shown on the PPS provides sufficient space along the project’s frontage on Marlboro Pike, to accommodate the required landscape buffer along the historic roadways. Strategy 2 listed above requires the applicant to submit an

inventory of scenic and historic features along the designated roadway. This inventory shall be submitted with the subsequent DSP for evaluation. The applicant should limit lighting and signage in the viewshed and utilize full cut-off optic light fixtures in the design of buildings and streetscape along Marlboro Pike. Lighting levels will be assessed at the time of DSP. At the time of the DSP, the applicant should ensure that the above strategies are met for the project's frontage on Marlboro Pike.

Policy 2: Conserve and enhance the viewsheds along designated roadways.
(page 104)

Strategies:

1. **Require submission of an inventory of scenic and historic features with all applications that propose work adjacent to the right-of-way of a designated roadway.**
2. **Require the conservation and enhancement of the existing viewsheds of designated roads to the fullest extent possible during the review of land development or permit applications, whichever comes first. Elements to be considered shall include views of structures from the roadway; design character and materials of constructed features; preservation of existing vegetation, slopes, and tree tunnels; use of scenic easements; and limited access points.**

Strategy 1 requires the applicant to submit an inventory of scenic and historic features along Marlboro Pike, a designated historic roadway. This inventory shall be submitted with the subsequent DSP for evaluation. At the time of DSP, the applicant should work with staff to ensure the design and materials used for the buildings match the character of the historic setting associated with Marlboro Pike. Landscape buffer requirements along the historic roadway will be evaluated further with the DSP. Access points shall be limited along Marlboro Pike. Detailed assessment of access points, driveway design, and parking layout will continue at the time of DSP review, to ensure consistency with these master plan strategies.

This PPS conforms to the relevant policies and strategies of the master plan outlined above. Additional provisions of the master plan and other functional master plans, including policies and strategies that are found applicable to the development of the subject property, and the subject application's conformance to these policies and strategies, are further discussed throughout this resolution.

8. **Stormwater Management**—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. An approved SWM Concept Plan and letter (43132-2021) was submitted with this PPS and shows the use of

microbioretention, a detention pond, and submerged gravel wetlands to meet the stormwater requirements for the site. The SWM concept plan shows only three of the existing buildings along Marlboro Pike remaining; however, the TCP1 and the PPS show four buildings remaining. This discrepancy shall be corrected with future development applications. No further information pertaining to SWM is required at this time.

Development of the site, in conformance with the SWM concept approval 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.

9. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the master plan, the LPPRP, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* (Formula 2040), and the prior Subdivision Regulations as they pertain to public parks and recreational facilities.

The master plan encompasses approximately 150 square miles and provides generalized goals and policies related to parks and recreation (pages 130–139). The master plan indicates that there are approximately 13,700 acres of local and regional parks, recreation, and open space land in Subregion 6 and sufficient local parkland to meet the projected needs for the entire Subregion through 2030. However, the master plan recommends pursuing local parkland acquisition, providing a variety of recreational facilities and programs, and developing park and recreation facilities. Formula 2040 emphasizes balancing the preservation of open spaces with the development and growth of the County.

The LPPRP places the subject property in Service Area 6, which has met overall parkland targets, but falls short in neighborhood parks due to gaps near sparsely developed residential areas. The LPPRP specifically recommends acquisition of neighborhood parkland along Robert Crain Highway, where the subject property is located. Nearby developed park facilities include School House Pond Park located 0.78 miles south, and the Upper Marlboro Community Center approximately 0.91 miles southeast. Darnell's Chance Historic Site and the School House Pond Trail are within one mile of the property.

The PPS includes recreational amenities for future residents, including indoor recreation facilities within the multifamily buildings, outdoor recreation areas, and pedestrian connections to trails and open spaces adjacent to a SWM pond. These amenities provide a variety of active and passive recreation options for residents and visitors. The associated ADQ-2024-033 includes conditions ensuring that the on-site recreational facilities are dually provided to satisfy the applicable adequacy standards. The development is in alignment with the master plan's intention to provide quality, safe, and convenient recreational facilities within developments, providing respite and contributing to the desirability and livability of the community for current and future residents.

The included improvements further the goals of the master plan that encourage providing a variety of recreational facilities and programs and developing park and recreation facilities. The improvements also further address the gap in neighborhood parks identified in the LPPRP by providing the types of improvements traditionally found in such parks. Pursuant to

Section 24-121(a)(5), the provision of on-site recreation facilities, as required through conditions in the ADQ, is in conformance with the applicable master plan.

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

Transportation Related Master Plan Conformance

Master Plan Right-of-Way

Three master-planned roadways impact the subject site:

Marlboro Pike (MD 725) (P-608)

The PPS accurately delineates the right-of-way along Marlboro Pike, and identifies areas of dedication totaling 0.1936 acre, to meet master plan requirements. These areas of dedication shall be consistent with the approved PPS and shown on the final plat. The plan shows a 70-foot-wide right-of-way along Marlboro Pike.

Master Plan Pedestrian and Bike Facilities

Marlboro Pike (MD 725): Planned bicycle lane

The applicant shows a bicycle lane along the frontage of Marlboro Pike, consistent with the master plan recommendations. A 5-foot-wide sidewalk is also shown along the frontage to provide pedestrian access.

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, pages 9–10):

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.

A 5-foot-wide sidewalk and bicycle lane are provided along the frontage of Marlboro Pike. This policy has been met.

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*.

A bicycle lane is shown along Marlboro Pike. Short-term bicycle parking shall be provided near the entrances to the residential buildings, to meet the intent of this policy.

The master plan includes the following policies:

Policy 1: Develop a road network that balances regional mobility and local accessibility needs.

A 5-foot-wide sidewalk and bicycle lane are shown along Marlboro Pike. There are four existing residential buildings along the frontage of Marlboro Pike, which are shown to retain direct driveway access from Marlboro Pike. The development shall minimize the number of access driveways along the frontage to meet this policy.

Policy 8: Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes.

A 5-foot-wide sidewalk and bicycle lane are shown along Marlboro Pike. In addition, ADQ-2024-033 conditioned the installation of bus shelters at existing bus stops along Marlboro Pike, to encourage the use of transit. This policy has been met.

Access and Circulation

The multifamily development will be accessed via a driveway along Marlboro Pike. Four existing residential buildings along the frontage are to retain direct driveway access from Marlboro Pike. The existing residential use of the buildings will be converted to commercial use. While the increase in trips will have a *de minimis* impact at each driveway, minimizing the number of driveway connections along Marlboro Pike will reduce the number of conflicts between vehicles, pedestrians, and bicyclists, and improve circulation and safety.

The development shall minimize the number of access driveways along the Marlboro Pike frontage, in coordination with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and the Maryland State Highway Administration (SHA) during its review for the site access permit. The SWM concept plan approved by DPIE shows three of the five existing structures and their driveways to be retained. However, the PPS shows a fourth building and its driveway to be retained, and an additional driveway for Lot 2. In addition, written correspondence from DPIE and SHA (the permitting agencies) shall be provided at the time of acceptance of the DSP, regarding the disposition of the driveways.

Section 24-128 of the prior Subdivision Regulations generally requires that all parcels to be developed have both frontage on and direct access to a public street. All five lots/parcels of this PPS do have frontage on a public street, and are also shown to have direct access to a public street. Section 24-128(b)(9) of the prior Subdivision Regulations provides that where direct vehicular access to an individual lot fronting on a public street shall be denied due to a potentially hazardous or dangerous traffic situation, a private easement may be approved in accordance with the driveway standards in Part 11 of prior Subtitle 27, in order to provide vehicular access, when deemed appropriate by the Planning Board.

Marlboro Pike is a public roadway with fast moving traffic volumes, and therefore, it is appropriate to limit Lots 1 and 2 to one shared driveway access, in order to reduce access locations onto the public roadway. Marlboro Pike, while only a primary road, already features

four closely spaced commercial driveway access locations across from the subject property. Rather than add/maintain six access driveways from Lots 1–4 and Parcel A, it would be appropriate to limit the development to three driveway access points, in order to limit conflicts between vehicles accessing the new development on the subject property, and vehicles accessing the commercial developments across the street. A single shared driveway shall be provided for Lots 1 and 2 and, if feasible, for Lot 4 and Parcel A.

The existing driveway for a single-family detached residential dwelling on abutting Parcel 110, located to the east of the subject property, is partially located on the subject property. The PPS currently shows this driveway being retained. However, the ultimate disposition of this driveway, ownership, and maintenance is not clear. It is also not clear if an access permit has been submitted to SHA for relocating this driveway, and whether with this relocation, Parcel 110 will meet the requirements of the Zoning Ordinance related to off-street parking and roadway access. The driveway, therefore, needs to be maintained, until such time that alternate, adequate access can be provided to Parcel 110. The plans shall be revised to show an outlot (and labeled as Outlot A) to cover the entire extent of the existing driveway for adjoining Parcel 110, and/or provide a proposal for shared access via an easement on Parcel A, pursuant to Section 24-128(b)(9), with verification that parking on Parcel 110 is sufficiently accommodated. Prior to approval of any grading permit for the subject property, pursuant to Section 24-121(a)(7) of the prior Subdivision Regulations, Outlot A shall be conveyed to the owner of Parcel 110, unless the owner of Parcel 110 obtains other adequate access to Parcel 110, or access via the access driveway on Parcel A is established via easement.

The finding above notwithstanding, the access driveways onto Marlboro Pike may not conform to SHA access management standards given the offsets and distance to the adjacent driveways along Marlboro Pike. The driveways would also need to meet Code of Maryland standards for minimum distances between property lines and driveways. As a condition of approval, the applicant shall provide an analysis, at the time of DSP, demonstrating conformance to SHA's access management standards. SHA will have final approval authority over the access onto Marlboro Pike; however, because the DSP is the permit plan for the development, the DSP will also need to show the final position of the access driveways. The location of all existing driveways to be retained and new driveways shall be shown, prior to the submittal of the first DSP within the bounds of the subject PPS.

Sidewalks shall be provided along the property frontage, and continuous pedestrian connections shall be provided throughout the site, including crosswalks and Americans with Disabilities Act-compliant curb ramps at vehicular crossings and parking areas. A bicycle lane shall be provided along the property frontage of Marlboro Pike. Short- and long-term bicycle parking is required to accommodate multimodal use to and from the site.

Based on the preceding analysis, this PPS provides sufficient pedestrian, bicycle, and vehicular facilities along Marlboro Pike and throughout the site, consistent with the MPOT, the master plan, and the Complete Streets policies.

11. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-121(a)(5). The master plan includes the following goals (page 119):

1. **Provide residents of Subregion 6 needed public facilities in locations that serve existing and future populations.**
2. **Ensure that all new public facilities will be constructed to LEED standards and existing buildings will be retrofitted to make them as energy efficient and sustainable as possible.**
3. **Maintain the high level of service by providing essential equipment and professional training for personnel.**
4. **Priority will be given to funding public facilities to support development in the Developing Tier.**

The development will not impede the achievement of the above-referenced goals of the master plan. This PPS is subject to ADQ-2024-033, which established that pursuant to adopted tests and standards, public safety facilities are adequate to serve the development, with required mitigation. There are no master-planned police, fire and EMS facilities, public schools, parks, or libraries recommended on the subject property.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, 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 Systems.” 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. The current water and sewer Category 3 is sufficient for PPS approval.

The property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties currently planned for service by public sewerage systems.

12. **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 both sides of all public rights-of-way. The subject site abuts Marlboro Pike, an existing public right-of-way. All the required PUEs located on the subject property are shown on the PPS.

13. **Historic**—The master plan contains goals and policies related to historic preservation (pages 161–174); however, these are not specific to the subject site, or applicable to the development.

Per Section 24-121(a)(18) of the prior Subdivision Regulations, archeological investigations can be required at the time of PPS if there is a moderate or higher potential for archeological resources on the developing property. 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 high, as the property was once part of the Compton Bassett and Woodland plantation. A Phase I archaeology survey was conducted on the property in June 2024. One archeology site (18PR1269), a low-density domestic artifact scatter dating to the 20th century, was identified. The site was deemed ineligible for recordation/registration in the National Register of Historic Places, and no further work was recommended. Historic Preservation Section staff agree, and no further archeological work is required on the subject property.

Deed evidence indicates that Parcel 111 was owned by a Methodist church congregation in the 1870s. It is uncertain whether there was ever a church constructed on the property, or whether it may have had an associated burial ground. If burials are encountered during any construction on the property, all work shall halt, and the current landowner shall contact the Prince George’s County State Attorney’s Office and Historic Preservation staff.

14. **Environmental**—This PPS is in conformance with the environmental regulations of Sections 24-121(a)(5), 24-129, 24-130, 24-131, 24-132 of the prior Subdivision Regulations, and Section 27-285(b) of the prior Zoning Ordinance, as discussed herein. The following applications and associated plans were previously reviewed for the subject site:

Development Review Case	Associated Environmental Application	Authority	Status	Action Date	Resolution Number
NRI-027-2021	N/A	Staff	Approved	4/2/2021	N/A
CSP-21003	TCPI-015-2022	Planning Board	Approved	10/27/2022	2022-111
4-24021	TCPI-2025-0025	Planning Board	Approved	10/30/2025	2025-107

This property is subject to the grandfathering provisions of Subtitle 25, Division 2, the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property had a tree conservation plan that was approved after September 1, 2010, and before July 1, 2024, and therefore conforms to the environmental regulations of the 2010 WCO.

This project is also subject to the environmental regulations in prior Subtitles 24 and 27 of the County Code because there is a previously approved CSP with a companion tree conservation plan.

Environmental Site Description

This site is within a 100-year floodplain and regulated environmental features (REF) such as wetlands with associated buffers are present on-site. According to the Sensitive Species Project

Review Area map received from the Maryland Department of Natural Resources (DNR) Natural Heritage Program and used on PGAtlas, there are rare, threatened, or endangered species found to occur on or near this property. During the natural resources inventory (NRI) review process, a letter dated December 29, 2020 was submitted from DNR Wildlife and Heritage Service. This DNR letter states that there are no known rare, threatened, or endangered species found on or near this property. This site is in the Collington Branch sub-watershed that flows into the Western Branch watershed, located within the Patuxent River basin. The site has frontage on Marlboro Pike, which is identified as both a primary collector roadway and a historic roadway.

Environmental Conformance with Applicable Plans

In accordance with Section 24-121(a)(5), conformance with the environmental sections of the applicable master plans is analyzed, as follows:

Master Plan

The master plan includes environmental goals, policies, recommendations, and strategies. The following policies have been determined to be applicable to the current project. The text in **bold** is from the master plan, and the plain text provides comments on the plan's conformance.

Policy 1: Protect, preserve and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities. (page 68)

Strategies

1. **Protect priority areas that will meet multiple protection objectives such as those related to green infrastructures, the priority preservation area, and the Patuxent River Rural Legacy Program.**
 - **Updates and centralize geographic information from county, state, and other agencies to allow for an efficient, initial evaluation of potential protection measures as they relate to land development proposals and potential sites for acquisition with public funds for conservation easements or passive recreation.**

The site contains regulated and evaluation areas of the green infrastructure network. The regulated areas are associated with the 100-year floodplain located on-site. The Director of DPIE granted a floodplain waiver allowing for the construction of this development. The REF along the northern portion of this site will remain undisturbed, except for a portion of the wetland buffer which will be impacted by a required stormdrain outfall.

2. **Protect primary corridors (Patuxent River, Charles Branch, Collington Branch, Piscataway Creek, Mattawoman Creek, and Swanson Creek) during the review of land development proposals to ensure the highest level of preservation and restoration possible, with limited impacts for essential**

development elements. Protect secondary corridors to restore and enhance environmental features, habitat, and important connections.

As this property is part of a primary corridor watershed, the applicant intends to pursue various measures to ensure water quality is protected. These include adequate erosion and sediment control during construction, adequate on-site SWM facilities, and compensatory stormwater storage to protect the water quality of the watershed and adjacent wetland, and the preservation of tree canopy within the primary management area (PMA) and wetland area at the northern edge of the site.

3. Preserve and connect habitat areas to the fullest extent possible during the land development process.

The northern portion of the site will be preserved, to the fullest extent possible, and the wetland on-site will remain in connection with the off-site wetland.

4. Preserve or restore regulated areas designated in the green infrastructure network through the development review process for new land development proposals.

The northern portion of the site will be preserved, to the fullest extent possible, and the wetland on-site will remain in connection with the off-site wetland. However, the regulated area along the western and southern portion of the site has received a floodplain waiver for DPIE to allow development in these areas.

5. Protect portions of the green infrastructure network outside the primary and secondary corridors to restore and enhance environmental features, habitat, and important connections.

This site is located within the primary corridor for Collington Branch.

6. Evaluate land development proposals in the vicinity of SCAs to ensure that the SCAs are not negatively impacted and that green infrastructure connections are either maintained or restored.

The development site is not located in a special conservation area.

7. Preserve and enhance, where possible, grassland habitats that are of critical importance to native bird species.

The NRI shows no grassland habitat on-site.

Policy 2: Restore and enhance water quality in degraded areas and preserve water quality in areas not degraded. (page 72)

Strategies

1. **Protect and restore groundwater recharge areas such as wetlands and the headwaters areas of streams and watersheds.**

The wetlands on-site will not be impacted with the development of this project; however, the wetland buffer will be impacted for a stormwater outfall. This project is not located in the headwaters areas of any streams or watersheds.

2. **Develop as interjurisdictional development and management plan with Charles County for the protection of the Mattawoman watershed.**

This strategy is not applicable to this PPS.

3. **Require retrofitting of locations without stormwater management, or with poorly performing facilities, as they are identified during the development review process.**

This development will meet the current state and County SWM regulations.

4. **Define and identify operations and activities that create stormwater management “hot spots” to adjust development and enforcement as necessary for pollution prevention.**

This development project will not create a SWM “hot spot.”

5. **Require private developers to perform stream corridor assessments, where one has not already been conducted, when development along stream corridors without completed assessments is proposed. Use the outcome of these assessments to guide restoration requirements upon which development approval will be contingent.**

The NRI shows no streams on-site and therefore a stream corridor assessment is not required.

6. **Complete stream corridor assessments for all watersheds in the subregion in support of the countywide watershed restoration efforts.**

This strategy is not applicable to this PPS.

7. **Require environmentally sensitive site design which includes limiting impervious surfaces and implementing best practices in on-site stormwater management to reduce the impact of development on important water resources.**

The approved SWM concept plan shows use of submerged gravel wetlands, a detention pond, and micro bioretention devices to meet the current requirements of the environmental site design (ESD), to the maximum extent practicable. The technical stormwater system will be reviewed by DPIE and the Prince George's County's Soil Conservation District (PGSCD). Both SWM and sediment and erosion control requirements will be met in conformance with State and local laws to ensure that the quality of water leaving the site meets the State's standards, which are set to ensure that no degradation occurs.

9. Evaluate current right-of-way requirements and opportunities for bioretention and on-site stormwater management in watersheds with ten percent or greater impervious surface.

The State and DPIE will evaluate the current right-of-way requirements and opportunities for bioretention and on-site SWM in watersheds if there is 10 percent or greater impervious surface.

Policy 5: Promote compact, walkable development patterns in appropriate locations such as the Town of Upper Marlboro, Marlton, and rural centers and communities such as Baden, Aquasco, Eagle Harbor, Cedar Haven, and Croom. (pages 77–78)

This policy and the strategies therein are not applicable as the project is to the east of the Town of Upper Marlboro.

Policy 6: Increase awareness regarding air quality and greenhouse gas (GHG) emissions and the unique role that the Developing and Rural Tiers in Subregion 6 have to play in this effort. (page 78)

Strategies:

2. Encourage the use of clean and renewable energy sources such as biomass and solar and wind power.

The use of clean and renewable energy sources is encouraged as appropriate.

Policy 7: Encourage the use of green building techniques and community designs that reduce resources and energy consumption. (page 79)

The use of green building techniques and energy conservation techniques are encouraged as appropriate and will be reviewed with future applications.

Strategies:

1. Support this subregion plan's policy of redevelopment and infill development in existing and planned development areas rather than "green field" development (See Development Pattern/Land Use chapter).

The project is considered a redevelopment project, as existing buildings are on-site.

2. **Initiate a project that meets the full standards of the LEED-ND in the subregion. Consider this for a development/redevelopment project near Upper Marlboro (see Living Areas chapter).**

It is encouraged that this project meet the full standards of the LEED-ND, as this project is near the Town of Upper Marlboro.

Policy 8: Reduce energy usage from lighting, as well as light pollution and intrusion into residential, rural, and environmentally sensitive areas. (page 79)

Strategies:

1. **Encourage the use of alternative and energy-saving lighting technologies for athletic fields, shopping centers, gas stations, and car lots so that light intrusion on adjacent properties is minimized. Limit the amount of light output from these uses.**

This strategy is not applicable to this PPS.

2. **Require the use of full cut-off optic light features for all proposed uses to reduce sky glow.**

The minimization of light intrusion from developed areas of this site onto the sensitive wetland area to remain on-site, as well as off-site environmentally sensitive areas surrounding the site, is of special concern. The use of alternative lighting technologies and the limiting of total light output should be demonstrated. Full cut-off optic light fixtures should be used. This will be reviewed with future applications.

Plan 2035

The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by Plan 2035, and within the Established Communities of the General Plan Growth Policy of Plan 2035. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

Green Infrastructure Plan

The *Countywide Green Infrastructure Plan* (GI Plan) was approved with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Prince George's County Council Resolution CR-11-2017) on March 7, 2017. According to the GI Plan, this site contains regulated and evaluation areas.

The following policies and strategies are applicable to the subject application. The text in **BOLD** is from the master plan, and the plain text provides findings on plan conformance:

Policy 2: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035. (page 33)

Strategies

1.1 Ensure that areas of connectivity and ecological functions are maintained, restored, and/or established by:

- a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**

Much of this site is within designated evaluation and regulated areas, with the main regulated area located in the 100-year floodplain.

The Director of DPIE has granted a floodplain waiver to allow for the development, including construction of a detention pond and a submerged wetland in the floodplain.

These devices will protect the existing buildings that will remain along Marlboro Pike and are currently located in the floodplain, from future flood events. The new buildings will be built in the evaluation area, which is located out of the floodplain.

- b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**

The northern portion of the site contains REF that will remain undisturbed, except for a stormdrain outfall. The woodlands in the floodplain of this northern area will remain intact, to the extent practicable.

- c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**

The site contains 100-year floodplain that covers approximately 60 percent of the site. The Director of DPIE has granted a floodplain waiver to allow for the development, including construction of a detention pond and a submerged wetland in the floodplain. In accordance with this master plan and the County Code, the remaining on-site

100-year floodplain and REF will be preserved in a conservation easement with the final plat. The woodland and wildlife habitat conservation easement recorded with the Type 2 tree conservation plan (TCP2) will provide protection to the wildlife habitat, the 100-year floodplain, and the existing REF.

- d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**

This project contains regulated area of the GI Plan and contains 100-year floodplain and REF. The on-site REF consists of wetlands and wetland buffers. The floodplain covers approximately 60 percent of the site. The Director of DPIE has granted a floodplain waiver to allow for the development. The applicant requested four impacts to the floodplain, wetlands, and its buffers. In accordance with this master plan and the County Code, the remaining on-site 100-year floodplain and REF will be preserved in a conservation easement with the final plat. The woodland and wildlife habitat conservation easement recorded with the TCP2 will provide protection to the wildlife habitat, the 100-year floodplain, and the existing REF.

The site has an approved SWM plan. The approved SWM concept plan shows the use of a detention pond, a submerged gravel wetland, and microbioretenment to meet ESD, to the maximum extent practicable. The conceptual sediment and erosion control measures have been approved by PGSCD. Both SWM and sediment and erosion control requirements are in conformance with State and local laws, to ensure that the quality of water leaving the site meets the State's standards. State standards are set to ensure that no degradation occurs.

1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.

- a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

Sensitive species habitat was identified in the northern third of the site, as shown on PGAtlas. In a letter dated December 29, 2020, from DNR, the Wildlife and Heritage Service section determined that there are no official state or federal records for listed plant or animal species within the delineated site. The property is not in a special conservation area, as identified in the GI Plan.

Policy 2: Support implementation of the 2017 GI Plan throughout the planning process. (page 38)

2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/or planting of a new corridor with reforestation, landscaping and/or street trees.

The subject site does not contain network gap areas as the regulated area is shown on the majority of the site due to the 100-year floodplain. The woodlands surrounding the wetlands in the northern portion of the site will remain intact, except for a small area for a stormdrain outfall. The applicant will reforest areas in the floodplain where allowed.

2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on site, within the same watershed as the development creating the impact, and within the green infrastructure network.

The REF are preserved with minimal impacts for necessary infrastructure. Development of this site requires impacts to the 100-year floodplain, for which DPIE has granted a floodplain waiver associated with flood case No. 25054-2021 and FPS No. 202019.

Flood mitigation requirements will occur on-site through the use of a detention pond.

2.6 Strategically locate off site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.

The REF are preserved, with minimal impacts for necessary infrastructure. Type 1 Tree Conservation Plan TCP1-2025-0025 shows that the required woodland conservation requirement is not fully met through on-site woodland preservation. The development does not provide the prior M-X-T Zone woodland conservation threshold on-site, due to the amount of floodplain and limited area of net tract. The TCP1 shows reforestation areas of the floodplain in areas where allowable, which count towards meeting the woodland conservation requirements.

Any forest mitigation banks used to satisfy off-site woodland conservation requirements for this project must conform to Subtitle 25 of the County Code, and Sections 5-1601 through 5-1613 of the Natural Resources Article of the Maryland Code (the Maryland Forest Conservation Act), as amended. In accordance with Subtitle 25, Division 2, Section 25-122, Methods for Meeting

the Woodland and Wildlife Conservation Requirements, if off-site woodland conservation is approved to meet the requirements, then the following locations shall be considered in the order listed in Section 25-122(a)(3) of the WCO: within the same eight-digit sub-watershed, within the same watershed, within the same river basin within Prince George's County. Applicants shall demonstrate to the Planning Director due diligence in seeking out opportunities for off-site woodland conservation locations following these priorities. All woodland conservation is required to be met within Prince George's County.

Policy 4: Provide the necessary tools for implementation of the 2017 GI Plan.
(page 40)

4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.

On-site woodland conservation shall be placed in woodland and wildlife habitat conservation easements prior to the certification of the subsequent detailed site plan (DSP) and associated TCP2. All remaining undisturbed areas within the primary management area (PMA) will be protected within a conservation easement on the plat. The development is not within a special conservation area and does not contain rare, threatened, or endangered species on or in the vicinity of this property.

Policy 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.
(page 41)

5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.

The detention pond and submerged gravel wetland shown on the TCP1 are within the 100-year floodplain. DPIE granted a floodplain waiver to allow these SWM facilities to be built in the 100-year floodplain. The technical stormwater system has been reviewed by DPIE and PGSCD. Both SWM and sediment and erosion control requirements are in conformance with State and local laws to ensure that the quality of water leaving the site meets the State's standards, which are set to ensure that no degradation occurs.

5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.

The wetland on-site will not be disturbed with his development; however, the wetland buffer along the northwestern portion of the site will be impacted by a stormdrain outfall. There are no streams located on-site.

Policy 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage. (page 55)

General Strategies for Increasing Forest and Tree Canopy Coverage

7.1 Continue to maximize on site woodland conservation and limit the use of off site banking and the use of fee in lieu.

The prior M-X-T Zone has a woodland conservation threshold requirement of 15 percent. With the woodland clearing shown for the project, the overall requirement for conservation on this property is 1.50 acres. The site preserves woodlands in the northern portion of the site; however, this area cannot be counted, as the majority of it is in the floodplain. The applicant shall plant within the floodplain, where allowed, which counts towards meeting the woodland conservation requirement. The applicant intends to meet the remainder of the requirement using off-site woodland conservation credits. During review of the TCP1 it does appear that there is an area outside of the limits of disturbance and the floodplain that can be counted as preservation in the northern portion of the site. The applicant should continue to locate areas of reforestation in the floodplain, during future development reviews, to maximize the on-site woodland conservation.

7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.

Retention of existing woodlands and planting of native species on-site is required by both the *Environmental Technical Manual* (ETM), and the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Tree canopy coverage (TCC) requirements will be evaluated at the time of the associated DSP review.

7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.

Retention of existing woodlands and planting of native species on-site is required by both the ETM and Landscape Manual, and can count toward the TCC requirement for the development. TCC requirements will be evaluated at the time of the associated DSP review.

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**

This PPS shows clearing of existing woodland to the edge of PMA. Protection from development of REF shall be put in place by planting edge treatments to prevent the loss of tree canopy.

- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

The site does not contain enough woodlands to support forest interior dwelling species. Sensitive species habitat was identified in the northern third of the site as shown on PGAtlas. In a letter dated December 29, 2020, from DNR, the Wildlife and Heritage Service section determined that there are no official state or federal records for listed plant or animal species within the delineated site.

- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

The planting of native species on-site is required by the Landscape Manual and can count toward the TCC requirement for the development. In accordance with Section 24-4304 of the Subdivision Regulations, Section 27-6803 of the Zoning Ordinance, and Subtitle 25, Division 3 of the County Code, TCC will be evaluated with the DSP. Green space is encouraged to serve multiple ecological functions.

Conformance with Environmental Regulations

Natural Resources Inventory Plan/Existing Conditions

Section 24-120(a)(22) of the prior Subdivision Regulations requires an approved NRI plan with PPS applications. NRI-027-2021 was approved on April 2, 2021, and was provided with this PPS. The site contains 100-year floodplain, wetlands, and their associated buffers comprising the PMA. The on-site floodplain area is associated with Collington Branch to the west. There are nine specimen trees scattered throughout the property. The TCP1 and the PPS show all the required information correctly in conformance with the NRI. No additional information is required for conformance to the NRI.

Woodland Conservation

This property is subject to the grandfathering provisions of Subtitle 25, Division 2, the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property had a tree conservation plan that was approved after September 1, 2010, and before July 1, 2024, and therefore conforms to the environmental regulations of the WCO. TCP1-2025-0025 was submitted with this PPS and requires revisions to be found in conformance with the WCO.

Based on the TCP1 submitted with this PPS, the site is 4.68 acres, contains 1.01 acres of woodland in the net tract, 0.67-acre of wooded floodplain and has a woodland conservation threshold of 0.32 acre (15 percent). The woodland conservation worksheet shows the removal of 1.45 acres of woodland, 0.94-acre in the net tract area, and 0.51-acre in the floodplain area, for a woodland conservation requirement of 1.50 acres. The TCP1 worksheet shows that the requirement is met with 0.18-acre of afforestation/reforestation on-site, and 1.32 acres of off-site woodland conservation credits. The forest stand delineation has identified nine specimen trees on-site. The previous CSP approved a variance to remove six of the specimen trees. Additional floodplain reforestation should be explored, should conditions allow it.

With the design of the DSP and TCP2, the applicant shall explore opportunities for additional conservation measures on-site. These additional measures may include examining, if the removal of invasive plant species in the woodlands along the northern portion of the site can occur. This invasive plant species management could count as forest enhancement credit area. It also appears that the applicant did not show the woodlands located between the limits of disturbance and the floodplain as preservation in the northern portion of the site. During the final design of the site, the TCP2 should show additional reforestation within the floodplain if appropriate.

Technical revisions are required to the TCP1, prior to signature approval of the PPS, in conformance with the conditions provided in this resolution.

Specimen Trees

A variance for the removal of Specimen Trees ST-4 through ST-8 and ST-12 was previously granted with CSP-21003. This PPS is reliant on the prior approval. No further specimen trees were requested for removal with this PPS.

Preservation of Regulated Environmental Features/Primary Management Area

There is PMA comprised of 100-year floodplain and REF including steep slopes and wetlands with their associated buffers. Under Section 27-521(a)(11) of the prior Zoning Ordinance, the plan shall fully demonstrate the preservation and/or restoration of the REF in a natural state possible. The development shows impacts to the PMA. Three REF impacts were previously approved with CSP-21003 for a stormdrain outfall, grading, and impacts to the 100-year floodplain. This PPS is reliant on the prior approval. This PPS has modified and increased the amount of impact to the REF and PMA. The applicant provided a revised statement of justification (SOJ) dated September 19, 2025, and an exhibit that reflects the modified and additional impacts.

Section 24-130(b)(5) of the prior Subdivision Regulations states “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans

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

Impacts to REF should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use, and orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the REF. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with the County Code.

The PPS shows impacts to the PMA. The four impacts are for construction of a stormdrain outfall, to tie proposed grades to existing grades, installation of SWM facilities, installation of road improvements, and other required infrastructure. The on-site impacts total approximately 1.94 acres.

Analysis of Impacts

Impact 1 – Stormdrain Outfall: This impact was previously approved for 1,320 square feet, and now the requested impact is 2,040 square feet. This impact is for a stormdrain outfall located in the northwestern portion of the site. The increase in size of the impact is due to DPIE’s requirement that the stormdrain outfall be closer to the wetland. This impact cannot be avoided because it is required by other provisions of County and state codes.

Impact 2 – Grading: There is no change to this previously approved impact. This 70-square-foot impact in the northern portion of the site is for tying grades to the existing grades. This PMA impact is considered necessary for orderly development of the subject property and surrounding infrastructure.

Impact 3 – Grading: This 620-square-foot impact in the northeastern portion of the site is for tying grades to the existing grades. The impact is outside the floodplain but within the steep slopes adjacent to the floodplain within the PMA. Disturbance to these slopes will occur during the associated grading and footing excavation. This is a temporary impact. This PMA impact is considered necessary for orderly development of the subject property and surrounding infrastructure. This is a new impact.

Impact 4 – Impacts to the 100-year floodplain (previously Impact 3): This impact was previously approved for 71,000 square feet, and the new requested impact is 81,800 square feet. The impact is for construction of SWM facilities, stormdrain piping, construction of a pond required for compensatory storage for 100-year control, and associated grading and clearing. This impact also includes the existing four buildings that are currently in the 100-year floodplain. Frontage improvements along Marlboro Pike will also impact the floodplain. On January 21, 2021, the Director of DPIE granted a floodplain waiver allowing for the required work. This PMA impact is considered necessary for orderly development of the subject property and surrounding infrastructure.

The CSP previously approved three impacts for a total of 72,320 square feet (1.66 acres). The revised SOJ identifies four PMA impacts totaling 84,530 square feet (1.94 acres). The impacts for the stormdrain outfall and floodplain were modified to account for required modifications from other agencies. The original grading impact has not changed, and the new grading impact was originally shown on the TCP1, but the impact was not requested at the time of CSP review. Based upon the above findings, the four impacts to the PMA are approved.

Soils

In accordance with Section 24-131, this PPS was reviewed for unsafe land restrictions. The predominant soils found to occur on-site, according to the United States Department of Agriculture Natural Resources Conservation Service Web Soil Survey, are Adelphia-Holmdel complex, Collington-Wist complex, Collington-Wist-Urban land complex, Marr-Dodon complex, and Widewater-Issue soils. Christiana clays do not occur on-site. A geotechnical report prepared by Geo Design and Engineering, Inc. dated July 15, 2025, was provided with this PPS which showed no Marlboro clay being encountered within the depth and location of the soil borings. A global stability analysis will be required, at the time of DSP, for the retaining wall taller than 10 feet, per Techno-Gram 002-2021. No further information is required, at this time.

15. **Urban Design**—This PPS allows subdivision of the property into four lots and one parcel, to support development of 168 dwelling units and 6,444 square feet of commercial/retail use.

A DSP is required for this development, in accordance with Section 27-546(a) of the prior Zoning Ordinance, which notes “The initial development of a property in the M-X-T Zone shall be subject to detailed site plan, regardless of amount of development proposed.” The uses of “dwellings, all types (except mobile homes)” evaluated for the property are permitted in the M-X-T Zone, with Footnote 7. However, the commercial/retail use for the property will be further evaluated, at the time of DSP, depending on the principal use types proposed.

The regulations and requirements of the prior Zoning Ordinance that apply to development within the M-X-T Zone will be evaluated at the time of DSP review.

The property is subject to the regulations determined with CSP-21003. As discussed in detail in the Site Layout finding, the subject PPS evaluates dwelling units in excess of the maximum number of dwelling units approved under the CSP, and includes lot widths not consistent with the CSP. At the time of DSP, the number and type of multifamily dwelling units, and minimum lot

width at front street line, need to be consistent with the approved CSP-21003. Otherwise, an amendment to the approved CSP is required.

CSP-21003 approved a maximum total gross floor area (GFA) of 222,208 square feet, which includes 31,678 square feet of commercial/office space. With a net tract area of 2.13 acres (or 92,782.8 square feet), the floor area ratio (FAR) is approximately 2.39. However, CSP-21003 was approved to permit FAR up to 1.4. The submitted PPS includes a total building area of 225,108 square feet. To achieve such a total square footage, an amendment to the approved CSP-21003 will be required to establish the correct maximum FAR, at the time of DSP review.

The PPS shows an FAR of 2.1. This is based on a 225,108-square-foot building area, which includes a total bonus floor area of 81,186 square feet from the outdoor plaza. It is not clear if the 225,108-square-foot building area is the total GFA, in accordance with Section 27-107.01(a)(105), Gross Floor Area, of the prior Zoning Ordinance. This shall be clarified and corrected, prior to signature approval of the PPS. The bonus floor area from the outdoor plaza will be further evaluated and finalized, at the time of DSP, in accordance with Section 27-545 of the prior Zoning Ordinance. At the time of DSP review, the FAR may need to be recalculated to demonstrate that the development can meet the maximum allowed FAR in the M-X-T Zone of the prior Zoning Ordinance.

The existing building on Lot 4 is to be razed in the approved CSP. If the building on Lot 4 is to remain, as shown on the PPS, the status of the building on Lot 4 shall be revised on the CSP, if the CSP is to be amended.

2010 Prince George's County Landscape Manual

The development will be subject to the requirements of the Landscape Manual, at the time of DSP review. The site is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees Along Private Streets.

Based on the submitted plan, the uses evaluated are multifamily residential and commercial/office. The subject property is bounded to the east, west, and north by existing single-family detached homes. A Type B buffer yard is required between proposed multifamily building and existing one-family detached homes. Depending on the type of commercial/office use on Parcel 1, a Type B, C, or D buffer yard will be required between Parcel 1 and adjoining Parcel 117. At the time of DSP review, the applicant should clearly label the type of commercial/office uses on Parcel 1, according to the categories listed in the Landscape Manual. The subject property is bounded to the south by Marlboro Pike, which is a scenic/historic road, and will require a Section 4.6 (Buffering Development from Streets) landscape buffer.

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 2,500 square feet of GFA, or disturbance, and requires a building or grading permit. Prince George's County Council Bill CB-046-2025 notes that, "Landscape plans demonstrating

conformance to this Division approved as part of a permit or an entitlement case or entitlement cases subject to the Transitional Provisions of the Zoning Ordinance (Section 27-1700) or Subdivision Regulations (Section 24-2700) shall be subject to the regulations in place at the time of approval of any grandfathered permit or grandfathered development application.” CSP-21003 was approved by the Planning Board on October 27, 2022. Therefore, this development will be reviewed for conformance with the TCC requirement established, at the time of approval of CSP-21003. In October 2022, the property was rezoned to Residential, Multifamily-48 (RMF-48), which required a TCC of 15 percent of the gross tract area, at that time. Compliance with this requirement will be evaluated at the time of the DSP review.

16. **Citizen feedback**—The Prince George’s County Planning Department did not receive any written correspondence from members of the community regarding this PPS.
17. **Municipality**—The subject property lies within the municipal limits of the Town of Upper Marlboro. This PPS was referred to the Town on August 25, 2025, and again on September 19, 2025, upon receipt of revised plans and information. The Planning Department did not receive any written correspondence from the Town of Upper Marlboro regarding this PPS.
18. **Planning Board Hearing**—At the October 30, 2025 Planning Board hearing, staff presented the PPS to the Planning Board. One item was submitted by the applicant prior to the Tuesday noon deadline on October 28, 2025. In the exhibit, the applicant requested deletion of two and revisions to three recommended conditions of approval. The applicant requested removal of Condition 1(c), which required revision of the access driveway to Lot 4 to be consolidated with the driveway from Parcel A. Condition 1(c) was instead requested to be addressed at the DSP stage as Condition 8(b), pursuant to final site grading. The applicant requested deletion of the original Condition 8(b), which required that additional woodland conservation be explored at the DSP stage, since additional areas feasible for planting were not identified by staff. The applicant requested revisions to Condition 12 to address the feasibility of the driveway consolidation to be determined at the DSP stage. The applicant requested revisions to Condition 15 to clarify that correspondence is to be provided by SHA to confirm any issues with access locations. The applicant also requested deletion of Condition 13, which implements a requirement from the master plan to provide an inventory of scenic and historic features along Marlboro Pike. After further communication and clarification from staff regarding the contents of the required inventory, the applicant did not request deletion of this condition. The applicant’s attorney, Abdullah Hijazi, then spoke on behalf of the applicant, providing a background and summary for the proposed development. The Planning Board approved the PPS unanimously, with conditions, as recommended by staff and as modified by Applicant Exhibit 1, with the exception of Condition 13, which was approved to remain as originally recommended by staff.

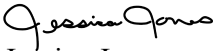
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, and Barnes voting in favor of the motion at its regular meeting held on Thursday, October 30, 2025, in Largo, Maryland.

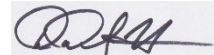
Adopted by the Prince George's County Planning Board this 20th day of November 2025.

Darryl Barnes
Chairman

By 
Jessica Jones
Planning Board Administrator

DB:JJ:SM:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: November 12, 2025