

PGCPB No. 2025-061

File No. 4-25007

## R E S O L U T I O N

WHEREAS, Saint Jerome Catholic Church Hyattsville Inc. is the owner of a 2.46-acre tract of land known as Lots 20 through 28 and part of Lot 13, said property being in the 16th Election District of Prince George's County, Maryland, and being zoned Residential Single-Family-65 (RSF-65); and

WHEREAS, on March 31, 2025, Saint Jerome Catholic Church Hyattsville Inc. filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-25007 for Saint Jerome Academy was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission at a public hearing on July 17, 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 prior Subdivision Regulations; and

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

WHEREAS, at the July 17, 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 TCP1-009-2025, and APPROVED a Variance to Section 25-121(c)(3), and further APPROVED Preliminary Plan of Subdivision 4-25007 for 1 parcel, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS):
  - a. Revise the preliminary plan of subdivision to show the stormdrains, stormdrain outfalls, and sewer main connections to be consistent with the Type 1 tree conservation plan and the approved stormwater management concept plan.

2. Prior to approval, the final plat of subdivision shall include dedication of a 10-foot-wide public utility easement along the abutting public rights-of-way, as delineated on the approved preliminary plan of subdivision, or a variation from Section 24-122(a) of the prior Prince George's County Subdivision Regulations must be requested with the final plat.
3. In conformance with the recommendations of the 2009 *Approved Countywide Master Plan of Transportation* and the 2004 *Gateway Arts District Approved Sector Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following and show the facilities on the site plan:
  - a. Continental-style crosswalks and Americans with Disabilities Act (ADA)-compliant curb ramps crossing all vehicular access points, unless modified by the operating agency with written correspondence, in accordance with the applicable Prince George's County Code section providing authorization during permitting.
4. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
  - a. Revise the approval block and woodland conservation worksheet to reflect the TCP number: "TCP1-009-2025."
  - b. Correct Note 1 to reflect the preliminary plan of subdivision application number "4-25007."
  - c. Correct the Zone in the woodland conservation worksheet to "R-55."
5. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-009-2025) in conformance with Section 25-121 of the 2024 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 (TCP1-009-2025 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."
6. Development of this site shall be in conformance with Stormwater Management Concept Plan (SIT-00314-2024), and any subsequent revisions.

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 50, Grid B1, on the north side of Gallatin Street between 42nd Place and 43rd Avenue. The property contains 2.46 acres of land consisting of Lots 20 through 28, as recorded in the Land Records of Prince George's County in Plat Book BDS 1, page 39, dated 1907; and part of Lot 13, as described in the aforementioned Land Records by deed in Book 49296, pages 187 through 196, dated November 14, 2023. The property lies in the Residential Single-Family-65 (RSF-65) Zone. 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 One-Family Detached Residential (R-55) and the Development District Overlay (D-D-O) Zones. The D-D-O Zone on the subject property is pursuant to the 2004 *Gateway Arts District Approved Sector Plan and Sectional Map Amendment* (sector plan).

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-2025-013.

The site is currently improved with institutional uses including the Saint Jerome Academy, a private school, a convent, and a child care center, with an associated parking lot and playground. The site has frontage on three public streets - 42nd Place, 43rd Avenue, and Gallatin Street. The parking lot has access to both 42nd Place and 43rd Avenue. The subject property and all referenced streets are within the municipality limits of the City of Hyattsville. There is pedestrian access to the property from 42nd Place and 43rd Avenue. There are no changes to vehicular or pedestrian access.

This PPS allows subdivision of Lots 20 through 28, and Part of Lot 13, into a single new parcel, for the purpose of expanding development on the property. The current gross floor area on the property is 69,700 square feet. The applicant proposes an additional 11,680 square feet, for a total of 81,380 square feet. The property has no prior PPS and consists of an assembly of lots recorded in a Plat dated 1907, and a tax parcel. In accordance with Section 24-107(c)(7)(C) and Section 24-111(c)(3) of the prior Subdivision Regulations, the proposed 11,680-square-foot building addition requires filing a PPS and final plat prior to building permit approval.

3. **Setting**—The subject property is located within Planning Area 68, and is on the north side of Gallatin Street, between 42nd Place and 43rd Avenue. The subject property is bound to the north by single-family detached homes in the RSF-65 Zone (former R-55/D-D-O Zones), and to the southwest by single-family detached homes in the Neighborhood Activity Center (NAC) Zone (former Commercial Shopping Center (C-S-C)/D-D-O Zones).

The property is bound by Gallatin Street to the south, with land developed with single-family detached homes and an institutional use in the RSF-65 Zone (prior R-55/D-D-O Zones) beyond. To the west is 42nd Place with single-family detached homes in RSF-65 Zone (prior R-55/D-D-O Zones) beyond. To the east is 43rd Avenue with institutional uses in the RSF-65 Zone (prior R-55/D-D-O Zones) beyond.

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

	EXISTING	EVALUATED
Zone	RSF-65	R-55/D-D-O
Use(s)	Institutional	Institutional
Acreage	2.4603	2.4603
Lots	9	0
Parcels	1	1
Dwelling Units	0	0
Gross Floor Area	69,700 sq. ft.	81,380 sq. ft.
Subtitle 25 Variance	No	Yes - Section 25-121(c)(3)
Subtitle 24 Variation	No	No

The subject PPS was accepted for review on March 31, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was referred to the Subdivision and Development Review Committee, which held a meeting on April 25, 2025, where comments were provided to the applicant. Revised plans and/or information were received on May 30, 2025, and June 11, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—The site is the subject to Certification of Nonconforming Use NCU-6156-85U, approved in 1985, which approved the continuance of a nonconforming use on the subject property for a convent and a private school.
6. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) is discussed, and conformance with the sector plan is evaluated, as follows:

#### **Plan 2035**

Plan 2035 places this subject property in the Established Communities area. “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). The proposed development is found to be consistent with the intent of the Established Communities Growth Policy Area, as it is of the appropriate scale and character for projects outside of the county’s transit districts and centers.

### **Sector Plan**

The sector plan places the property in the Town Center (TC) character area. The existing use on the property (private school) is not proposed to change. The existing use of a “Private School, all others” is permitted in the TC character area.

The sector plan also makes the following recommendations that apply to the subject property:

### **Land Use and Development Pattern**

7. **Identify and preserve or reuse historic structures. Incorporate historic structures, themes, and architectural/decorative design into physical improvement projects. Integrate historic structures into construction projects. Preserve or recapture arts and entertainment uses of sited and existing structures.** (page 18)

The applicant is encouraged to incorporate locationally relevant historic themes and decorative design elements at the time of detailed site plan (DSP).

### **Urban Design**

3. **Use human-scale and context-sensitive design:**
  - b. **Use materials that reflect the quality and spirit of the Arts District.** (page 76)
4. **Develop safe and attractive public areas:**
  - a. **Encourage public and private entities to provide sidewalks, street trees, landscaping, seating, bus shelters, and other amenities.** (page 76)

At the time of DSP, the applicant should depict high-quality and context-appropriate building materials, street trees, and improved landscaping on the west side of 43rd Avenue.

### **SMA/Zoning**

The sector plan retained the subject property in the R-55 Zone. On November 29, 2021, the Prince George’s County District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the R-55 to RSF-65 Zone, effective April 1, 2022. The CMA removed the Gateway Arts District D-D-O Zone on the property. However, the subject PPS is evaluated pursuant to the prior 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, prior to approval of a PPS. An approved SWM Concept Plan SIT-00314-2024 and approval letter were submitted and show the use of a microbioretention facility, reduction of existing impervious areas, and underground stormwater storage to meet the SWM requirements. This SWM concept plan was approved on May 29, 2025, and expires on May 29, 2028.

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.

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

#### **Master Plan Right-of-Way**

There are no master-planned roadways that impact the subject site. The PPS identifies Gallatin Street, 42nd Place, and 43rd Avenue as existing 40-foot-wide rights-of-way (ROWs). All three streets are maintained and operated by the City of Hyattsville. There is no roadway dedication required with this PPS and the existing roadways are found acceptable to serve the additional traffic generated by the project.

#### **Master Plan Pedestrian and Bike Facilities**

The MPOT identifies Gallatin Street as a shared roadway. Gallatin Street is currently developed with shared road pavement markings (sharrows), which meet the intent of the MPOT.

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. The Complete Streets element 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.**

42nd Place and Gallatin Street are currently developed with a 5-foot-wide sidewalk, while 43rd Avenue is developed with a 6-foot-wide sidewalk. In addition, Gallatin Street is designated as a shared road facility with existing pavement markings for bicycle use. These existing facilities meet the intent of the policy.

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

The existing sharrows along Gallatin Street meet the intent of this policy.

The sector plan contains the following goals applicable to the property (page 39):

1. **To provide an integrated multimodal transportation system that is safe, efficient, attractive, and accessible, while reducing dependency on the automobile.**

The existing sharrows along Gallatin Street and surrounding sidewalk network meet the intent of this goal.

2. **To provide convenient pedestrian and nonmotorized circulation opportunities in the Arts District for recreation and transportation, with an emphasis on connections to Metro and US 1.**

The existing sharrows along Gallatin Street and surrounding sidewalk network meet the intent of this goal.

The sector plan also contains the following recommendation applicable to the property related to sidewalks, trails, and bikeways (page 44):

2. **Implement pedestrian safety measures at road crossings and trail intersections. These improvements can include curb extensions, in-pavement lighting in crosswalks, raised crosswalks, road striping, additional signage and lighting, and contrasting surface materials, as deemed appropriate by the communities and road agencies.**

This property receives consistent and heavy foot traffic due to its use as an existing school. To make bicycling, walking, and rolling to school safer for children, and to advance this recommendation, the applicant should consider the provision of improved signage and lighting, raised crosswalks, and a curb extension at and around the intersection of 43rd Avenue and Hamilton Street.

**Site Access and On-site Circulation**

This PPS maintains the primary access points along 42nd Place and 43rd Avenue, via driveways to an existing parking lot. The access points exceed the minimum width and are sufficient for full

vehicular movement. The roadway frontages are all developed with sidewalk facilities and a shared roadway facility along the frontage of Gallatin Street. The plan sheets also identify existing bicycle parking on-site. Access to the site is found to be sufficient. At the time of DSP or permitting, a circulation plan is required to demonstrate movement through the site with the proposed building expansion. The DSP or permit site plan should also show and label the existing shared road pavement markings along the frontage of Gallatin Street, the existing bicycle racks on-site, and existing sidewalk widths along all roadway frontages.

Based on the findings presented above, multimodal transportation facilities will exist to serve the subdivision, as required under the prior Subdivision Regulations and prior Zoning Ordinance, 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) and 24-122(b) of the prior Subdivision Regulations. The sector plan listed the following goals for the provision of public facilities (pages 50-56):

- **To ensure that police stations meet the needs of the community.**
- **To ensure that adequate fire and rescue services meet the needs of the community.**
- **To ensure that public school facilities meet the needs of the community.**

The project will not impede achievement of the above-referenced goals. This PPS is subject to approved ADQ-2025-013, which established that, pursuant to adopted tests and standards, public safety facilities 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 this site. Based on the foregoing, the PPS conforms to the public facilities recommendations of the applicable master plans.

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 preliminary plan approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties served by public sewerage systems. The subject property is in the appropriate water and sewer service area for PPS approval.



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

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

The standard requirement for public utility easements (PUEs) is a minimum of 10 feet wide along both sides of all public ROWs. The site has frontage along Gallatin Street, 43rd Avenue, and 42nd Place. The required PUEs are reflected on the PPS along all of these public ROWs.

12. **Historic**—The sector plan contains goals and policies related to historic preservation (pages 81-88). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required.

The subject property is a contributing resource to the Hyattsville National Register Historic District (PG:68-010). The subject property is adjacent to the Burgess House, Historic Site 68-010-83. The circa-1925 Burgess House is an excellent example of an early twentieth century brick bungalow in the streetcar suburb of Hyattsville. The property remained in the Burgess family for 52 years (1922–1974). It is significant for its association with the Independent Order of the Odd Fellows Oriole Lodge No. 47, and for its association with Herman Burgess, a prominent Hyattsville citizen and treasurer of Prince George’s County. At the time of the DSP, the scale, massing, architecture, and materials of the subject project shall be reviewed by the Historic Preservation Commission for its impact on the adjacent historic site.

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

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
NRI-029-2025	N/A	Staff	Approved	5/13/2025	N/A
4-25007	TCP1-009-2025	Planning Board	Approved	Approved	2025-061

### **Grandfathering**

The project is subject to the 2024 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the environmental regulations contained in prior Subtitles 24 and 27 of the County Code because this is a new PPS using the prior Subdivision Regulations and prior Zoning Ordinance.

### **Plan 2035**

The site is located within the Environmental Strategy Area 1 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. This project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

### **Site Description**

The subject site does not contain any regulated environmental features (REF), as defined in Subtitle 24 of the prior Subdivision Regulations. According to the Sensitive Species Project Review Area map received from the Maryland Department of Natural Resources, Natural Heritage Program, and provided on PGAtlas, there are no rare, threatened, or endangered species found to occur on or near this property.

## **ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS**

### **Sector Plan**

The sector plan contains recommendations in the Environmental Infrastructure section (pages 36 through 38) that are applicable to this proposal, provided below in **bold**, with analysis following in plain text:

### **RECOMMENDATIONS**

1. **Use existing land use regulations to provide open space and protect environmental features that add value to communities. These tools, used in conjunction with the development district standards and guidelines contained in this plan, function to achieve the desired vision for the Arts District.**

- a. **Public Park Acquisition or Dedication: Land is acquired for active and passive recreation through purchase, gift, or mandatory dedication provisions (Subtitle 24, Section 134, Prince George's County Code).**

The site is currently fully developed with an existing private school and convent. Public park acquisition or dedication is not required for the subject property in accordance with Section 24-134 of the prior Subdivision Regulations, as it is a nonresidential subdivision.

- b. **Floodplain Areas: Land within the 100-year floodplain is generally restricted from further development (Subtitle 4, Division 2, Prince George's County Code).**

The site is not within the 100-year floodplain, as defined in the prior Subdivision Regulations.

- c. **Stormwater Management: Existing regulations require adequate control of stormwater runoff (Subtitle 4, Division 2, Prince George's County Code).**

The approved SWM concept plan demonstrates control for both the stormwater generated from rainfall on-site and for managing the stormwater.

- d. **Use of Unsafe Land: Land subject to flooding, erosive stream action, unstable soil conditions, or manmade unsafe conditions (unstable soils or slopes) is generally restricted from development (Subtitle 24, Section 131, Prince George's County Code).**

In accordance with Section 24-131 of the prior Subdivision Regulations, the subject property was reviewed for unsafe land restrictions. According to available mapping information, unsafe soils containing Marlboro clay do not occur on this property. Christiana clay does exist, but there are no geotechnical concerns with this PPS because no major earthwork is anticipated.

- e. **Protection of Wetlands: Existing federal and state regulations require buffers adjacent to nontidal wetlands and generally restrict wetland areas from development. These are enforced locally through the county permit process (Subtitle 4, Division 2, Prince George's County Code).**

The site does not contain wetlands, as defined in the prior Subdivision Regulations.

- f. **Provision of Stream Buffers: Areas within 50 feet of streams, floodplains and adjacent slopes are generally restricted from development (Subtitle 24, Section 130, Prince George's County Code).**

The site does not contain stream buffers as defined in the prior Subdivision Regulations.

- g. **Protection and Restoration of Woodlands: The Woodland Conservation Ordinance requires the conservation of woodlands through preservation, reforestation and afforestation of woodland and specimen trees by meeting minimum woodland conservation thresholds (Subtitle 25, Prince George's County Code).**

The site does not contain woodland, as defined in the WCO and is fully developed with an existing private school and site improvements. The variance, from Subtitle 25 of the WCO for not meeting the threshold on-site, is discussed in further detail in the Woodland Conservation section of this resolution.

2. **Incorporate low-impact development design features and implement green building techniques that include the latest environmental technologies.**

Green building techniques are encouraged for the addition to the existing school building.

3. **Affirm county and state Smart Growth initiatives and the policies and strategies of the General Plan. New development and redevelopment should enhance existing green infrastructure elements such as wetlands, woodlands, open space, landscaped areas, street tree corridors, and sensitive species habitats. It should also establish open space linkages where they do not currently exist.**

The site does not contain wetlands, woodlands, or sensitive species habitats as defined in the prior Subdivision Regulations.

4. **Seek opportunities to create new, connected green infrastructure elements. New development or redevelopment project proposals should establish landscaped areas and open space connections, wherever possible.**

The establishment of new connected green infrastructure elements is not feasible with this project, due to its location outside of green infrastructure elements. The site is significantly removed from the green infrastructure network and is over 1,400 linear feet away from the existing network.

5. **Require the following tree cover areas based on ten-year tree canopies: 10 percent tree cover on all properties not in the CBCA I-D-O overlay and within the industrial areas, 15 percent tree cover on property containing an L-D-O (limited development overlay), 20 percent tree cover within mixed-use or commercial areas, and 26 percent tree cover within residential areas. Establish street trees along main transportation corridors. Count trees planted in the public right-of-way but within 16 feet of a property line toward a development's tree coverage.**

Tree canopy coverage requirements will be evaluated at the time of DSP review.

6. **Decrease impervious surfaces by sharing parking to the fullest extent, constructing green roofs, and following the county's Department of Environmental Resources requirements to the fullest extent.**

The applicant is proposing the removal of portions of existing impervious surfaces. Parking will be evaluated at the time of DSP or permit, as applicable. The use of green roofs for the proposed building addition is encouraged, but is not evaluated with a PPS.

**7. Use micromanagement stormwater treatment methods on new development or redevelopment projects.**

The approved SWM concept plan shows the use of a microbioretention facility and an underground storage facility for stormwater. The new stormwater facilities will treat the stormwater generated by the building addition, as well as untreated stormwater from existing building and impervious areas.

**8. Encourage new development to avoid impact on wetlands. Where feasible, construct new wetlands with the intent of replicating the functions provided by natural wetlands, including pollutant interception, erosion control, and provision of wildlife habitat.**

The site does not contain or impact wetlands, as defined in the prior Subdivision Regulations.

**9. Encourage the use of green building techniques in designated areas through incentives.**

This recommendation is not relevant to the review of a PPS. However, the use of green building techniques is encouraged.

**10. Evaluate noise impacts for proposed development and require that noise levels meet the state standards.**

The site is not adjacent to roadways providing noise levels that would require mitigation, nor does the development proposed include uses that should be regulated for noise.

**11. Promote nonautomobile use by residents, customers and employees. The use of available state and local incentives to help reduce the use of the automobile and in turn reduce air pollution is encouraged. Public resources should emphasize connectivity and multimodal access throughout the Arts District.**

The PPS evaluates an addition to the existing private school, which enhances the functionality of the Arts District for residents. As discussed in the Transportation findings above, existing sidewalks and sharrows along the property's frontages provide opportunity for nonautomobile use by residents and employees.

**12. Encourage land uses compatible with and supportive of the stream valley parks and other environmental features such as florists and restaurants near the water features.**

The site is not adjacent to any stream valley parks.

### **2017 Green Infrastructure Plan**

The 2017 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, the site is not within the green infrastructure network, as no regulated or evaluation areas exist on-site; therefore, the proposed development is in conformance with the GI Plan.

## **CONFORMANCE WITH ENVIRONMENTAL REGULATIONS**

### **Existing Conditions/Natural Resources Inventory**

Section 24-120(a)(22) of the prior Subdivision Regulations requires an approved natural resource inventory (NRI) plan with PPS applications. NRI-029-2025 was approved on May 13, 2025, and was provided with the revised material. The site does not contain REF, woodland, or specimen trees. No additional information is required regarding the NRI.

### **Woodland Conservation**

This property is subject to the provisions of the 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the PPS was accepted after June 30, 2024, and the subject property is greater than 40,000 square feet. Pursuant to Section 25-119(a)(2)(C) of the WCO, a Type 1 tree conservation plan (TCP1) was submitted for review with this PPS. In accordance with Section 25-119(c)(5)(A) of the WCO, notification of the tree conservation plan was included in the notices mailed on March 14, 2025. The Prince George's County Planning Department has not received any public comment about this PPS and TCP1, as the result of the mailing.

Since the site is not wooded, the minimum woodland afforestation threshold for the prior R-55 Zone is 15 percent of the net tract area or 0.37 acre. The TCP1 and woodland conservation worksheet shows the woodland conservation requirements to be met with 0.37 acre of fee-in-lieu. The applicant submitted a variance request from the requirements of Section 25-121(c)(3) of the WCO for not providing the woodland conservation threshold on-site. An analysis of this request is provided below. This request satisfactorily addresses the required findings and the variance from Section 25-121(c)(3) of the WCO, and the use of fee-in-lieu to fulfill the woodland conservation threshold requirement of this development is approved.

### **Section 25-121(c)(3) Variance**

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

The authorizing legislation of Prince George's County's WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in the WCO are set forth in Section 25-119(d). Section 25-119(d)(6) of the WCO clarifies that variances granted under Subtitle 25 are not considered zoning variances. A Subtitle 25 variance application and associated SOJ dated May 30, 2025, were submitted for

review with this PPS to justify why the required woodland conservation threshold cannot be met on-site.

Section 25-119(d) of the WCO contains six required findings (text in **bold** below) to be made before a variance to the 2024 WCO can be granted. An evaluation of this variance request, with respect to the required findings, is provided below. The request to not provide the woodland conservation threshold on-site is approved, based on these findings:

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

To meet this finding, the applicant must show that the variance is necessary to allow for a use of its property that is significant and reasonable. Further, the applicant must demonstrate that the use cannot be accomplished elsewhere on the property without a variance.

Special conditions peculiar to the property prevent the woodland conservation threshold from being met on-site. In particular, the subject property is fully developed with buildings currently being used for a private school and convent. These buildings are proposed to remain, and the applicant is proposing an addition to the private school. The 2.47-acre site does not contain woodlands and, therefore, has an afforestation requirement of 15 percent or 0.37 acre. The site is almost fully developed with limited areas available for the proposed building addition. In order to accomplish the proposed addition, the applicant must also provide SWM, safe circulation, and landscaping, in conformance with other sections of the County Code. When considering other code requirements and dimensional requirements of on-site woodland conservation areas, providing the woodland conservation threshold on-site would make the building addition not feasible. Accordingly, on-site afforestation would require either a reduction or removal of existing improvements that are necessary for the property's institutional function or require a major redevelopment of the entire site. The subject property is nearly fully occupied by existing buildings and supporting infrastructure. This leaves limited area for the addition and required improvements. Were the applicant also required to provide 0.37 acres of afforestation on-site, it would not be possible to achieve the proposed addition. Relocating the addition and associated improvements to another area of the site would not allow for on-site afforestation. It is further noted that any on-site afforestation would be isolated, since no woodland exists on or adjacent to this urban property. Accordingly, the applicant's proposal to meet its afforestation requirement via a fee-in-lieu is approved.

The proposal includes removal of portions of existing impervious surfaces to provide SWM and new landscape areas to increase tree canopy on-site. Pursuant to Section 25-122(c)(1)(L) of the WCO, on-site landscape credits may only be credited to meet woodland conservation threshold requirements within transit-oriented centers; however, the site is located approximately 0.30 miles away from the nearest transit-oriented center (Riverdale).

The proposed addition to the existing private school, which has been in operation for 75 years, is a significant and reasonable use for the subject property. As noted in the Community Planning finding above, an addition to the existing private school is in conformance with the sector plan. Specifically, the sector plan locates the property in the Town Center character area in which private schools are a permitted use. Further, given the urban nature of the surrounding area, additional institutional density is reasonable at the subject property.

Based on the foregoing, the proposed addition to the existing school is a significant and reasonable use that cannot be achieved elsewhere on the property without a variance. Accordingly, special conditions peculiar to the property would cause an unwarranted hardship were the applicant required to provide on-site afforestation in compliance with Section 25-121(c)(3).

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

Enforcement of these rules would deprive the applicant of rights commonly enjoyed by others in similar areas. The development is required to provide SWM, safe circulation, and landscaping on-site in conformance with other sections of the County Code. Complying with the afforestation requirements of Subtitle 25, in addition to the other County Code requirements, would make the proposed building addition to an existing school not feasible. As noted above, the addition is a significant and reasonable use for the subject property. The ability of the applicant to construct an addition is a right commonly enjoyed by others in similar areas.

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

Granting the variance will not confer a special privilege that would be denied to other applicants. If similar constraints are encountered on other properties, for comparable developments requesting a variance, they will be evaluated under the same criteria. As detailed above, without the approval of this variance, the proposed building addition would not be feasible given the other County Code requirements.

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

This request is not based on conditions or circumstances which are the result of actions by the applicant. The conditions and circumstances that form the basis for this variance are not the result of the applicant's actions, but rather changes to the WCO that occurred in 2024. The basis of this variance is that both an addition and on-site afforestation cannot be provided at the subject property given the degree to which the property has been developed and the need to meet other County Code requirements. The degree of development at the subject property is attributable to the applicable regulations at the time of development. Specifically, the existing school and convent buildings were



constructed in 1950, per Maryland Department of Assessments and Taxation. Aerial imagery on PGAtlas dating to 1965 shows the existing buildings in virtually the same configuration as they are today. At the time that these buildings and their associated improvements were constructed, there were no applicable afforestation requirements for the subject property. Specifically, the County did not have a WCO until 1989 and the property only become subject to an on-site afforestation requirement with the 2024 WCO. Therefore, the property was not developed in a manner that anticipated the need to later comply with a 15 percent afforestation requirement. Accordingly, the circumstances justifying the variance are not the result of actions by the applicant, but rather the regulatory framework under which the property developed.

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

Granting a variance for not meeting the woodland conservation threshold on-site does not arise from any condition on a neighboring property. As noted, the basis of this variance is that both an addition and on-site afforestation cannot be provided at the subject property given the degree to which the property has been developed and the need to comply with other County Code requirements.

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

Granting the variance will not adversely affect water quality because the SWM design for the site is required to meet the current regulations of Subtitle 32 of the County Code and treat the new stormwater volume for the building addition as well as untreated stormwater volume from existing site features. The approved SWM concept plan shows the use of a microbioretention facility, removal of existing impervious areas, and use of an underground stormwater storage facility. 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 SWM concept plan by the Prince George's County Department of Permitting, Inspections and Enforcement.

**Specimen Trees**

Specimen trees are required to be protected under Section 24-121(a)(11) and 24-132(a) of the Subdivision Regulations. The site does not contain specimen trees as defined in the WCO.

**Regulated Environmental Features**

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. However, the site does not contain REF, as defined in Subtitle 24 of the prior Subdivision Regulations.

**Soils**

In accordance with Section 24-131 of the prior Subdivision Regulations, this PPS was reviewed for unsafe land restrictions. The predominant soils found to occur according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey

include Russett-Christiana-Urban land complex and Urban land. According to available mapping information, unsafe soils containing Marlboro clay do not occur on this property. Christiana clay does exist, but there are no geotechnical concerns with this PPS. This information is provided for the applicant's benefit.

14. **Urban Design**—The site was reviewed and evaluated, in accordance with the prior Zoning Ordinance and Subdivision Regulations. Under the prior Zoning Ordinance, the property was in the R-55 and D-D-O Zones. Section 27-548.25(a) of the prior Zoning Ordinance states that prior to issuance of any grading permit for undeveloped property or any building permit in a development district, a DSP for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9, unless modified by the development district standards.

Conformance to the following regulations should be demonstrated at the time of DSP review:

- Section 27-430 – R-55 Zone (One-Family Detached Residential), as applicable;
- Part 10A. Division 3 – D-D-O (Development District Overlay) Zone.

The D-D-O Zone is superimposed over the Arts District to ensure that the development of land meets the sector plan goals and objectives. The D-D-O Zone is subdivided into seven character areas. Each character area has its own set of development district standards with the exception of the stream valley park character area. The subject property is located within the Town Center (TC) character area. The Uses Permitted Table in the sector plan controls the underlying uses listed in the prior Zoning Ordinance (page 167). The proposed use “Private School, all others” is a permitted use in the TC character area. It is worth noting that the existing school building was legally erected pursuant to the District Council Ordinance No. 57-1944 approved in October 1944. The existing convent and school use were certified as a nonconforming use (NCU-6156-85U) in 1985, per Zoning Ordinance No. 57-1944, as adopted by the District Council, to permit “a convent and private school.” The school and convent, as certified nonconforming uses, were lawful existing development prior to the approval of the SMA in 2004.

The Arts District development standards replace the underlying zoning regulations except the Mixed-Use-Town Center (M-U-TC) Zone (page 135), and other exemptions include those outlined on pages 140 through 142 of the sector plan and R-55-zoned properties in the Traditional Residential Neighborhood (TRN) character area within the incorporated City of Hyattsville (page 144).

Page 140 of the sector plan lists four criteria to determine if DSP review is required. The proposed development does not meet those criteria. Pages 140–142 of the sector plan also lists 10 criteria that are exempt from the DDOZ standard. Item 3 (page 140) notes “Legally Existing Development. Until a site plan is submitted, all buildings, structures and uses that were lawful or could be certified as a legal nonconforming use on the date of SMA approval are exempt from the development district standards and from site plan review and are not nonconforming. If expansion of the use on the existing site is proposed, a site plan would be required, and all expansion would need to conform in order to meet the development standards.” Since the proposal is to expand an

existing private school, a site plan and conformance to DDOZ standards are required at the time of permitting.

15. **Citizen Feedback**—The Planning Department did not receive any correspondence from the community regarding this PPS.
16. **Referral to Municipalities**—The subject property is located within the municipality of the City of Hyattsville. This PPS was referred to the City for review and comments on April 1, 2025 and May 5, 2025. The Planning Department did not receive any comments from the City.
17. **Planning Board Hearing**—At the July 17, 2025 Planning Board hearing, staff presented the PPS to the Board. The applicant submitted two items prior to the noon deadline on July 15, 2025, which are entered into the record as Applicant’s Exhibits 1 and 2. Exhibit 1 includes the applicant’s requested changes to Conditions 2 and 3 in the technical staff report. Staff recommended approval of revised Condition 2, since the revised language will allow the applicant to submit a variation request to this requirement of the prior Subdivision Regulations, at the time of filing their final plat. Regarding Condition 3, staff recommended approval of the proposed addition by the applicant, but also recommended that additional language be added to ensure that any modifications are made pursuant to the applicable code. Staff then proceeded to read the modified Condition 3 into the record. Applicant’s Exhibit 2 was a letter mailed by the applicant, providing the time and location of a community meeting scheduled by the applicant on July 2, 2025. Staff noted that this PPS was reviewed under the prior Subdivision Regulations, pursuant to which, a community or neighborhood meeting is not a requirement for approval of a PPS. The applicant’s attorney, Matthew C. Tedesco, then spoke on behalf of the applicant, providing the background and summary for the proposed development. The Board approved the PPS unanimously (with conditions), as recommended by staff, and approved revised Condition 2, as proposed by the applicant. The Board also approved revised Condition 3, as proposed by the applicant, and as modified by staff and read into the record.

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.

\* \* \* \* \*

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Barnes voting in favor of the motion at its regular meeting held on Thursday, July 17, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of July 2025.

Darryl Barnes  
Chairman

By   
Jessica Jones  
Planning Board Administrator

DB:JJ:BS:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: July 22, 2025