

PGCPB No. 2025-079

File No. 4-24035

R E S O L U T I O N

WHEREAS, JP Real Estate Holdings MD LLC is the owner of a 1.27-acre tract of land known as part of Lots 9 and 10, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned Commercial General Office (CGO) and Military Installation Overlay (MIO); and

WHEREAS, on March 31, 2025, JP Real Estate Holdings MD LLC filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24035 for JP Real Estate Holdings MD LLC Commercial Office Building 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 September 11, 2025; and

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

WHEREAS, pursuant to Section 24-1900 *et seq.* of the Prince George's County Subdivision Regulations, subdivision applications submitted and accepted as complete before April 1, 2025, may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022 ("prior Subdivision Regulations"); and

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

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

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

WHEREAS, at the September 11, 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 TCP1-010-2025, and APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-24035, including a Variation from Section 24-121(a)(3), for one parcel, subject to the following conditions:

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

- a. Provide bearings and distances of all existing and proposed property boundary lines.
 - b. Provide a dedication totaling 60 feet from centerline along the site's frontage of MD 223 (Woodyard Road).
 - c. Provide the 10-foot-wide public utility easement on the subject property, behind the road dedication area.
 - d. In accordance with Section 24-123(a)(1) of the prior Prince George's County Subdivision Regulations, delineate and label the right-of-way alignment of A-54, 95 feet from the centerline of MD 223 (Woodyard Road), in accordance with the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*. The full width of this right-of-way is not required to be dedicated or reserved and shall not be delineated on the record plat.
 - e. Revise the plan notes to reflect the accurate gross acreage, road dedication, and net acreage areas. The Type 1 tree conservation plan and PPS shall reflect the correct and consistent acreage.
 - f. Revise the general notes to indicate the site is currently vacant.
 - g. Remove the proposed building, parking, and site features from the plan.
 - h. Add a general note, listing the proposed square footage of the proposed commercial use on the property.
 - i. Revise General Note 5 to provide the acreage of road dedication, after showing 60 feet of dedication from the centerline along the site's frontage of MD 223 (Woodyard Road).
 - j. Remove proposed parking, curb and gutter, bicycle parking, and striping from the plan. Show the proposed access points from MD 223 (Woodyard Road) and adjoining Parcel 1 by arrows.
2. The final plat of subdivision shall include the following, prior to its approval:
- a. The granting of a 10-foot-wide public utility easement along the abutting public right-of-way, in accordance with Section 24-122(a) of the prior Prince George's County Subdivision Regulations, and the approved preliminary plan of subdivision.
 - b. A note indicating the Prince George's County Planning Board's approval of a Variation from Section 24-121(a)(3) of the prior Prince George's County Subdivision Regulations, in accordance with the approving Resolution for Preliminary Plan of Subdivision 4-24035, approving one access driveway to MD 223 (Woodyard Road).
 - c. Right-of-way dedication along MD 223 (Woodyard Road), 60 feet from the centerline, in accordance Section 24-121(a)(5) of the prior Prince George's County Subdivision Regulations and the approved preliminary plan of subdivision.

3. Development of this site shall be in conformance with Stormwater Management Concept Plan (40102-2021-00), and any subsequent revisions, in accordance with Section 24-130 of the prior Prince George's County Subdivision Regulations.
4. Prior to the signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Identify the tree conservation plan number as TCP1-010-2025 in the woodland conservation worksheet.
 - b. Have the revised plan signed and dated by the qualified professional who prepared the plan.
5. At the time of the Type 2 tree conservation plan review, the mitigation method for the replacement of the specimen trees approved for removal shall be determined.
6. In conformance with Section 25-121 of the County Code, development of this subdivision shall be in conformance with the approved Type 1 Tree Conservation Plan TCP1-010-2025. The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-010-2025), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property, are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”
7. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements and show the following facilities on the plans at the time of building permit:
 - a. A standard bicycle lane along the property frontage of MD 223 (Woodyard Road) unless modified by the permitting agency, with written correspondence, in accordance with the applicable Code section providing authorization during permitting.
 - b. Americans with Disabilities Act-compliant curb ramps and continental-style crosswalks along the property frontage of MD 223 (Woodyard Road) unless modified by the permitting agency, with written correspondence, in accordance with the applicable Code section providing authorization during permitting.
 - c. Short-term bicycle parking at a location near the entrance to the building.

- d. Designated pedestrian pathway from MD 223 (Woodyard Road) to the building frontage.

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

1. The subdivision, as modified with conditions, meets the applicable legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 116, Grid D3, and is on the south side of MD 223 (Woodyard Road), approximately 0.5 mile west of its intersection with MD 5 (Old Branch Avenue). The property contains 1.27 acres of land consisting of part of Lots 9 and 10, which were originally recorded on a plat for the Clinton Gardens subdivision, in the Prince George's County Land Records in Plat Book BB 6, Plat No. 16 in 1937. Lots 9 and 10 were subject thereafter to right-of-way dedication, resulting in the current configuration as recorded in Book 45041, page 531 (part of Lot 9) and Book 45041 page 526 (part of Lot 10), in the aforementioned Land Records. The property lies in the Commercial General Office (CGO) and Military Installation Overlay (MIO) Zones. However, this preliminary plan of subdivision (PPS) was submitted for review under the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations in effect prior to April 1, 2022 (prior Zoning Ordinance and prior Subdivision Regulations), pursuant to Section 24-1900 *et seq.* of the Subdivision Regulations. Under the prior Zoning Ordinance, the subject property is under the Commercial Shopping Center (C-S-C) and the prior version of the Military Installation Overlay (M-I-O) Zones.

The subject PPS qualifies for review under the prior Zoning Ordinance and prior Subdivision Regulations because it was accepted for review prior to April 1, 2025, and meets the requirements of Section 24-1904 of the current Subdivision Regulations. In accordance with Section 24-1904(a), a pre-application conference was held on March 24, 2025. In accordance with Section 24-1904(b), the applicant provided a statement of justification (SOJ) explaining why they were requesting to use the prior regulations. In accordance with Section 24-1904(c) of the Subdivision Regulations, this PPS is supported by and subject to an approved Certificate of Adequacy ADQ-2025-068. The site is further subject to the 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* (sector plan).

The subject property is currently vacant. This PPS allows consolidation of the property into a single new parcel, for the purpose of commercial development. The property has no prior PPS, consists of lots originally recorded by plat prior to October 1, 1970, and evaluates more than 5,000 square feet of gross floor area of development. In accordance with Section 24-111(c)(3) of the prior Subdivision Regulations, the proposed development requires resubdivision for the property.

The applicant filed a request for a Variation from Section 24-121(a)(3) of the prior Subdivision Regulations, to allow direct access from the site to MD 223, an arterial roadway. This request is discussed further in the Transportation finding of this resolution.

The applicant filed a request for a Variance to Section 25-122(b)(1)(G) of the 2024 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO), to allow removal of two specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The site is located within Planning Area 81A. The site is bound to the north by MD 223 with commercial uses in the CGO Zone (prior C-S-C Zone) beyond. To the south, the site abuts a single-family residential community in the Residential Single-Family-95 Zone (prior One-Family Detached Residential (R-80) Zone). To the east, the site is bound by a medical office and to the west is a single-family dwelling, both in the CGO (prior C-S-C) Zone. The subject property and all surrounding properties are also in the MIO Zone for height.
4. **Development Data Summary**—The following information relates to the subject PPS and the evaluated development.

	EXISTING	EVALUATED
Zones	CGO/MIO	C-S-C/M-I-O
Use(s)	Vacant	Commercial
Acreage	1.27	1.27
Parcels	0	1
Lots	2	0
Dwelling Units	0	0
Gross Floor Area	0	14,372 sq. ft.
Subtitle 25 Variance	No	Yes – Section 25-122(b)(1)(G)
Variation	No	Yes - Section 24-121(a)(3)

The subject PPS (4-24035) was accepted for review on March 31, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, the PPS was referred to the Subdivision and Development Review Committee (SDRC) and comments were provided to the applicant at the April 25, 2025, meeting. Pursuant to Section 24-113(b) of the prior Subdivision Regulations, the requested variation from Section 24-121(a)(3) of the prior Subdivision Regulations was also received on March 31, 2025, and comments were also provided to the applicant at the SDRC meeting on April 25, 2025. Revised plans and documents were received on May 22, 2025 and August 11, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—Although the site is currently vacant, Lot 9 and Lot 10 each had a prior single-family detached dwelling. A detailed site plan (DSP-08002) was previously approved by the Prince George’s County Planning Board on February 5, 2009 (PGCPB Resolution No. 09-09) for a day care center with a maximum enrollment of 40 children within an existing single-family detached structure on Lot 9. The single-family detached structures on both Lots 9 and 10 were razed in 2023, and the property is currently vacant.

6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated as follows:

Plan 2035

Plan 2035 places this subject property in the Established Communities Growth Policy Area. Established Communities are most appropriate for context-sensitive infill and low- to medium-density development (page 20; also refer to Map 1. Prince George's County Growth Policy Map, page 18). 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). The proposed development is consistent with the recommendations of the General Plan for Established Communities. The PPS aligns with adjacent commercial developments along MD 223 and in the surrounding Clinton area.

Sector Plan

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035 remain in full force and effect, except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS must conform to the area master plan, unless events have occurred to render the relevant recommendations no longer appropriate, or the Prince George's County District Council has not imposed the recommended zoning. The sector plan recommends residential medium high land uses on the subject property. While the evaluated commercial land use does not conform to the recommended land uses for the subject property in the sector plan, the District Council determined in the accompanying sectional map amendment that the subject property should be retained in the C-S-C Zone where commercial land uses are permitted and intended. Accordingly, pursuant to Section 24-121(a)(5), conformance with the recommended land uses in the sector plan is not required because the District Council has not imposed zoning to carry out the recommended land use of the sector plan.

In addition to recommended land uses, the following recommendations in the sector plan are applicable to the subdivision, and the following analysis is provided:

Clinton Commercial Core Focus Area Recommendations

Connectivity and Circulation

- **Provide vehicular and pedestrian connectivity from Woodyard Crossing to the adjacent residential neighborhoods to the west. (page 99)**
- **Install periphery sidewalk that connects the civic open space to the surrounding sidewalk and trail network and incorporate pavements of varied physical texture, color, and pattern to guide movement and define functional areas. (page 103)**

The PPS includes a crosswalk and Americans with Disabilities Act (ADA)-accessible curb ramps along the property frontage of MD 223. Currently, the south side of MD 223 lacks sidewalks and safe pedestrian amenities. The addition of the sidewalk would continue the sidewalk network created by other developments along the south side of MD 223.

Building and Site Design Principles (page 105)

- **Orient building frontages to face the street, courtyard, or plaza. In mixed-use areas, the street facing buildings should establish a street wall deep enough from the street curb to provide wide pedestrian walkways in front of the buildings. This will create and define public spaces and encourage an active street frontage.**
- **Provide architectural elements and proportion that relate to a pedestrian scale in building façades. Large expanses of identical building walls should be avoided. Façades that provide a regular and frequent pattern of architectural variety through modulation of wall plane, detailing, color, texture, material, and the incorporation of art and ornament are encouraged.**
- **Use high-quality building material during construction such as brick, stone or masonry.**
- **Encourage the use of environmentally friendly building materials and practices such as habitable roofs (rooftops that occupants of a building can use for gardening, socializing, and sunning) with appropriate paved surfaces and shade elements on commercial, office and institutional buildings.**

The applicant is encouraged to orient building frontages to face the street, provide architectural elements that relate to the pedestrian scale, use high-quality building materials, and use environmentally friendly building materials at the time of subsequent application that include design and architectural plans for site development.

Community Design and Appearance Goals, Strategies & Policies

Site Design (pages 114–115)

- **Setbacks should vary slightly to maximize streetscape interest. Avoid interrupted walls of structures. Buildings should not be sited in rigid parallel fashion to avoid monotony in visual appearance.**
- **Place parking at the rear or side of all buildings in order to avoid a direct view of parking lots from the street. Provide parking islands with landscaping to soften the view of asphalt pavement and to avoid the prospect of a sea of parked cars.**

- **Provide low screen walls, hedges, or both, at those places where surface parking can be viewed from the street.**
- **Use landscaping to beautify the street and public spaces, to buffer incompatible uses, and to screen unsightly views. Locate loading areas away from public view. Where this is not feasible, these areas should be properly screened.**

The applicant is encouraged to place parking at the rear of the proposed development to avoid direct public views. Landscaping, low screen walls, hedges or other beautifications should also be provided to buffer new development from the roadway. These elements will be evaluated during the review of a future site plan.

Building Design (page 116)

- **Design all buildings with high-quality materials and treatments. Exterior building walls should be constructed with brick, stone, precast concrete, and other high-quality compatible materials. Reflective and tinted glass should not be used on the ground floor of any building, and ribbons or bands of glass should not be used for windows.**
- **Provide architectural elements and proportions that relate to a pedestrian scale in building façades. Large expanses of identical building walls should be avoided. Façades that provide a regular and frequent pattern of architectural variety through modulation of wall plane, detailing, color, texture, material, and the incorporation of art and ornament are encouraged.**
- **Create unique and distinguishing building entrances along the street through the use of distinctive form, details, materials, color, ornament lighting, and signage.**

The applicant is encouraged to use high-quality building materials, architectural elements and proportions that relate to a pedestrian scale, and to create distinguishing building entrances along the street. In addition, the applicant is not encouraged to use reflective or tinted glass on the ground floor of the building.

Connectivity and Circulation (page 118)

- **Provide sidewalks throughout the sector plan area. Use special paving in high pedestrian areas to provide a visible connecting element that reinforces the pedestrian system.**

- **Consolidate vehicular entryways where possible along commercial corridors and encourage shared driveways to minimize curb cuts. This will promote pedestrian safety and improve flow of vehicular traffic.**

The PPS includes a crosswalk and ADA-accessible curb ramps in front of the subject property. Currently, the south side of MD 223 lacks sidewalks and safe pedestrian amenities. The addition of the sidewalk would continue the sidewalk network created by other developments along the south side of MD 223.

Aviation/MIOZ: This site is located within the M-I-O Zone. The subject property is in Area E Conical Surface (20:1) - Left Runway. Height standards in Section 27-548.54 of the prior Zoning Ordinance will be applicable to proposed buildings at the time of site plan review.

Sectional Map Amendment/Zoning

On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the C-S-C to CGO Zone effective April 1, 2022. However, this PPS was reviewed according to the prior C-S-C zoning.

7. **Stormwater Management**—In accordance with Section 24-120(a)(8) of the prior Subdivision Regulations, an application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or municipality having approval authority. An approved SWM Concept Plan (40102-2021-00) was submitted with this PPS. The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) issued approval on December 1, 2023. The plan proposes to use three micro-bioretention ponds and three underground quantity control storage systems.

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

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the prior Subdivision Regulations, the subject PPS is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
9. **Transportation**—The PPS is subject to the 2009 *Countywide Master Plan of Transportation* (MPOT), the sector plan, and prior Subdivision Regulations to provide the appropriate transportation facilities.

MPOT and Master Plan Conformance

Master Plan Right-of-Way

- **Woodyard Road (MD 223) (A-54)**

MPOT: 120-foot ROW

The PPS delineates the ultimate right-of-way (ROW), 60 feet from the centerline, as recommended in the MPOT. This area shall be dedicated to public use and the PPS shall be updated to reflect the total area of dedication prior to certification. The areas of dedication shall also be shown on the final plat.

Sector Plan: 190-foot ROW

The sector plan recommends the A-54 facility as a multi-way boulevard. The overall roadway facility is recommended to be 210 feet, measured building-to-building with a minimum ROW of 190 feet or 95 feet from the centerline. Roadway recommendations for MD 223 (A-54) include the following (page 124):

- **Four travel lanes with a median**
- **Service road with on street parking**
- **Two-way cycle track on both sides**
- **10-foot pedestrian/bike path**

Based on the recommendations of the sector plan, an additional 35 feet from centerline would be required beyond the 60 feet recommended in the MPOT (totaling 95 feet from centerline). The Maryland Land Use Article, Division II, Title 23, indicates that the maximum dedication that can be exacted from a property is the width of a primary roadway or 60 feet. Previously, 2,150 square feet of frontage was dedicated to the now Maryland Department of Transportation State Highway Administration for roadway expansion. In addition, there are two Washington Sanitary Sewer Commission easements: one is for a 10-foot easement along the frontage, while the second is for 1,000 square feet that is along the front of the project. Based on these previous items as well as the compact size of the site, additional ROW was considered under reservation, but is not required, as further analyzed below.

Reservation Analysis

In accordance with Section 24-139 of the prior Subdivision Regulations, and Section 9(C) of the Transportation Review Guidelines, the Planning Board, when reviewing a PPS, shall refer to the General Plan, master plans, or amendments and parts thereof to determine the need for reserving, for public use, any of the land included in the PPS. Reservations may be required for highways, transit, or ROW. If a reservation appears desirable, the Prince George's County Planning Department refers the proposed ROW to the public agency with jurisdiction over the ROW for consideration, as well as to the County Executive, County Council, and any municipality within which the property is located, for their comments. The public agency's recommendation, if affirmative, must include a map showing the boundaries and area of the parcel to be reserved, and an estimated time required to complete the acquisition. Upon receipt of an informative report from the public agency, the Planning Board shall establish the reservation, with or without modifications, concurrently with the approval of the PPS.

Further, Section 24-140 of the prior Subdivision Regulations states that no reservation shall continue for longer than three years without the written approval of all persons holding or otherwise owning any legal or equitable interest in the property. The reservations will be exempt from all state, County, and local taxes during the reservation period. Prior to the expiration of a reservation period, with the written consent of all landowners, the Planning Board may renew the reservation for additional periods of time, provided that the time period of the renewal is mutually agreeable to the landowners and the Planning Board. At the end of the reservation period, if the reservation has not been renewed or if the land reserved has not been acquired for public use and proceedings for acquisition have not been initiated, the reservation will expire. If, prior to the expiration of the reservation, the Planning Board determines that the reservation no longer appears necessary, the Planning Board may cancel the reservation with the written consent of the property owner(s).

In a letter dated May 28, 2025, the Planning Department requested comments from the Maryland Department of Transportation State Highway Administration (MDOT SHA) to determine if reservation for planned arterial roadway A-54 was desirable. In a written statement dated June 24, 2025, SHA states that they are developing plans within this corridor. However, the ROW needs for this project have not been identified and SHA does not recommend placing this area in reservation.

Pursuant to Section 23-103 of the Land Use Article of the Annotated Code of Maryland, in connection with the approval of a subdivision plat, the Planning Board may require a dedication of land for the widening of an existing or public road that abuts the subdivision for the purpose of providing additional ROW adequate to serve additional traffic that will be generated by the subdivision. The MPOT delineates an area of 60 feet from the centerline for the ultimate ROW and this area shall be dedicated, consistent with the MPOT recommendations.

Primary Road (P-507)

Sector Plan: 60-foot ROW

The sector plan also recommends creation of a new 60-foot primary residential street (P-507), which impacts the southern boundary of the subject property. This street is recommended to connect properties on the south side of MD 223 to Clinton Street and Pine View Lane. The PPS did not provide dedication for the proposed roadway. A basis to require dedication of P-507 could not be found, as the previously built neighboring development was not required to dedicate land or build a portion of the roadway. Based on this, dedication was not required, as further analyzed below.

Reservation Analysis

In a letter dated May 28, 2025, the Planning Department requested comments from the public agencies with jurisdiction over the proposed ROW (the Prince George's County Department of Public Works and Transportation and the Prince George's County District Council) to determine if reservation for planned P-507, along the rear of the property was desirable.

The Planning Department received no response within the 30-day time frame permitted for a response by Section 24-139(b) of the prior Subdivision Regulations; therefore, this portion of P-507 is not required for reservation.

The memoranda submitted by DPIE on April 22, 2025, in response to the traffic impact analysis and bicycle pedestrian impact statement, and on May 19, 2025, regarding the PPS, were submitted before the M-NCPPC referral of reservation letter was sent, and were not affirmative of reservation.

Master Plan Pedestrian and Bike Facilities

Woodyard Road, MD 223 (A-54)

MPOT: Side path and bicycle lane

Sector Plan: Pedestrian/bike path and on-road bicycle lane

The PPS shows a sidewalk along the site's frontage of MD 223, consistent with the MPOT and sector plan. A sidewalk is also shown providing a pedestrian connection from the frontage to the proposed building. All sidewalks shall include appropriate ADA ramps and provide striped crosswalks at the vehicular access point along MD 223 and crossing the parking area to the entrance of the building.

Both the sector plan and MPOT recommend an on-road bicycle lane within the ROW. The frontage shall be improved with a dedicated bicycle lane consistent with both applicable plans. As conditioned in the companion case ADQ-2024-068, the applicant shall pay a pro-rata share of the cost of construction for the Brandywine Road Capital Improvement Program (CIP) 4.66.0052. The Brandywine Road CIP proposes traffic signal modifications, pedestrian safety improvements, and lane widening/additions/realignments of existing roadways. Based on the ROW to be dedicated and the contribution to the CIP project, sufficient ROW will exist to facilitate the referenced MPOT and sector plan recommendations related to pedestrian and bicycle connectivity along the property's frontage.

In addition, SHA has identified that this development is within the MD 223 corridor and included in the FY 2025–2030 MDOT Consolidated Transportation Program (CTP) for Prince George's County, with its purpose and need to develop a long-term vision and short-term safety and operational improvements within this corridor. On-road facilities will need to be designed in coordination with SHA designs, the CIP, and CTP projects. Any requirements for bicycle lanes within the ROW are subject to the approval of SHA.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. (MPOT, pages 9–10). These are provided below in **bold text**, with analysis following in plain text:

Complete Streets

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The PPS shows a sidewalk along the site's frontage of MD 223, consistent with the MPOT and sector plan. A sidewalk is also shown providing a pedestrian connection from the frontage to the proposed building. All sidewalks shall include appropriate ADA ramps and provide striped crosswalks at the vehicular access point along MD 223 and crossing the parking area to the entrance of the building. A dedicated bicycle lane is also required, consistent with the MPOT and sector plan. Any requirements for bicycle lanes within the ROW are subject to the approval of SHA.

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 dedicated bicycle lane shall be provided, consistent with the MPOT and sector plan. Any requirements for bicycle lanes within the ROW are subject to the approval of SHA.

The sector plan provides guidance for multimodal circulation through the planning area:

The subject site falls within the Clinton Commercial Core Area in the sector plan (page 95). The sector plan also features a development program, which focuses on the connectivity and circulation along MD 223.

The redevelopment of Woodyard Road as a multi-way boulevard is key to ensuring that Clinton becomes a more walkable and pedestrian-friendly community.

While the plan aims to create a more walkable environment that is transit-accessible, Woodyard Road will continue to be a major transportation route for vehicles. (page 96)

The PPS shows a sidewalk along the site's frontage of MD 223, consistent with the sector plan. A sidewalk is also shown providing a pedestrian connection from the frontage to the proposed building. All sidewalks shall include appropriate ADA ramps and provide striped crosswalks at the vehicular access point along MD 223. A dedicated bicycle lane is also required, consistent with the MPOT and sector plan. Any requirements for bicycle lanes within the ROW are subject to the approval of SHA. Short-term bicycle parking will also be provided on-site and is shown on the plan.

Variation Analysis

A variation request for direct vehicular access onto MD 223 was submitted and reviewed as part of the PPS. Section 24-121(a)(3) requires that lots proposed on land adjacent to an existing or

proposed roadway of arterial or higher classification be designed to front on either an interior street or service roadway. The subject property does not have frontage on any other roadway from which access may be provided to serve the subject site. Section 24-113 of the prior Subdivision Regulations provides criteria which must be met for approval of a variation. The criteria are listed below in **bold** text, with analysis of each criterion following in plain text:

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

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

Direct access to the arterial roadway is shown at a location that allows the access to be shared with an adjacent property to the east. SHA has not indicated any opposition to or issues with access along the site's frontage. As a result, the Planning Board has determined that the granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property. The access will be assessed further under SHA's permit process, which will ensure the access, at its location, will not be detrimental to the public safety, health, or welfare, or injurious to other property.

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

This single property is not unique, however, the row of several lots along the south side of MD 223 between Old Branch having the same zoning, similar commercial or service uses, and frontage on MD 223 only is a unique situation. It can be accepted that this grouping of lots is unique in its configuration, which underscores that a single lot or pair of lots should not be considered apart from the others. For that reason, a means of sharing access points between users would need to be a part of any approval in this area, and the conceptual plan indicates a shared access.

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

Access to MD 223 is regulated by SHA. However, the restriction of access to an arterial roadway, and variation thereto with a PPS, is unique to the Subdivision

Regulations, and under the sole authority of the Planning Board. The Planning Board's determination does not negate the authority of any other review agency for permits under their purview. Therefore, no known applicable law, ordinance, or regulation will be violated by this request.

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

The site is surrounded on three sides by developed properties, with its only street frontage and opportunity for access along MD 223. Not allowing the lot access from the only available street, MD 223, would result in a particular hardship to the landowner as the land would not be able to be developed for any purpose.

While access could be provided via the shared easement from the adjacent property (Patient First), SHA raised concerns of traffic queuing at the existing access point along MD 223. Traffic conflicts for left-turning vehicles attempting to exit the subject site, utilizing the shared easement, could impede traffic entering the Patient First driveway via MD 223. Providing the sole means of access from this shared access would increase vehicular conflicts if this variation were not granted. This would create a hardship on the property, given that vehicular conflicts would increase if the subject site were not granted direct access via MD 223.

Based on the preceding findings, the criteria for approval of a variation are found to be met and the purposes of prior Subtitle 24 are served to a greater extent by the alternative proposal set forth. Therefore, the Variation from Section 24-121(a)(3), to allow one direct access to MD 223 from the subject site, is approved.

Access and Circulation

Access to the site is provided by a driveway to MD 223. The access is configured as an unsignalized full-movement stop-controlled intersection along MD 223. Circulation within the site is provided via two-way drive aisles along the north, west, and south of the building. Parking areas are conceptually located at the front and rear of the building. The plan shows a shared cross-access easement on the adjacent property (Patient First) to the east, which allows for interparcel connection. Based on the location of the parking areas and the access along MD 223, there is sufficient length for queuing on-site for the evaluated use.

The PPS shows a sidewalk along the site's frontage of MD 223. A sidewalk is also shown providing a pedestrian connection from the frontage of MD 223 to the proposed building. All sidewalks shall include appropriate ADA ramps and provide striped crosswalks at the vehicular access point along MD 223 and crossing the parking area. Short-term bicycle parking will also be provided on-site, is shown on the plan, and is located near the entrance to the building. The existing and provided access and circulation are found to be sufficient. Based on the findings presented above, multimodal transportation facilities will exist to serve the subdivision, as

required under prior Subtitle 24 of the Prince George's County Code, and will conform to the MPOT and sector plan.

10. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5). The sector plan contains Chapter VI - Appendix which provides the cost of recommended public facilities and improvements. The purpose of this Chapter is described below:

The Central Branch Avenue Corridor Revitalization Sector Plan reaffirms public facilities recommendations in previously approved master plans and sector plans that include The Heights Master Plan and Sectional Map Amendment (2000), Henson Creek-South Potomac Master Plan and Sectional Map Amendment (2006), Branch Avenue Corridor Sector Plan and Sectional Map Amendment (2008), and Subregion 5 Master Plan and Sectional Map Amendment (1993), except as modified by this plan.

The proposed development will not impede achievement of the above-referenced purpose. The analysis provided with this resolution and approved ADQ-2024-068 illustrates that, pursuant to adopted tests and standards, public safety facilities and water and sewer services are adequate to serve the proposed development. There are no master-planned police, fire and emergency medical service 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 System. Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid PPS approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act, which includes those properties served by public sewerage systems. Accordingly, the subject property is in the appropriate service area for PPS approval.

11. **Public Utilities 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 10 feet wide along all public ROWs. The subject site has frontage along the public ROW of MD 223, along its northern boundary. The PPS provides the required 10-foot-wide PUE along the frontage of this road,

abutting the existing ROW line. However, additional ROW dedication is required, and the PUE shall be relocated behind the new ROW line and reflected on the PPS prior to signature approval.

12. **Historic**—The sector plan contains goals and policies related to historic preservation (pages 10 through 38). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeological survey is not required. There are no Prince George’s County historic sites or resources on or adjacent to the subject property.
13. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
DSP-08002	S-238-08 (EL)	Planning Board	Dormant	10/11/2013	N/A
NRI-047-12 (EL) NRI-103-12 (EL)	N/A	Staff	Approved	8/10/2012	N/A
NRI-103-12-01(EL)	N/A	Staff	Approved	8/18/2021	N/A
N/A	S-164-2021	Staff	Approved	8/18/2021	N/A
NRI-103-12-02	N/A	Staff	Approved	2/5/2025	N/A
4-24035	TCP1-010-2025	Planning Board	Approved	9/11/2025	2025-079

Applicable Environmental Regulations/Grandfathering

The project is subject to the 2024 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the environmental regulations of the prior Subtitles 24 and 27 because this is a new PPS.

Environmental Site Description

A review of the available information indicates that the site contains no woodlands as defined in Subtitle 25-118(b)(98) of the 2024 WCO or regulated environmental features (REF) as defined in Subtitle 24 of the prior Subdivision Regulations. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of the property area. The elevation is highest near MD 223 to the north and then drains to the south off-site. This site is located within the Piscataway Creek watershed flowing into the Potomac River. Currently, the property area is located on MD 223, which is identified as a master plan arterial and a historic roadway. A second master-planned primary identified as P-507 crosses the southern part of the property.

Prince George’s Plan 2035

The site is located within the Environmental Strategy Area 2 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035, and within the Established Communities of the General Plan Growth Policy Map and Residential Medium of the General Plan Generalized Future Land Use of Plan 2035. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

Environmental Conformance with Applicable Plans

Sector Plan (pages 128–129)

The sector plan contains a section on the environment, with seven recommendations. The text in **bold** is the policy recommendation text from the sector plan and the plain text provides comments on plan conformance:

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

The property area does not contain any on-site woodlands. The PPS uses off-site woodland credits to meet the woodland conservation requirements.

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

The property area does not contain any woodlands, REF, or primary management areas (PMA). The on-site stormwater features include three micro-bioretenion facilities and three underground storage systems.

- **Expand and enhance the green infrastructure network to include regulated areas of local significance in the Oxon Run, Tinkers Creek, and Piscataway Creek watersheds.**

The property area has no identified green infrastructure network on-site. The approved natural resources inventory (NRI) showed no on-site woodlands or REF. This site is within the Piscataway Creek watershed.

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

This PPS allows development with a new commercial and office building including surface parking and infrastructure. Woodland preservation is required with the 2024 WCO through maintaining the woodland conservation threshold on-site. According to the approved NRI there are no woodland areas present on-site. The PPS uses fee-in-lieu to meet the 0.19 acre woodland conservation requirement.

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

The DPIE-approved SWM concept plan and letter were submitted with this PPS. This concept was approved with three micro-bioretention facilities and three underground storage systems. The property area does not contain any on-site adjacent stream or wetland buffers.

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

The analysis of on-site lighting systems will be evaluated with future entitlement reviews.

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

This PPS allows redevelopment of the subject property with a new commercial and office building, including surface parking and infrastructure. The site is surrounded by existing commercial businesses and residential lots. The adjacent road, MD 223 (Woodyard Road), is identified as an arterial roadway by the MPOT. This PPS does not evaluate residential land uses.

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* (CR-11-2017) on March 7, 2017. According to the GI Plan this site contains no regulated or evaluation areas.

Conformance with Environmental Regulations

Natural Resource Inventory/Environmental Features

NRI-103-12-02 was approved on February 5, 2025, and included with the acceptance package. The NRI verifies that the subject area contains no woodlands, as defined in Subtitle 25-118(b)(98) of the 2024 WCO, or REF, as defined in Subtitle 24 of the prior Subdivision Regulations. The site does contain two specimen trees defined in Subtitle 25-118(b)(84) of the 2024 WCO. This property area was formerly two single-family homesites where recently two dwellings were razed and scattered trees, shrubs, and lawn areas

exist. In addition, there are two existing driveway entrances off of MD 223 that were used by the former single-family dwellings.

No revisions are required for conformance to the NRI.

Woodland Conservation

The site is subject to the provisions of the 2024 WCO, because the PPS was accepted after July 1, 2024. The property is greater than 40,000 square feet and requires a tree conservation plan. This project is also subject to the 2018 Environmental Technical Manual (ETM).

Based on the TCP1, this 1.26-acre site contains no floodplain. Based on the former C-S-C zoning, the woodland conservation threshold is 15 percent of the site's net tract area, or 0.19 acre. The TCP1 submitted with the acceptance package showed the site requesting specimen tree retention credit, with retaining Specimen Tree ST-276 in an island in the proposed parking lot along with the use of street tree planting credit. The impacts to the Specimen Tree ST-276 critical root zone were extensive to retain the tree as proposed. In response, the applicant revised the plan to request Specimen Tree ST-276 be removed, and allow for the woodland requirement to be met with 0.19 acre of off-site woodland conservation credits.

At the time of acceptance of the PPS, Section 25-121(c)(3) of the WCO required a variance for not meeting the woodland conservation threshold requirement on-site. Following SDRC, the applicant provided the variance application and the statement justifying the variance findings in Section 25-119(d)(3). Since the resubmittal, County Council Bill CB-046-2025 was passed by the County Council and became effective on September 8, 2025. The bill removed the variance requirement for not meeting the woodland threshold on-site, only requiring an SOJ. A letter dated August 8, 2025, was submitted by the applicant formally withdrawing the variance request.

The applicant submitted an SOJ on August 11, 2025, for not meeting the woodland conservation threshold on-site and proposing the use of off-site woodland conservation credits to fulfill the woodland conservation requirement. The applicant states that there is minimal area on-site to plant or retain woodland, given the existing conditions of the property and the proposed layout. The property is relatively small, with a tract area of 1.26 acres, with no existing on-site woodlands. The properties across Woodyard Road are improved with commercial development, and the adjacent parcel to the east is developed with a Patient First Urgent Care Center. The parcels to the west and rear of the site are developed with residences, and do not contain any existing woodland. The property is within the Clinton Commercial Core Area, and it is in close proximity to areas proposed for commercial mixed use and commercial shopping center. The proposed development, a commercial office building, will require site improvements in parking, drive aisles, landscaping, SWM facilities, and associated grading, which will require the utilization of much of the land included with this PPS.

In accordance with Section 25-122 (b)(1)(J) of the WCO, "Outside of transit-oriented centers, all woodland conservation areas shall be a minimum of 10,000 square feet in area. If on-site conservation areas are proposed to be less than 10,000 square feet in area, abutting off-site areas may be used to meet the 10,000 square foot minimum contiguity requirements if they have been previously protected by a TCP or other prior approved mechanism." This site is not within a

transit-oriented center, and the adjacent properties do not have woodland conservation areas; therefore, without a variance, any afforestation must be 10,000 square feet on-site. Section 25-122 (b)(1)(K) of the WCO requires “All woodland conservation areas shall be a minimum of 50 feet in width. If less than 50 feet is proposed on-site, abutting woodlands may be used if they have been previously protected by a TCP or other prior approved mechanism, such as a conservation easement. Landscaped areas may be 35 feet in width.”

Landscape credits, however, cannot be used outside of transit-oriented centers per Section 25-122(c)(1)(L) of the WCO. The development is required to provide SWM, grading, safe circulation, utilities, and landscaping on-site in conformance with other sections of the County Code. The addition of afforestation, to create a small forest stand of 10,000 square feet, would make the site undevelopable for the evaluated use.

The request of not meeting the woodland conservation threshold on-site is approved, as this project meets the goals of the sector plan. The use of an off-site tree bank will preserve woodland area in a protected woodland conservation bank within the County.

Technical revisions are required to the TCP1 and are included in the conditions of this resolution.

In accordance with Section 25-119(c)(5)(A) of the 2024 WCO, notification mailings were mailed to the parties listed in Subsection 27-125.01(a) of the Zoning Ordinance at least 20 days before the TCP approval. According to the affidavit provided by the applicant, notice letters were mailed on March 19, 2025. The Planning Department did not receive any public comment about this PPS or TCP, as the result of the mailing.

Specimen Trees

Section 25-122(b)(1)(G) of the 2024 WCO requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the [Environmental] Technical Manual.”

The authorizing legislation of 2024 WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria are set forth in Section 25-119(d) of the 2024 WCO. Section 25-119(d)(6) of the 2024 WCO clarifies that variances granted under Subtitle 25 are not considered zoning variances.

The property area contains two specimen trees identified as Specimen Trees ST-276 and ST-277. These two specimen trees have a condition rating of fair (ST-276) and poor (ST-277). This PPS requested the removal of ST-276 and ST-277.

Review of Subtitle 25 Variance Request

A Subtitle 25 Variance application and an SOJ, in support of a variance, was received for review with this PPS and was dated March 10, 2025, and revised May 19, 2025.

Section 25-119(d)(3) of the 2024 WCO contains six required findings to be made before a variance can be granted. The letter of justification (LOJ) submitted seeks to address the required findings for the two specimen trees. The proposed development is for one commercial office building with surface parking and infrastructure.

This variance is requested to Section 25-122 of the 2024 WCO, which requires that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle Variance Application form requires an SOJ of how the findings are being met.

The text in **bold**, labeled A–F, are the six criteria listed in Section 25-119(d)(3). The plain text provides responses to the criteria.

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

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

The SOJ indicates that Specimen Trees ST-276 and ST-277 are proposed for removal because they are centrally located within the residential zoned area of the site. This location is surrounded by developed properties. The evaluated use, for commercial and office development, is a significant and reasonable use for the subject site because the use is in conformance with the sector plan. The development of the property, with a commercial use, requires SWM, grading, safe circulation, utilities, and landscaping on-site in conformance with other sections of the County Code. Requiring the applicant to retain the two specimen trees on the site would further limit the development to the extent that it would cause the applicant an unwarranted hardship.

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

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical root zone, would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of the 2024 WCO and the ETM for site specific conditions.

Specimen trees grow to such a large size because they were left undisturbed on a site for sufficient time to grow. The site contains two centrally located specimen trees. The two trees are being removed due to their location within the proposed

grading areas for the commercial building and parking areas. The critical root zones of both specimen trees comprise between 25 and 30 percent of the site.

The applicant states that the development is within the Clinton Commercial Core Fous Area within the sector plan. This site is zoned C-S-C, and the sector plan found that the “office space is substandard” for the area and support exists for office space.

The applicant meets their woodland requirement with fee-in-lieu, to conform with the surrounding commercial character. If similar constraints are encountered on other properties for comparable developments requesting a variance, they will be evaluated under the same criteria.

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

Not granting the variance would prevent the proposed commercial office building development from being constructed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. All requests for a variance are reviewed, in accordance with the criteria outlined in the WCO. If other similar commercial developments were redeveloping with centrally located specimen trees in similar conditions, it would be given the same considerations during the review of the required variance application.

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

The variance is not based on conditions or circumstances which are the result of actions by the applicant, but is based on the request to remove the two specimen trees to develop a commercial office building within the C-S-C-zoned property, a use supported by the sector plan.

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

There are no existing conditions, land, or building uses on the site, or on neighboring properties that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

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

The removal of two specimen trees will not adversely affect water quality. The development will not adversely affect water quality because the SWM design for the site is required to meet the current regulations of Subtitle 32 of the County Code, which requires the post-development conditions to mimic a

pre-development woodland condition of the site. The approved site development concept plan proposes to provide the required environmental site design to the maximum extent practicable and provide water quality requirements through the use of an underground detention facility and micro-bioretenion facilities. The project will be subject to the erosion and sediment control requirements of the Prince George's County Soil Conservation District and the approval of a stormwater concept plan by DPIE. The plan proposes to use micro-bioretenion ponds and underground quantity control storage systems. The applicant meets the woodland conservation requirement of 0.19 acre with fee-in-lieu.

The required findings of Section 25-119(d) of the 2024 WCO have been adequately addressed for the removal of Specimen Trees ST-276 and ST-277 for the commercial office development. The Variance to Section 25-121(c)(3) of the 2024 WCO for the removal of two specimen trees identified as ST-276 and ST-277, is approved.

Regulated Environmental Features (REF)/Primary Management Area (PMA)

REF are required to be preserved and/or restored to the fullest extent possible under Section 24-130(a) of the Environmental Standards of the prior Subdivision Regulations. There are no REF on the subject site.

Soils

In accordance with Section 24-131 of the prior Subdivision Regulations, this PPS was reviewed for unsafe land restrictions. The soil types found on-site, according to the United States Department of Agriculture Natural Resources Conservation Services Web Soil Survey, are Beltsville-Urban land complex and Downer-Hammonton-Urban land complex soils. No Marlboro clay or Christiana clay were identified onsite.

14. **Urban Design-** A detailed site plan is not required for this development in accordance with Sections 27-454 and 27-469 of the prior Zoning Ordinance. Under the prior Zoning Ordinance, conformance to the following regulations, but not limited to, shall be demonstrated at the time of permit:

- Section 27-454 – C-S-C Zone (Commercial Shopping Center);
- Section 27-461 – Uses Permitted;
- Section 27-462 – Regulations;
- Section 27-473 – Uses Permitted;
- Section 27-474 – Regulations;
- Part 11 – Off-Street Parking and Loading; and
- Part 12 – Signs

Conformance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual) will be determined at the time of permit review. MD 223 is a designated historic road, which requires a 20-foot-wide landscape buffer, planted with at least 80 plant units per 100 linear feet. The submitted TCP1 shows a portion of the parking lot encroaching into the required bufferyard area along MD 223. The required plantings shall be located within the buffer area on the subject property, but outside the 10-foot-wide PUE. Compliance to this, and other requirements of the

Landscape Manual, will be evaluated at the time of permitting. An alternative compliance (AC) may be required if a portion of the parking lot is located within the required bufferyard.

Conformance with the Tree Canopy Coverage Ordinance will also be determined at the time of permit review.

15. **Citizen Feedback**—The Planning Department did not received any inquiries regarding the subject PPS from the community.
16. **Planning Board Hearing**—At the September 11, 2025 Planning Board hearing, staff presented the PPS to the Planning Board. The applicant's attorney, 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.

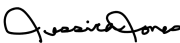
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, September 11, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of October 2025.

Darryl Barnes
Chairman

By 
Jessica Jones
Planning Board Administrator

DB:JJ:MV:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 9/23/25