



The Maryland-National Capital Park and Planning Commission

**PRINCE GEORGE'S COUNTY
Planning Department**

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Preliminary Plan of Subdivision Ridgley Ministries

4-23037

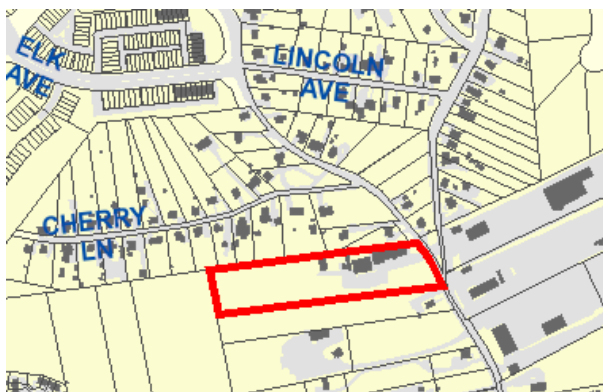
| REQUEST | STAFF RECOMMENDATION |
|---|---|
| One parcel for 44,500 square feet of institutional development. | With the conditions recommended herein: <ul style="list-style-type: none">• Approval of Preliminary Plan of Subdivision 4-23037• Approval of Type 1 Tree Conservation Plan TCP1-010-24• Approval of a Variance to Section 25-122(b)(1)(G) |

Location: On the west side of D'Arcy Road approximately 2,700 feet south of its intersection with I-95/495 (Capital Beltway).

| | |
|---|-----------------|
| Gross Acreage: | 4.74 |
| Zone: | RR/MIO |
| Prior Zone: | R-R/M-I-O |
| Reviewed per prior Subdivision Regulations: | Section 24-1900 |
| Gross Floor Area: | 44,500 sq. ft. |
| Dwelling Units: | N/A |
| Lots: | 0 |
| Parcels: | 1 |
| Planning Area: | 78 |
| Council District: | 06 |
| Municipality: | N/A |

Applicant/Address:
Ridgley Ministries, Inc.
9235 D'Arcy Road, Upper Marlboro, MD 20774

Staff Reviewer: Mahsa Vatandoost
Phone Number: 301-952-4487
Email: Mahsa.Vatandoost@ppd.mncppc.org



| | |
|------------------------------|------------|
| Planning Board Date: | 06/20/2024 |
| Planning Board Action Limit: | 09/09/2024 |
| Mandatory Action Timeframe: | 140 days |
| Staff Report Date: | 06/13/2024 |
| Date Accepted: | 03/22/2024 |
| Informational Mailing: | 12/05/2023 |
| Acceptance Mailing: | 03/21/2024 |
| Sign Posting Deadline: | 05/21/2024 |

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 4-23037
Type 1 Tree Conservation Plan TCP1-010-24
Variance from Section 25-122(b)(1)(G)
Ridgley Ministries

OVERVIEW

The subject site is located on the west side of D'Arcy Road approximately 2,700 feet south of its intersection with I 95/495 (Capital Beltway). The property totals 4.74 acres and consists of one deed parcel, known as Parcel 126, recorded in the Prince George's County Land Records in Liber 5923 folio 575. The property is located in the Residential, Rural (RR) Zone and the Military Installation Overlay (MIO) Zone for height. However, this application has been submitted for review under the Zoning Ordinance and Subdivision Regulations in effect prior to April 1, 2022 ("prior Zoning Ordinance" and "prior Subdivision Regulations"), pursuant to Section 24-1903(a) of the Subdivision Regulations. Under the prior Zoning Ordinance, the property was in the Rural Residential (R-R) and the Military Installation Overlay (M-I-O) Zones. The property is subject to the 2007 *Approved Westphalia 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 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 July 3, 2023. 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), this PPS is supported by and subject to an approved Certificate of Adequacy ADQ-2023-063.

This preliminary plan of subdivision (PPS) proposes one parcel for 44,500 square feet of gross floor area (GFA) of institutional development. The property is currently improved with a 13,767-square-foot building with institutional use. All existing structures will be razed for the construction of a new building.

Alongside this PPS, the applicant also filed Type 1 Tree Conservation Plan TCP1-010-24. In conjunction with the TCP1, the applicant filed a request for a variance to Section 25-122(b)(1)(G) of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO), for the removal of three specimen trees. This request is discussed further in the Environmental finding of the technical staff report.

Staff recommend **APPROVAL** of the PPS, with conditions, and **APPROVAL** of Type 1 Tree Conservation Plan, TCP1-010-24, and **APPROVAL** of the Subtitle 25 variance, based on the findings contained in this technical staff report.

SETTING

The subject site is located on Tax Map 82 in Grid D3; and is within Planning Area 78. D'Arcy Road abuts the subject property to the east. The site is surrounded to the south and north by single-family detached dwellings in the RR Zone (formerly the R-R Zone); and to the west by undeveloped land in the RR Zone (formerly the R-R Zone). The subject property and its surroundings are also located in the MIO Zone (formerly the M-I-O Zone), for height.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

| | EXISTING | EVALUATED |
|------------------|--------------------|----------------------|
| Zone | RR/MIO | R-R/M-I-O |
| Use(s) | Institutional | Institutional |
| Acreage | 4.74 | 4.74 |
| Lots | 0 | 0 |
| Parcels | 1 | 1 |
| Dwelling units | 0 | 0 |
| Gross floor area | 13,767 square feet | 44,500 square feet |
| Variance | No | Yes, 25-122(b)(1)(G) |
| Variation | No | No |

The subject PPS was accepted for review on March 22, 2024. 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 12, 2024, where comments were provided to the applicant. Revised plans were received on May 16, 2024, which were used for the analysis contained herein.

2. **Previous Approvals**—There are no prior development approvals applicable to the subject property. A final plat of subdivision will be required pursuant to this PPS, if approved, prior to the approval of permits.
3. **Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and conformance with the sector plan are evaluated, as follows:

Plan 2035

Plan 2035 places the subject property in the Established Communities Growth Policy Area of Plan 2035. "Established communities are most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met" (page 20).

Sector Plan

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035, remain in full force and effect, except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS must conform to the area master plan, unless events have occurred to render the relevant recommendations no longer appropriate, or the District Council has not imposed the recommended zoning. The sector plan recommends a church use on the subject property (Map 3: WCCP Modified Preferred Option, page 16). Staff find that this application conforms to the land use recommendations of the sector plan. The sector plan contains strategies and design principles for residential areas but is silent on recommendations for institutional uses in general.

Other relevant sector plan recommendations that are applicable to the subject property are discussed further throughout this technical staff report.

Sectional Map Amendment/Zoning

The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* retained the subject property in the R-R Zone. On November 29, 2021, the Prince George's County District Council approved Prince George's County Council Resolution CR-136-2021, the Countywide Map Amendment (CMA), which reclassified the subject property from the R-R and M-I-O Zones to the RR and MIO Zones, effective April 1, 2022. However, this PPS was reviewed pursuant to the prior zoning.

Aviation/Military Installation Overlay Zone

This application is located within the M-I-O Zone for height. Development must comply with the maximum height requirements of Section 27-548.54(e)(2)(B) of the prior Zoning Ordinance, which will be evaluated further with the review of applications including proposed buildings.

4. **Stormwater Management**—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 the municipality having approval authority. An approved SWM concept plan was submitted with this PPS (12181-2023-SDC / P37827-2024-SDC). The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) issued the approval on February 22, 2024, and it is valid until February 22, 2027. The SWM concept plans show the use of 11 micro-bioretenion facilities to treat stormwater on-site.

Staff find that development of the site, in conformance with 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.

5. **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.

6. **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 recommendations.

Master Plan Right-of-Way

The subject property has frontage on D’Arcy Road (C-627), designated in MPOT and the sector plan as a master plan collector road with an ultimate 80-foot-wide right-of-way (ROW). The PPS includes a ROW delineation of 40 feet from the road centerline with proposed dedication along the site’s frontage. Staff find that the proposed dedication will conform to the requirements of the MPOT and sector plan and will be adequate to serve the additional traffic generated by the project.

Master Plan Pedestrian and Bike Facilities

The MPOT recommends the following facilities:

- Shared Roadway: D’Arcy Road (C-627)
- Side Path: D’Arcy Road (C-627)

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends the following policies on how to accommodate infrastructure for pedestrians and bicyclists:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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

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

The sector plan also recommends the following (page 47):

Policy 4 – Design Principles

Sidewalks, Bikeways and Street Trees/Planting Strips:

- **Sidewalks should be provided throughout the Westphalia community except along designated scenic rural roads, highways, bikeways, trails, and lanes.**

The proposed dedication of ROW along D’Arcy Road is sufficient to support the construction of the MPOT recommendations for a shared roadway and side path. Currently, there are no shared roadway markings or side paths along D’Arcy Road (C-627) that would provide a complete pedestrian and bikeway facility. Staff recommend that the applicant provide a side

path and shared-use signage along the site's frontage of D'Arcy Road, as recommended in the MPOT. These recommended bicycle and pedestrian facilities will be adequate to serve the additional bicycle and pedestrian traffic generated by the project.

On-site Circulation

The applicant proposes one vehicle access point along D'Arcy Road, which will provide vehicular access to the church via a driveway. Staff recommend that crosswalks and associated Americans with Disabilities Act (ADA) curb ramps be provided at the vehicular access point, to facilitate pedestrian movement throughout the site and to the building entrance. A condition requiring that these facilities be shown on the permit site plan has been included herein.

Bicycle parking is also recommended to be provided no more than 50 feet from the building entrances in accordance with the recommendations of the American Association of State Highway and Transportation Officials (AASHTO) and the 2015 Association of Pedestrian and Bicycle Professionals, *Essentials of Bicycle Parking*.

Based on the preceding findings, multimodal transportation facilities will exist to serve the proposed subdivision, as required under prior Subtitle 24 of the Prince George's County Code, and will conform to the MPOT and sector plan, with the recommended conditions provided in this technical staff report.

7. **Public Facilities**—This PPS was reviewed for conformance to the sector plan, in accordance with Section 24-121(a)(5) of the prior Subdivision Regulations. The sector plan contains the following overall goal (page 48):
- **Provide needed public facilities and infrastructure to create a quality community and support the planned land use program consistent with county standards.**

The project will not impede the achievement of the above-referenced goal. The analysis provided with approved Certificate of Adequacy ADQ-2023-063 illustrates that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. As discussed below, water and sewer service are also 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 and renovations to existing facilities and construction of new facilities; however, none of its recommendations affect the subject site.

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

8. **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 10 feet wide along both sides of all public ROWs. The subject property has a frontage on D’Arcy Road. A PUE is reflected on the PPS along the public ROW. However, the easement should be labeled to be a minimum of 10 feet wide.

9. **Historic**—The sector plan contains goals and policies related to Historic Preservation (pages 66–68). However, these are not specific to the subject site. 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 recommended. The subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.
10. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

| Development Review Case | Associated Tree Conservation Plan or Natural Resource Inventory | Authority | Status | Action Date | Resolution Number |
|-------------------------|---|----------------|----------|-------------------|-------------------|
| N/A | E-073-01 | Staff | Approved | Expired 10/3/2023 | N/A |
| N/A | NRI-219-2022 | Staff | Approved | 2/1/2023 | N/A |
| 4-23037 | TCP1-010-2024 | Planning Board | Pending | Pending | Pending |

Grandfathering

This project is subject to the current regulations of Subtitle 25, and prior Subtitles 24 and 27, because the application is for a new PPS.

Environmental Site Description

A review of the approved Natural Resources Inventory Plan (NRI-219-2022) indicates that no streams, wetlands, or floodplain are located on the property. Steep slopes are identified on the property. There is potential forest interior dwelling species habitat; however, according to the Sensitive Species layer on PGAtlas, as provided by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species on or in the vicinity of this property. According to the 2017 *Approved Countywide Green Infrastructure Plan*, approved as part of the 2017 *Approved Prince George’s County Resource Conservation Plan: A Countywide Functional Master Plan*, the site contains evaluation areas.

Prince George's Plan 2035

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

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Sector Plan

The sector plan contains goals, policies, and strategies in the Environmental Infrastructure section. The following policies are applicable to the current project with regards to natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the sector plan, and the plain text provides comments on plan conformance:

Environmental Infrastructure

Policy 1: Green Infrastructure – Protect, preserve, and enhance the identified green infrastructure network within the Westphalia sector planning area.

The Green Infrastructure Network from the Green Infrastructure Plan supersedes the green infrastructure map in the sector plan. The mapped evaluation areas are the focus of preservation as shown on the Type 1 tree conservation plan (TCP1). The site is not identified as being in any of the primary or secondary corridors mapped within this plan. No streams, wetlands, or floodplain are located on-site. The green elements of the site are proposed to be protected through woodland preservation.

Policy 2: Water Quality and Quantity – Restore and enhance water quality of receiving streams that have been degraded and preserve water quality and quantity in areas not degraded.

Implementing conservation landscaping techniques that reduce water consumption and the need for fertilizers or chemical applications is encouraged. The capture and reuse of stormwater for grey water should be considered with the site's final design to the fullest extent possible. The approved stormwater concept plan shows the use of micro-bioretenention facilities to improve the water quality of runoff.

Policy 3: Energy Consumption – Reduce overall energy consumption and implement environmentally-sensitive building techniques.

The use of green building techniques and energy conservation techniques should be used as appropriate. The use of alternative energy sources such as solar, wind, and hydrogen power are encouraged.

Conformance with Green Infrastructure Plan

The 2017 *Countywide Green Infrastructure Plan* (Green Infrastructure Plan) was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017). According to the Green Infrastructure Plan, this site contains regulated and evaluation areas. The following policies and strategies are applicable to the subject application. The text in **BOLD** is the text

from the Green Infrastructure Plan and the plain text provides staff findings on plan conformance:

POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

Strategies

- 1.1 Ensure that areas of connectivity and ecological functions are maintained, restored, and/or established by:**
- a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**

Approximately 60 percent of the subject property is within the designated evaluation area, located in the rear of the property. The property is within the Western and Southwest Branches of the Patuxent River watershed and is not within a Tier II catchment area. The site does not contain any streams, wetland or floodplain. The current plan proposes to retain a portion of the wooded area towards the rear of the site, within woodland preservation, where several specimen trees are located.

Stormwater management was reviewed by DPIE, and sediment and erosion control measures will be reviewed by the Prince George's County Soil Conservation District.

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

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

Sensitive species habitat was not identified on this site, and it is not in a special conservation area.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

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

The PPS proposes to minimize the impacts on the green infrastructure network on-site, by limiting impacts to only woodland clearing in the evaluation areas and retaining several of the specimen trees to be protected by woodland conservation.

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

The site does not contain any regulated environmental features (REF) or primary management area (PMA).

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

The TCP1 provided with this application shows that the required woodland conservation requirement will be met through on-site woodland preservation and off-site credits. The locating of off-site plantings or preservation is not something that is done at TCP1 and will be reviewed at the time of permit. The applicant will need to secure credits on a woodland conservation bank prior to permit approval, which is recorded on the off-site transfer certificate after the TCP2 approval.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 **Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**

- a. **Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**

No fragmentation of REF by transportation systems is proposed with this PPS.

- b. **Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No trail systems are proposed with this application.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

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

On-site woodland conservation shall be placed in woodland and wildlife habitat conservation easements prior to the certification of the subsequent Type 2 tree conservation plan (TCP2).

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

Strategies

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

The approved SMW concept plan shows use of micro-bioretenion devices to meet the current requirements of the environmental site design to the maximum extent practicable. The site does not contain any regulated environmental features (REF) or primary management area (PMA).

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

No streams or wetlands exist on-site.

POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

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

Woodland exists on-site from the central portion of the site to the western property line. Clearing of woodland is proposed with the subject application; however, the applicant is proposing to meet roughly 86 percent of the woodland conservation threshold on-site with woodland preservation and retention, and the remainder with off-site credits. This application does not propose the use of fee-in-lieu. The proposal maximizes on-site conservation while still leaving adequate developable site area. The site has an unusual configuration, being approximately 210 feet wide and 1,000 feet deep. Based upon the conceptual site layout shown on the TCP1, the provision of parking, setbacks, and bufferyard requirements have necessitated clearing of existing woodlands located in the rear of the subject property.

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

Retention of existing woodlands and planting of native species on-site is required by both the Environmental Technical Manual (ETM), and the Landscape Manual, which can count toward the tree canopy coverage requirement for the development.

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

Approximately 0.82 acre of existing woodlands are proposed to be preserved and an additional 0.23 acre will be retained, but not credited, along a proposed parking lot. A Type 2 tree conservation plan, which will be required prior to issuance of permits, will provide specific details on the type and location of protection devices, signs, and other details necessary for ensuring preservation of the existing vegetation. Policy 7, Strategy 7.4 shall be further evaluated with the landscape plan.

Forest Canopy Strategies

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

Woodland conservation is to be designed to minimize fragmentation and reinforce new forest edges.

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

Proposed woodland conservation is located in the rear of the subject property, to be contiguous with woodland on adjacent sites. There is potential forest interior dwelling species habitat; however, according to the sensitive species layer on PGAtlas, as provided by the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species on or in the vicinity of this property.

Tree Canopy Strategies

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

Tree canopy coverage requirements will be evaluated at the time of the associated permit review. Green space is encouraged to serve multiple eco-services.

ENVIRONMENTAL REVIEW

Natural Resources Inventory

Approved NRI-219-2022 was submitted with the application, which shows the existing conditions of the property. A total of seven specimen trees have been identified on-site or within the immediate vicinity of the site's boundary. The site does not contain any streams, wetlands, or floodplain. The forest stand delineation indicates that there is one forest stand, identified as Stand A, which has a high rating for preservation. The site has a total of 2.26 acres of net tract woodland. The areas of steep slopes are located roughly in the center of the site. No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-010-2024) was submitted with the PPS application.

According to the worksheets shown on the TCP1, the site is 4.74 acres, and zoned RR. A total of 2.26 acres of existing woodlands are on the net tract. The site has a total woodland conservation threshold (WCT) of 0.95 acre, or 20 percent of the net tract, as tabulated. The TCP1 shows a total woodland conservation requirement of 1.25 acres based on the proposed clearing shown. The TCP1 shows this requirement will be met by providing 0.82 acre of on-site woodland preservation and 0.43 acre of off-site woodland conservation credits.

Specimen Trees

Tree conservation plans are required to meet all of the requirements of Subtitle 25, Division 2, which include the preservation of specimen trees. Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the [Environmental] Technical Manual.” 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) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the Woodland and Wildlife Habitat Conservation Ordinance or WCO) provided all of 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 SOJ in support of a variance was received on May 16, 2024.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The LOJ submitted seeks to address the required findings for the specimen trees. Details specific to individual trees have also been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY FOR 2 TREES PROPOSED FOR REMOVAL ON TCP1-010-2024

| Specimen Tree Number | Common Name | DBH (in inches) | Condition | Applicant’s Proposed Disposition |
|-----------------------------|--------------------|------------------------|------------------|---|
| ST-2 | Red maple | 31 | Average | Remove |
| ST-3 | Red maple | 35 | Average | Remove |

The site contains six specimen trees, with the ratings of good (Specimen Trees ST-3 and ST-5), average (Specimen Trees ST-2 and ST-6), and poor (Specimen Trees ST-1 and ST-7). The current design proposes to remove specimen trees ST-2 and ST-3 for development of the church and infrastructure. Another Specimen Tree, ST-4, is located off-site and is also proposed for removal.

A variance from Section 25-122(b)(1)(G) is requested for the clearing of the two specimen trees located on-site. The current proposal for this property is to develop the site with 44,500 square feet of institutional development, specifically, as a place of worship. This variance is requested to the WCO, which requires, under Section 25-122 of the Prince George’s County Zoning Ordinance, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated

case.” The subtitle variance application form requires a SOJ of how the findings are being met.

The text below in **BOLD**, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria:

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

The property is rectangular in shape and narrow, with the specimen trees located in primarily two areas of the site. This narrowness, and additional required infrastructure, compresses the developable area. The first group of Specimen Trees ST-1, ST-2, ST-3, and ST-4 are towards the road frontage of D’Arcy Road. The remaining Specimen Trees ST-5, ST-6, and ST-7 are located at the rear of the site and will be preserved.

In order to provide adequate on-site woodland preservation required by the WCO and limit specimen tree impacts, development is proposed towards the D’Arcy Road frontage. The applicant proposes to remove on-site Specimen Trees ST-2 and ST-3, as well as off-site Specimen Tree ST-4, in order to develop adequate site access and access to public utilities along D’Arcy Road. Specimen Trees ST-2 and ST-3 fall within the proposed realigned site access, and partially within the required frontage improvements, along D’Arcy Road. The proposed driveway is aligned to an existing intersection along D’Arcy Road, thus promoting safer vehicular intersections. In addition, given the narrow site frontage, which is less than 250 linear feet, shifting the site access to avoid these trees would in turn impact Specimen Tree ST-1, which would impact the adjoining property. Also, road improvements are required along D’Arcy Road, to support the proposed development including an 8-foot-wide shared-use path, which will impact the critical root zone of Specimen Tree ST-2. While it is included in this variance request, Specimen Tree ST-4 is an off-site tree, and not technically a consideration with this application. Given the significant impacts to the critical root zone, the applicant is proposing removal, and shall work with the adjacent site owner regarding this removal.

The proposed institutional development at the site is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on-site without additional variances or failure to provide on-site woodland preservation. Requiring the applicant to retain the two specimen trees on-site would further limit the area of the site available for development, to the extent that it would cause the applicant an unwarranted hardship.

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

Approval of a variance for removal of the specimen trees is necessary to ensure that the applicant is afforded the same considerations provided to owners of other properties that encounter similar conditions and in similar

locations on a site. The trees that are proposed for removal are located close to the road frontage. The remaining specimen trees in the rear of the site will be preserved within an on-site woodland and wildlife habitat conservation easement.

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

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

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

The removal of the trees, as a result of their location on the property and the limitations on site design including location of site access and narrowness of the subject property, are not the result of actions by the applicant. The removal of the two specimen trees is requested to achieve optimal development for necessary infrastructure.

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

The request to remove the specimen trees does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.

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

Granting the variance will not adversely affect water quality because the applicant is required to meet current SWM requirements on-site. Stormwater management requirements will be evaluated by DPIE, and additional information regarding the proposed stormwater facilities can be located in the stormwater section of this technical staff report. Sediment and erosion control measures for this site will be subject to the requirements of the Prince George's County Soil Conservation District. The removal of the two specimen trees will not result in a marked degradation of water quality.

After evaluating the applicant's request, staff recommend approval of a variance for the removal of two Specimen Trees ST-2 and ST-3. Specimen Tree ST-4 is off-site and thus not subject to the variance process. The applicant should work with the adjacent property owner on the management of Specimen Tree ST-4.

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

The site does not contain any REF or PMA.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, includes Beltsville-Urban land complex, Beltsville silt loam, and Croom gravelly sandy loam. According to available information, no unsafe soils containing Christiana complexes or Marlboro clay exist on-site.

- 11. Urban Design**—The subject property meets the minimum lot requirements of the R-R Zone. The applicant is proposing future development of the site for a place of worship, which is permitted by right, and a detailed site plan is not required. The regulations and requirements of the Zoning Ordinance apply to development in the R-R Zone regarding landscaping, screening, buffering, fencing, lot coverage, height, and building setbacks. The proposed development will be required to demonstrate conformance with the applicable requirements of the Zoning Ordinance, at the time of building permit review.
- 12. Community Feedback**—At the time of the writing of this technical staff report, staff have not received any written correspondence from members of the community regarding this project.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. Label the public utility easement along D'Arcy Road as 10 feet wide.
 - b. On the coversheet (Sheet GI-101), correct the Owner/Developer to Owner/Applicant and revise the entity's name to Ridgley Ministries, Inc.
 - c. On the coversheet (Sheet GI-101), correct the Applicant/Engineer to Engineer.
2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Add the standard Subtitle 25 variance note under the Specimen Tree Table or Woodland Conservation Worksheet identifying, with specificity, the variance decision consistent with the decision of the Planning Board:

“NOTE: This plan is in accordance with the following variance(s) from the strict requirements of Subtitle 25, approved by the Planning Board on (ADD DATE), for the removal of the following specified specimen trees (Section 25-122(b)(1)(G): (Identify the specific trees to be removed).”
 - b. Indicate Specimen Tree ST-4 as removed on the TCP1.

- c. Revise general TCP1 Note 7 to state that this project is zoned RR under the current zoning ordinance but is being reviewed under the prior R-R zoning.
 - d. Provide a high-resolution version of the TCP1 file for visual clarity.
- 3. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-010-2024). 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 (TCP1-010-2024 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 (M-NCPPC), Prince George’s County Planning Department.”
- 4. Prior to the issuance of permits for this subdivision, a Type 2 tree conservation plan (TCP2) 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.”
- 5. Development of this site shall be in conformance with Stormwater Management Concept Plan 12181-2023-SDC, and any subsequent revisions.
- 6. Prior to approval, the final plat of subdivision shall include the following:
 - a. The granting of a 10-foot-wide public utility easement along the D’Arcy Road public right-of-way, in accordance with the preliminary plan of subdivision.
 - b. The dedication of right-of-way, 40 feet from the centerline of D’Arcy Road (C-627), in accordance with the preliminary plan of subdivision.
- 7. In conformance with the recommendations of the 2009 *Approved Countywide Master Plan of Transportation* and the 2007 *Approved Westphalia Sector Plan*, the applicant and the applicant’s heirs, successors and/or assignees shall provide the following facilities and shall show these improvements on the permit site plan, at the time of permit submission:
 - a. A minimum 5-foot-wide sidewalk from D’Arcy Road (C-627) to the entrance of the building.
 - b. A minimum of two inverted U-style, or similar style bicycle parking racks, which provide parking for four bicycles, at a location no more than 50 feet from the entrance to the building.

- c. Shared lane markings (sharrows) or appropriate bikeway signage along the frontage of D'Arcy Road (C-627), unless modified by the operating agency with written correspondence.
- d. An 8-foot-wide shared-use path along the frontage of D'Arcy Road (C-627), unless modified by the operating agency with written correspondence.
- e. Crosswalks and associated Americans with Disabilities Act (ADA) curb ramps at vehicular access points and throughout the site to the building entrance.

STAFF RECOMMEND:

- Approval of Preliminary Plan of Subdivision 4-23037
- Approval of Type 1 Tree Conservation Plan TCP1-010-2024
- Approval of a Variance to Section 25-122(b)(1)(G)