



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Preliminary Plan of Subdivision DCMC Campus

4-21018

REQUEST	STAFF RECOMMENDATION
One parcel for 1,129,390 square feet of institutional use (health campus). (This case was continued from the Planning Board hearing date of May 5, 2022 to May 26, 2022.)	With the Conditions Recommended herein: <ul style="list-style-type: none">• Approval of Preliminary Plan of Subdivision 4-21018• Approval of Type 1 Tree Conservation Plan TCP1-007-2022• Approval of a Variance from Section 25-122(b)(1)(G)

Location: In the northeast quadrant of the intersection of Good Luck Road and Hanover Parkway.	
Gross Acreage:	40.04
Zone:	RSF-95
Zone Prior:	R-80
Reviewed per prior Subdivision Regulations:	Section 24-1703(a)
Dwelling Units:	0
Gross Floor Area:	1,129,390 sq. ft.
Lots:	0
Parcels:	1
Planning Area:	67
Council District:	03
Municipality:	N/A
Applicant Address: Doctors Hospital, Inc. 8220 Good Luck Road Lanham, MD 20706	
Staff Reviewer: Mridula Gupta Phone Number: 301-952-3504 Email: Mridula.Gupta@ppd.mncppc.org	



Planning Board Date:	05/26/2022
Planning Board Action Limit:	07/21/2022
Mandatory Action Timeframe:	140 days
Staff Report Date:	05/13/2022
Date Accepted:	03/03/2022
Informational Mailing:	05/19/2021
Acceptance Mailing:	03/01/2022, 03/23/2022
Sign Posting Deadline:	04/05/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-21018
Type 1 Tree Conservation Plan TCP1-007-2022
DCMC Campus

OVERVIEW

The subject site consists of part of Lot 3 and Lot 4 shown on a plat for Magnolia Springs, recorded in Plat Book SDH 3 page 65, dated October 14, 1927; Lots 5A and 5B shown on a plat for Magnolia Springs, recorded in Plat Book NLP 138 page 66, dated May 1988; Parcels 2 and 3, shown on a plat for Doctors Hospital, recorded in Plat Book MMB 238 page 48, dated June 10, 2013; and an acreage parcel known as part of Lot 3, as described in Liber 42753 folio 389. The subject property is 40.04 acres and is located in the Residential, Single-Family-95 (RSF-95) Zone and is subject to the 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity* (master plan) and the 1990 *Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* (SMA). However, this application is reviewed in accordance with the prior Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations, as required by Section 24-1703(a) of the Subdivision Regulations. The site is subject to One-Family Detached Residential (R-80) zoning under the prior Zoning Ordinance.

This preliminary plan of subdivision (PPS) application proposes one parcel for institutional development consisting of 1,129,390 square feet of gross floor area, specifically for a medical health campus. The subject property is currently improved with seven medical buildings totaling 509,800 square feet, which will remain. An additional 619,590 square feet of gross floor area is proposed for the medical health campus.

The applicant also filed a variance request to Section 25-122(b)(1)(G) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), in order to allow removal of three specimen trees. This request is discussed further in the Environmental finding of this technical staff report.

Staff recommends **APPROVAL** of the PPS with conditions, and **APPROVAL** of the requested variance, based on the findings contained in this technical staff report.

SETTING

The subject property is located on Tax Map 35 in Grids A3, A4, B3, and B4; and is within Planning Area 67. The site is located in the northeast quadrant of the intersection of Good Luck Road and Hanover Parkway. The municipal limits of the City of Greenbelt adjoin the property to the north and

west. The surrounding neighborhood has a mix of institutional and residential uses. The following development abuts the subject site and is also in the RSF-95 Zone: Good Luck Road to the south with institutional uses beyond; Mallery Drive to the southeast with a church and vacant properties beyond; and single-family residences and an elementary school to the east. A 70-foot-wide Potomac Electric and Power Company right-of-way adjoins the property to the north and west in the Rural Residential Zone. Beyond the utility easement, single-family residential development is located in the Residential, Single-Family-65 Zone.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	RSF-95	RSF-95
Use(s)	Institutional Use	Institutional Use
Acreage	40.04	40.04
Dwelling Units	0	0
Gross Floor Area	509,800	1,129,390 sq. ft.
Parcels	3	1
Lots	4	0
Outlots	0	0
Variance	No	Yes Section 25-122(b)(1)(G)
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee (SDRC) meeting on March 18, 2022.

- 2. Previous Approvals**—There are no prior PPS associated with the subject site. The original lots and acreage parcels have been subdivided and consolidated in accordance with various exemptions available under the Subdivision Regulations. Portions of the property have been the subject of prior special exception (SE) applications since the 1960s, which allowed development of the site with a nursing home (SE-730), hospital (SE-1120), and expansion of a hospital (SE-3117). The most recent SE-3307, which was approved in 1981, permitted conversion of the hospital and nursing home to a health campus, and encompasses 38.15 acres of the subject site. SE-3307 has been the subject of numerous revisions of site plan (ROSP) since its approval.

Detailed Site Plan DSP-12010, titled Magnolia Center, was approved on May 2, 2013, by the Prince George's County Planning Board (PGCPB Resolution No. 13-39) for development of a 72,660-square-foot (130-bed) nursing home on Parcel 2, Plat Book MMB 238 page 48. This development was exempt from filing a PPS pursuant to Section 24-107(c)(7)(D), Section 24-108(a)(3), and Section 24-111(c)(4) of the Subdivision Regulations.

Approval of this PPS will supersede any prior subdivision and final plat approvals and provide an adequacy analysis based on the development evaluated herein.

Development on the property is subject to Prince George's County Council Bill CB-40-2021, which amended Section 27-441(b) of the Zoning Ordinance by permitting the Health Campus use in the R-80 Zone, subject to certain specified requirements listed in Footnote 143. This footnote specifies that:

Notwithstanding any other provision of this Subtitle or Code, an amendment to or expansion of a health campus, on property that is the subject of one or more previously approved special exceptions for a health campus, to include uses set forth in Section 27-362(a)(3) (including parking and loading needs of employees and residents of, and visitors and delivery services to, the site), and including expansion of said uses to any other property in the R-80 Zone that is contiguous to the property boundaries of said previously approved health campus use, shall be permitted by right and does not require special exception approval or an amendment to the previously approved special exception for the health campus, provided:

- (1) The original special exception as to the existing health campus use for the property (which may have been enlarged since the original approval) was approved prior to January 1, 1982;**
- (2) The health campus consists of a minimum of twenty-five (25) contiguous acres; and**
- (3) The health campus includes buildings that cumulatively total at least 100,000 square feet of gross floor area.**

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

Plan 2035

This application is located within the Established Communities growth policy area. Plan 2035 describes Established Communities as areas appropriate for context-sensitive infill and low- to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met (page 20).

Master Plan

The master plan recommends institutional and office land uses on the subject property.

SMA/Zoning

The SMA reclassified the subject property into the R-80 zone. The 2018 Countywide Map Amendment placed the subject property in the RSF-95 Zone.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application conforms to the land use recommendation of the master plan.

- 4. Stormwater Management**—A proposed stormwater management (SWM) concept plan was submitted with this application, which is pending approval by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The concept plan

addresses SWM for a 127,000-square-foot acute care pavilion and parking garage, which consists of Phase 1 of the proposed development. The unapproved plan shows the use of several micro-bioretention and bioretention facilities proposed in conjunction with bioswales, submerged gravel wetlands, and a rainwater harvesting system to detain and treat stormwater before it leaves the site. Staff recommends that the applicant consider alternative methods of stormwater storage during the final design of the stormwater plan, such as additional underground vault storage in-lieu of the submerged gravel wetland SGW 1 that is proposed within the northwestern corner of the site. Removing this proposed submerged gravel wetland would preserve additional existing woodland on-site, while providing additional screening between the proposed development and the rear of the houses located adjacent to master-planned alignment of Brae Brook Drive. Development of future Phase 2 is proposed to be addressed with additional SWM facilities and will require a revision to the current SWM concept plan. Approval of the final SWM design will be required by DPIE, prior to approval of permits for the site.

In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the SWM concept approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs.

5. **Parks and Recreation**—In accordance with Section 24-134(a) of the Prince George’s County Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
6. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the master plan, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the Subdivision Regulations to provide the appropriate transportation recommendations.

Master Plan Conformance

This development fronts on the following master plan roads:

- Good Luck Road (C-103) is an ultimate four-lane collector that is currently built with two lanes within approximately 70-feet of right-of-way. The master plan requires a widening of Good Luck Road to four lanes between Woodside Drive (to the east), and Cathedral Avenue, west of the Capital Beltway. Since most of the road along the property frontage is within approximately 70-feet of right-of-way, this application will require dedication of 40 feet from the centerline of Good Luck Road.
- Brae Brook Drive (C-104) is a two-lane road within 80-feet of right-of-way, which has been partially built east of the subject site. The section of this planned road on which the property fronts is not built and it is not required to serve as primary access for the property. The applicant does not propose to dedicate the right-of-way located on the property. Accordingly, staff considered other strategies for preservation of the master plan right-of-way for C-104, including reservation of the right-of-way. Pursuant to Section 24-139(b) of the Subdivision Regulations, in an April 7, 2022 letter to the County agencies, staff solicited a request for comments on the potential recommendation of reservation of the right-of-way for the unbuilt portion of Brae Brook Drive. In an April 29, 2022 memorandum to staff

(Bolling to Burton), DPIE indicated that it does not support the recommendation for reservation of C-104. In a letter dated May 4, 2022 to DPIE (Jordan to Bolling), the City of Greenbelt expressed strongly its opposition to the unbuilt portion of C-104 being placed in reservation. Based primarily on DPIE's response letter, staff does not recommend this road be placed in reservation for the portion of the roadway included in the subject application.

Master Plan Pedestrian and Bike Facilities

The MPOT includes the following goal and policies regarding sidewalk and bikeway construction and the accommodation of pedestrians and bicyclists (MPOT, pages 7 and 8):

GOAL: Provide a continuous network of sidewalks, bikeways and trails that provide opportunities for residents to make some trips by walking or bicycling, particularly to mass transit, schools, employment centers, and other activity centers.

POLICY 2: Provide adequate pedestrian and bicycle linkages to schools, parks, recreation areas and employment centers.

POLICY 3: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.

POLICY 4: Identify sidewalk retrofit opportunities for small area plans within the Developed and Developing Tiers in order to provide safe routes to school, pedestrian access to mass transit and more walkable communities.

POLICY 5: Plan new development to help achieve the goals of this master plan.

The master plan recommends a hard surface trail (Mandan Path) along the planned C-104 (Brae Brook Drive), and side path and bike lanes along Good Luck Road. Brae Brooke Drive, however, is not recommended for dedication or reservation with this application. Staff recommends a shared-use path be provided along Good Luck Road to accommodate both bicyclists and pedestrians, which can be accommodated using less right-of-way.

Site Access and Circulation

The existing hospital campus is currently served by three access points on Good Luck Road and a fourth on Mallery Drive, a two-lane public street within approximately 40-feet of right-of-way. The applicant will be required to dedicate 25 feet of right-of-way from the center line of Mallery Drive.

From the standpoint of vehicular access and internal mobility, the applicant is proposing a network of on-site driveways that will significantly enhance on-site circulation. Three of the four access points will continue to function in their current capacities. A May 10, 2022 letter from DPIE (Lord-Attivor to Capers) has confirmed that the Prince George's County Department of Public Works and Transportation will approve the permit for signalization at the intersection of Good Luck Road and Mallery Drive.

With the addition of greater than 600,000 square feet of new hospital-related floor space, the local as well as the on-site transportation network will see a significant increase in traffic. Pedestrian traffic is also expected to see an increase. To that end, the applicant submitted a Circulation Exhibit (provided in the backup of this technical staff report, and incorporated by reference herein), which proposes a network of pedestrian paths that are designed to provide access to all of the on-site facilities. In examining this network, there are areas where the applicant has fallen short of this goal. Specifically, there is no pedestrian connection between the Rehabilitation and Patient Care Center on the northwestern end of the site with a similarly named facility on the eastern side of the site. This issue should be further examined at the next phase of the review process. In addition, the number and location of bicycles racks will also be evaluated at the next stage of review.

Analysis of Bicycle & Pedestrian Impacts

This development is not located within any established corridor, and is, therefore not subject to Section 24-124.01 of the Subdivision Regulations and the "Transportation Review Guidelines – Part 2".

Traffic Evaluation

The proposed development is projected to generate greater than 50 trips in either peak hour, consequently a traffic impact study (TIS) has been provided. The findings and recommendations outlined below are based upon a review of the materials and analyses conducted consistent with the "Transportation Review Guidelines – Part 1" (Guidelines).

Analysis of Traffic Impacts

The subject property is currently improved with a fully functioning hospital, with a pending proposal to expand its services. The facility is located within Transportation Service Area (TSA) 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation per Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any TSA subject to meeting the geographical criteria in the Guidelines.

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

For two-way stop-controlled intersections, a three-part process is employed: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 193 & Hanover Parkway	A/746	A/854
Hanover Parkway & Ora Glen Drive	A/455	A/715
Good Luck Road & Lamont Drove	A/398	A/790
Good Luck Road & Hanover Parkway	A/609	A/800
Good Luck Road & Site Access 1 (inbound only)*	7.8 seconds	2.4 seconds
Good Luck Road & Site Access 2 (right-out only)*	11.4 seconds	13.7 seconds
Good Luck Road & Mallery Drive*	14.3 seconds	25.2 seconds
Good Luck Road & Cipriana Road	A/704	B/1025
MD 450 & Princess Garden Parkway	A/676	C/1158
MD 564 & MD 450 Ramp	A/931	B/1144
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition.		

The TIS identified the Washington Education Zone development as a background development. In addition, a growth of one percent over six years was also applied to the through traffic volumes.

Using the trip rates from the *Trip Generation Manual, 10th edition* (Institute of Transportation Engineers), the study has indicated that the subject application represents the following trip generation:

Proposed uses (ITE-610)	GFA sq. ft.	AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Women's Pavilion	162,700	89	44	133	49	91	140
Future Medical Office	105,400	58	28	86	32	59	91
Future Medical Office	90,600	50	24	74	27	51	78
Future Hospital Addition	157,290	86	43	129	47	88	135
Future Medical Office	103,660	57	28	85	31	58	89
Total New Development - B	619,650	340	167	507	186	347	533
Existing Buildings to remain - A	509,800			799			765
Trip Cap = A+B	1,129,450			1,306			1,298

The table above indicates that the proposed development will be adding 507 AM and 533 PM peak-hour trips. The trip cap threshold is based on the total development on-site to include the existing and proposed densities. A second analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
MD 193 & Hanover Parkway	A/898	A/958
Hanover Parkway & Ora Glen Drive	A/534	A/805
Good Luck Road & Lamont Drove	A/489	A/961
Good Luck Road & Hanover Parkway	B/920	C/1169
Good Luck Road & Site Access 1 (inbound only)*	13.0 seconds	11.4 seconds
Good Luck Road & Site Access 2 (phase 1)* Tier 1: HCS Delay test (phase 2)	11.0 seconds	
Good Luck Road & Mallery Drive	11.8 seconds	12.6 seconds
Good Luck Road & Cipriana Road	A/962	C/1275
MD 450 & Princess Garden Parkway	A/825	D/1376
MD 564 & MD 450 Ramp	B/1065	C/1265
*Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. If delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the Highway Capacity Manual (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. If the CLV falls below 1,150 for either type of intersection, this is deemed to be an acceptable operating condition. However, if the CLV is 1151 or greater, a traffic signal warrant study must be done.		

The results under total traffic conditions show that all signalized intersections will operate adequately. The Good Luck Road and Mallery Drive intersections fail the three-tier test for unsignalized intersections. Normally, failure of the three-tier test would result in traffic signal warranty analysis being done pursuant to the Guidelines. However, information provided by DPIE has indicated that a permit for signalization has already been approved, hence a warrant study will be unnecessary. The traffic study was referred out to the Maryland State Highway Administration (SHA), as well as DPIE. Staff is in receipt of a May 5, 2022, memorandum (Rigby to Lenhart) from SHA, commenting on the revised TIS. While SHA's comments came from many sources within the organization, many offered no comments on the TIS, while some offered comments that were operational in nature. As of this writing, the TIS consultant (Lenhart) has not provided any feedback regarding SHA's comments.

Staff is also in receipt of a memorandum from DPIE dated March 23, 2022 (Giles to Gupta), in which traffic-related comments were provided. Many of the issues raised by DPIE are operational and will be addressed by DPIE at time of permitting. DPIE's comments related to bicycle and pedestrian amenities along Good Luck Road have already been addressed in the TIS. In general, DPIE is supportive of the proposed PPS.

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

7. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewerage, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated March 9, 2022 (Perry to Gupta), provided in the backup of this technical staff report, and incorporated by reference herein.

The master plan provides goals and policies related to public facilities (pages 141–172). The proposed development aligns with the master plan's intention to provide public facilities designed to support existing development patterns. There are no police, fire and emergency medical service facilities, schools, parks, or libraries proposed on the subject property.

8. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and Prince George's County Council Resolutions CR-23-2001 and CR-38-2002, *Amended Adequate Public Schools Facility Regulations for Schools*. Staff concluded that the commercial property is exempt from a review for schools because it is a nonresidential use.
9. **Use Conversion**—The total development included in this PPS is proposed for up to 1,129,390 square feet of institutional gross floor area in the R-80 Zone. Any residential development on the subject property will require approval of a new PPS, prior to approval of any building permits.
10. **Public Utility Easement**—Section 24-122(a) requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

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

The standard requirement for public utility easements (PUEs) is 10-foot-wide along both sides of all public rights-of-way. The subject site fronts on public rights-of-way to the south along Good Luck Road; to the east along Mallery Drive; and to the northeast along C-104 (Brae Brook Drive). The public right-of-way for Nightingale Drive terminates at the property line to the east. The required PUE along all of these public rights-of-way are delineated on the PPS. Brae Brook Drive is an 80-foot-wide master plan collector road C-104, which is currently dedicated, but yet unbuilt up to the edge of the subject property to the northeast. The future extension of C-104 is located along the northern edge of the subject property and is shown correctly on the PPS. By memorandum (Bolling to Burton), DPIE has stated that they will not require the applicant to reserve the right of way for C-104 and it is not required to serve as access for the property. A PUE will therefore not be required along the edge of this future right-of-way for C-104 and is accordingly not shown on the PPS.

- 11. Historic**—One prehistoric archeological site, 18PR747, a prehistoric quartz procurement site and lithic scatter, is located within a one-mile radius of the subject property. The probability of finding additional prehistoric archeological resources within the subject property is moderate.

There is one historic site, Larcombe House (70-005), and two historic resources, Magnolia Springs (70-011) and Flint-Devine House (70-040), located within a one-mile radius of the subject property.

Deed records indicate that there is a small burying ground along the western line of what is now Parcel 2 of the Doctors Hospital Subdivision and Lot 3 of the Magnolia Springs Subdivision. This small burying ground is first mentioned in a deed from 1872 (Liber HB 6 at folio 135), but disappears from the records after 1905 (Liber 28 at folio 175; Liber 67 at folio 335). The land on which the burying ground is located was named Beall's Farm, a 949.5-acre tract patented to Richard Beall, son of Ninian Beall, on January 24, 1786. Richard Beall had accumulated the 950 acres through a series of transactions dating from 1756 to 1779. At the time the Federal Direct Tax was recorded in 1798, Richard Beall's son, Jonathan Beall, was residing on a portion of the Beall's Farm property. Jonathan Beall married Rachel Duckett in 1775. It is unknown when she died or if she and Jonathan Beall had any children. By 1794, Jonathan Beall married for the second time to Elizabeth Williams.

Richard Beall died in 1799 and devised a portion of the Beall's Farm property to his son, Jonathan Beall, who then added 47.5 of the Addition to Bacon Hall tract and 21.25 acres of the Quebec tract to his landholdings in 1799. Another 23 acres of the Addition to Bacon Hall tract were acquired by Beall in 1811. Jonathan Beall is listed in the 1800, 1810, and 1820 census records. Beall held four slaves in 1800, six in 1810, and 16 in 1820. Jonathan Beall died around 1826 and did not leave a will. His property presumably passed to his wife and children. It appears that Elizabeth Beall was unable to pay the debts against the estate of Jonathan Beall and in 1835, 340 acres of Beall's Farm, Addition to Bacon Hall, and Quebec were sold by the Prince George's County Sheriff at public auction to George A. Barnes to cover a debt owed by Elizabeth D. Beall and her son, Otho W. Beall to Richard J. Morsell. Walter Smith, Sr. acquired 397.75 acres in Beall's Farm, Addition to Bacon Hall, and Quebec from George A. Barnes in 1836. Walter Smith died in 1841 and willed the 397.75 acres to his daughter, Lucy Elizabeth Beall, wife of Azel Beall, with the provision that the land pass to her children after her death. Maria L. Hilleary, the only child of Lucy Elizabeth Beall, inherited the 397.75 acres from her mother and sold the property to Christopher O'Hare in 1864.

The property changed hands several times in the 1860s and on May 24, 1872, John W. and Mary A. Rumsey conveyed 98 acres of Beall's Farm to Lester A. Bartlett. This is the first deed that mentions a "small burying ground" near the western edge of the property. The deed does not clarify if the burial ground is on the property or on the adjoining property. The metes and bounds place the burying ground near the west line of the 98-acre tract. Parcel 2, on which the current nursing home is located, is the western portion of the 98-acre tract and there is no record that the burying ground was ever removed from the property. The "small burying ground" is mentioned in the deed records until 1905 when the 98 acres in Beall's Farm are sold to E. Baker Evans, who then recorded his "Princess Gardens" subdivision in Deed Book 13, pages 158–159. Allen W. and Mary I. Mallery acquired the 98 acres in Beall's Farm from the Maryland Guaranty Title and Insurance Company in 1927.

Allen W. Mallery subdivided a portion of the land in September 1927 and called his new subdivision "Magnolia Springs." The burial ground is not shown on the subdivision plat, but from deed descriptions, it would have been located on the eastern side of Lot 3 of the Magnolia Springs subdivision. Allen W. and Mary I. Mallery conveyed by written contract to Matheas F. and Virginian Elsey, Lot 3 of the Magnolia Gardens subdivision on April 15, 1940. This written contract was not recorded in the deed records and the Elsseys apparently never paid for the land. The land then reverted back to the Mallerys. Allen W. Mallery died, and his widow Mary I. Mallery and their children sold Lot 3 to Virginia Elsey on February 20, 1951. Virginia Elsey then conveyed part of Lot 3 in the Magnolia Gardens subdivision to John Ripley on May 7, 1951. John Ripley constructed a house on Lot 3 sometime after his purchase. The Ripleys owned 2.05 acres of Lot 3 in the Magnolia Springs subdivision until the land was recently sold to Doctors Community Hospital.

There are several former owners of Lot 3 in the Magnolia Springs Subdivision who may be buried on the property. Jonathan Beall, the son of Richard and Rebecca Beall, lived on the tract from the late 18th century until his death about 1826. His first wife, Rachel Duckett Beall, died some time prior to his second marriage in 1794. She may also be buried on the property. Other possible burials on the property include Lucy Elizabeth Beall and Azel Beall, her husband. There could also be children who died at a young age buried on the property, as well as enslaved people.

Maryland law provides protection against disturbance of burial sites and human remains (Code of Maryland, Criminal Law Article 10-401 Crimes Against Public Health, Conduct and Sensibilities, Subtitle 4). A person may not remove or attempt to remove human remains from a burial site except under certain conditions. The state's attorney for a county may authorize in writing the removal of human remains from a burial site in the state's attorney's jurisdiction: 1) to ascertain the cause of death of the person whose remains are to be removed; 2) to determine whether the human remains were interred erroneously; 3) for the purpose of reburial; or 4) for medical or scientific examination or study allowed by law. There are certain notification procedures required by the state's attorney's office to relocate human remains.

A burial ground is mentioned in a deed from the 1870s, but its location is not specifically described. The description also did not mention if the burial ground was located on the parcel being sold or on the adjoining parcel. No burials were found during the construction of the nursing home on Parcel 2 of the Doctors Community Hospital campus. Therefore, the burial ground was likely located on Lot 3 of the Magnolia Springs subdivision, which is now owned by the hospital. Appropriate conditions are recommended to require a Phase I archeological investigation, and if required, Phase II and III investigations, prior to approval of permits for this area.

12. **Environmental**—This PPS application (4-21018) and a Type 1 Tree Conservation Plan (TCP1) were accepted on March 3, 2022. Comments were provided to the applicant at the SDRC meeting on March 18, 2022. Revised plans were submitted by the applicant and logged in for review on March 31, 2022. The following applications and associated plans have been previously reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan or Natural Resources Inventory Number	Authority	Status	Action Date	Resolution Number
NA	NRI-044-07	Staff	Expired	08/09/2007	NA
NA	NRI-044-07-01	Staff	Expired	07/18/2011	NA
NA	NRI-044-07-02	Staff	Expired	01/15/2013	NA
NA	NRI-044-07-03	Staff	Expired	07/18/2013	NA
SE-3307 (-00 through -14 revisions)	NA	District Council	Approved	NA	NA
4-02110	TCP1-065-02	Planning Board	Superseded	05/12/2005	03-71
NA	NRI-188-13	Staff	Expired	11/18/2013	NA
DSP-12010	TCP2-007-13 and TCPII-016-97/06	District Council	Approved	06/12/2013	13-39
NA	TCP2-007-13-01	Staff	Approved	10/10/2013	NA
NA	NRI-062-2021	Staff	Approved	10/21/2021	NA
4-21018	TCP1-007-2022	Planning Board	Pending	Pending	Pending

Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 that came into effect on September 1, 2010, because the application is for a new PPS.

Plan 2035

The site is located in Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035, and the Established Communities area of the General Plan Growth Policy (2035).

Master Plan

The Environment Envelope Section of the master plan does not include any relevant applicable goals, policies, or strategies for this application.

Countywide Green Infrastructure Plan

The 2017 *Countywide Green Infrastructure Plan* was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan). According to the approved plan, the site contains no regulated areas within the network. However, evaluation areas are located along the western, northern, and eastern perimeters of the property, associated with existing woodlands.

The proposed development will not impact any county regulated environmental features, and impacts are limited to previously developed 100-year floodplain on-site.

While some of the evaluation area green infrastructure elements mapped on the subject site will be impacted, the overall site has been graded under previous approvals, and the design of the site meets the zoning requirements and the intent of the growth pattern established in Plan 2035.

Based on the proposed layout, the project demonstrates conformance with the applicable policies and strategies of the Green Infrastructure Plan.

ENVIRONMENTAL REVIEW

Natural Resources Inventory/Existing Conditions

A signed Natural Resources Inventory (NRI-062-2021) was submitted with this application. The site does not contain any regulated environmental features, such as wetlands, streams, or associated buffers. No primary management area or 100-year floodplain is mapped on-site. The NRI indicates the presence of three forest stands totaling 12.19 acres on-site. A total of three specimen trees are identified on-site.

The PPS is consistent with the environmental features identified on the NRI. There are no other issues regarding the NRI.

Woodland Conservation

This site is subject to the provisions of the WCO because the application is for a new PPS. This project is also subject to the Environmental Technical Manual. TCP1-007-2022 was submitted with the subject application and requires revisions to be found in conformance with the WCO.

This site combines the land associated with two existing and previously implemented TCP2s together. Although the current area of existing woodlands onsite is 12.19 acres, the combined TCP1 worksheet must include the total area of past woodlands that existed on-site, prior to each of the implemented TCP2 plans. According to the footnote under the TCP2 worksheet, the area of existing woodland in the worksheet is 18.89 acres based on 10.62 acres from TCP2-16-97 and 8.52 acres from TCP2-007-13, minus the 0.25-acre portion of Brae Brook Drive that was previously dedicated on Plat Book MMB 237, Plat 87. Since the remaining master-planned rights-of-way for Brae Brook Drive will be required to be dedicated in the future, but not constructed with this application, per Subtitle 25-122(b)(1)(N)(vii), the land within this area of the master-planned right-of-way is counted as part of the existing woodlands with this application, but must be shown as woodlands retained not credited.

According to the TCP1, the woodland conservation threshold for this 40.04-acre property is 20 percent of the net tract area, or 8.01 acres. The total woodland conservation requirement based on the cumulative amount of clearing proposed and what has already previously occurred is 19.64 acres. The woodland conservation requirement is proposed to be satisfied with 1.95 acres of on-site preservation, 1.33 acres of afforestation/reforestation, and 16.26 acres of off-site mitigation.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Christiana-Downer-Urban land complex; Downer-hammonton-Urban land complex (0-5 percent slopes); Issue-Urban land complex, occasionally flooded; Russett-Christiana-Urban land complex (0-5 percent slopes); Udorthents, reclaimed clay pits (0-15 percent slopes); and Udorthents-Urban land complex (0-5 percent slopes).

Marlboro clays have not been identified on or within the immediate vicinity of this property; however, unsafe soils containing Christiana complexes have been mapped across various portions of the site.

There are no geotechnical issues considering the proposed construction and the existing site and subsoil conditions. Correspondence from DPIE demonstrating conformance with Section 24-131 of the Subdivision Regulations for unsafe soils is not required at this time, and no further action is needed as it relates to this application. The County may require a soils report, in conformance with CB-94-2004 during future phases of development and/or at time of permit.

Preservation of Regulated Environmental Features

Section 24-130(b)(5) requires the following finding:

“The Planning Board shall require that proposed subdivisions conform to the following: Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25.”

Because no regulated environmental features will be impacted by the proposed development, staff finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible, in accordance with the requirement of Section 24-130(b)(5).

Specimen, Champion, or Historic Trees

Tree conservation plans are required to meet all the requirements of Subtitle 25, Division 2, which includes the preservation of specimen trees, in accordance with Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species’ ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species’ ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) will be required. Applicants can request a variance from the provisions of Division 2, Subtitle 25, of the WCO, provided all the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a letter of justification (LOJ) stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 variance application and an LOJ in support of a variance, received March 2, 2022, was submitted for each of the trees proposed to be removed.

The LOJ requests the removal of all three of the existing specimen trees located on-site. Specifically, the applicant seeks to remove Specimen Trees ST-1, ST-2, and ST-3. The TCP1 shows the location of the trees proposed for removal and identifies these trees as being in good condition. These trees are centrally located on-site directly north of the existing hospital building and immediately west of the existing helipad.

SPECIMEN TREE SCHEDULE SUMMARY FOR THREE TREES PROPOSED FOR REMOVAL ON
TCP1-007-2022

SPECIMEN TREE #	COMMON NAME	DBH* (inches)	CONDITION	APPLICANTS PROPOSED DISPOSITION	NOTES/ RECOMMENDATIONS
ST-1	Southern Red Oak	34"	Fair	Removed	None
ST-2	Southern Red Oak	41"	Good	Removed	None
ST-3	Southern Red Oak	39"	Good	Removed	None

* Diameter at breast height

Staff supports the removal of the three specimen trees requested by the applicant, based on the findings below.

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

The proposed use for an expansion of the existing health campus cannot be accomplished elsewhere on-site without the requested variance to remove these three trees. The area is adjacent to the existing building and helipad, and expansion within this area is required to locate the new ambulance loading/unloading zone and new helipad for the quickest access to the emergency department. The proposed use, an expansion of an existing hospital, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Requiring the applicant to retain the three specimen trees on the site would further limit the area of the site available for redevelopment 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 Subtitle 25 and the 2018 Environmental Technical Manual for site specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

The property is already developed as a health campus, including Doctor's Community Hospital, and is proposed for additional development to expand the health campus that will serve the medical (and rehabilitation) needs of the citizens of Prince George's County.

Enforcement of these rules for these specimen trees would result in an inability for the applicant to fully construct the needed expansion and updated emergency transport services that serves the citizens of the County.

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

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application. This is not a special privilege that would be denied to other applicants.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant.

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

The request to remove the trees does not arise from any condition on a neighboring property.

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

All proposed land development activities will require sediment control and SWM measures to be reviewed and approved by the County.

Granting this variance request will not violate water quality standards, nor cause measurable degradation in water quality. The project is subject to SWM regulations as implemented locally by DPIE. The project is subject to environmental site design to the maximum extent practicable. The removal of three specimen trees will not directly affect water quality.

Erosion and sediment control requirements are reviewed and approved by the soil conservation district. Both SWM and sediment and erosion control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the state's standards. State standards are set to ensure that no degradation occurs.

The required findings of Section 25-119(d) have been adequately addressed for the removal of ST-1, ST-2, and ST-3.

13. Urban Design—Conformance with the Zoning Ordinance is evaluated, as follows:

Conformance with Zoning Ordinance

A Health Campus is a permitted use in the R-80 Zone, subject to a special exception under Section 27-441, Footnote 143 (in accordance with CB-40-2021). This property was the subject of the previous approved SE-3307, which was revised numerous times. Conformance with additional requirements of the Zoning Ordinance will be evaluated at time of permit, including but not limited to, the following:

- Section 27-362, Health Campus
- Part 11, Off-Street Parking and Loading, and
- Part 12, Signs

Conformance with the 2010 Prince George's County Landscape Manual

This development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Specifically, the site is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets. Conformance with the requirements of the Landscape Manual will be evaluated at time of building permit.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties that are zoned R-80 (under the prior Zoning Ordinance) are required to provide a minimum of 15 percent of the gross tract area in TCC. The subject site is 40.04 acres, and will be required to provide a minimum of 6.006 acres of the tract area in TCC. Conformance with the requirements of TCC will be evaluated at time of building permit.

- 14. Referral to Adjoining Municipalities**—The subject property is located adjacent to the geographical boundary of the City of Greenbelt, and within one mile of the geographical boundary of the City of New Carrollton. The PPS application was referred to both the cities for review and comments on March 4, 2022. At the time of the writing of this staff report, no correspondence has been received from the City of New Carrollton. The City of Greenbelt notified staff (via an email from Simmons to Gupta) that the City Council would be reviewing this PPS application. However, at the time of the writing of this staff report, no comments have been received from the City of Greenbelt. The city has however forwarded a copy of its letter sent to DPIE, opposing the reservation for C-104 and recommending that the unimproved right-of-way remain wooded.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to:
 - a. Label Nightingale Drive and its right-of-way width.
 - b. Revise proposed gross floor area listed in General Note 23, and total existing and proposed gross floor area listed in General Note 24, to reflect the gross floor area used to establish the trip cap for the development.
2. Total development within the subject property shall be limited to uses which generate no more than 1,306 AM peak-hour trips and 1,298 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a

new preliminary plan of subdivision, with a new determination of the adequacy of transportation facilities.

3. Any residential development on the subject property shall require the approval of a new preliminary plan of subdivision, prior to approval any building permits.
4. Prior to approval, the final plat of subdivision shall include the following right-of-way dedication consistent with the approved preliminary plan of subdivision:
 - a. 40 feet from the centerline of Good Luck Road
 - b. 25 feet from the centerline of Mallery Drive
5. Prior to approval of the first building permit within the subject property, the following transportation improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:
 - a. Construct the shared-use path along the subject site's entire frontage of Good Luck Road, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement. This path shall be constructed concurrently with the frontage improvements.
 - b. Good Luck Road and Mallery Drive intersection—Install a traffic signal, subject to the requirements of Prince George's County Department of Permitting, Inspections and Enforcement.
6. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along the public rights-of-way, in accordance with the approved preliminary plan of subdivision.
7. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-007-2022). 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 (TCP1-007-2022), 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/Tree Preservation Policy.”
8. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

9. Development of this site shall be in conformance with the approved Stormwater Management (SWM) Concept Plan (47214-2021-0) and any subsequent revisions. The final plat shall note the SWM concept plan number and approval date.
10. Prior to any ground disturbance or the approval of a grading permit for Lot 3, Magnolia Springs Subdivision (Plat Book SDH 3 plat no. 65):
 - a. The applicant shall perform Phase I (Identification) archeological investigations according to the Planning Board's Guidelines for Archeological Review (May 2005), to determine if any cultural resources are present. The applicant shall submit a Phase I Research Plan for approval by the Historic Preservation Section staff archeologist, prior to commencing Phase I work. Evidence of Maryland-National Capital Park and Planning Commission concurrence with the final Phase I archeological report and recommendations is required, prior to approval of a grading permit.
 - b. Upon receipt of the Phase I archeological report by the Historic Preservation Section, if it is determined that potentially significant archeological resources exist in the project area, the applicant shall provide a written plan for:
 - (1) Evaluating the resource at the Phase II level, or
 - (2) Avoiding and preserving the resource in place.
 - c. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report to the Historic Preservation Section detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner.
11. Depending upon the significance of findings (at Phase I, II, or III level), the applicant shall provide interpretive signage. The location and wording should be subject to approval by the Historic Preservation Section staff archeologist, prior to the issuance of any building permits for the area of Lot 3, Magnolia Springs Subdivision (Plat Book SDH 3 plat no. 65).
12. In the event of any unanticipated discoveries of potential historic resources (including individual remains or funerary objects) during construction, all construction involving subsurface disturbance shall immediately be halted in the area of the discovered resource and in the area immediately surrounding the resource where further subsurface deposits may reasonably be expected to occur, and the applicant shall ensure that the Historic Preservation Section is notified within two working days of the discovery. The applicant and a representative of the Historic Preservation Section, or an archeologist approved by the Historic Preservation Section, shall inspect the work site without unreasonable delay and determine the parameters of the affected property. Construction work may then continue in the project area outside of those parameters. Within 15 days of first notifying the Historic Preservation Section, the applicant shall, in consultation with the Historic Preservation Section, determine the historic significance of the resource and shall present a written plan to the Historic Preservation Section outlining the appropriate measures to ensure the avoidance, protection or treatment measures for any discovered resource.