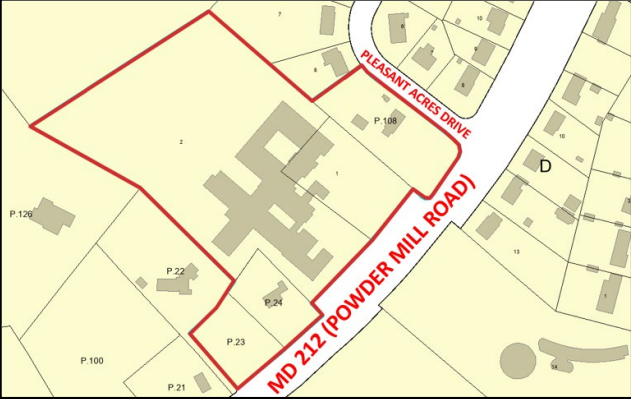




## Preliminary Plan of Subdivision Sterling Care Hillhaven

## 4-24012

REQUEST	STAFF RECOMMENDATION
Two parcels for 118,027 square feet of institutional development, of which 94,282 square feet is existing.	With the conditions recommended herein: <ul style="list-style-type: none"><li>• Approval of Preliminary Plan of Subdivision 4-24012</li><li>• Approval of Type 1 Tree Conservation Plan TCP1-005-2025</li></ul>

<b>Location:</b> On the west side of MD 212 (Powder Mill Road), south of its intersection with Pleasant Acres Drive.			
Gross Acreage:	8.34	Planning Board Date:	06/26/2025
Zone:	RR	Planning Board Action Limit:	09/11/2025
Prior Zone:	R-R	Mandatory Action Timeframe:	140 days
Reviewed per prior Subdivision Regulations:	Section 24-1900	Staff Report Date:	06/12/2025
Gross Floor Area:	118,027 sq. ft.	Date Accepted:	03/24/2025
Dwelling Units:	0	Informational Mailing:	01/16/2025
Lots:	0	Acceptance Mailing:	03/19/2025
Parcels:	2	Sign Posting Deadline:	05/27/2025
Outlots:	0		
Planning Area:	61		
Council District:	01		
Municipality:	N/A		
<b>Applicant/Address:</b> Hillhaven SNF Realty, LLC 3210 Powder Mill Road Adelphi, MD 20783			
<b>Staff Reviewer:</b> Jason Bartlett <b>Phone Number:</b> 301-780-2465 <b>Email:</b> Jason.Bartlett@ppd.mncppc.org			

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/](http://www.mncppcapps.org/planning/Person_of_Record/).

Please call 301-952-3530 for additional information.

## Table of Contents

OVERVIEW .....	3
SETTING.....	4
FINDINGS AND REASONS FOR STAFF RECOMMENDATION .....	4
1. Development Data Summary.....	4
2. Previous Approvals.....	4
3. Community Planning.....	5
4. Stormwater Management.....	7
5. Parks and Recreation.....	8
6. Transportation.....	8
7. Public Facilities.....	10
8. Public Utility Easement.....	10
9. Historic.....	11
10. Environmental.....	11
11. Urban Design.....	21
12. Community feedback.....	22
RECOMMENDATION .....	22

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-24012  
Type 1 Tree Conservation Plan TCP1-005-2025  
Sterling Care Hillhaven

**OVERVIEW**

The subject site totals 8.34 acres and is located on the west side of MD 212 (Powder Mill Road), south of its intersection with Pleasant Acres Drive, on Tax Map 18 Grid A-2. The property consists of three parcels designated as Parcel 23, Parcel 24, and Parcel 108, recorded by deed dated July 31, 2018, in the Land Records of Prince George's County, Maryland, in Book 49122, page 436; and two lots, known as Lot 1 and Lot 2, recorded in the aforementioned Land Records in Plat Book NLP 123, page 90. The property is further subject to the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (master plan).

The property is in the Residential, Rural (RR) Zone. However, this preliminary plan of subdivision (PPS) application has been submitted and reviewed under the applicable provisions of the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 (the prior Zoning Ordinance and prior Subdivision Regulations), pursuant to Section 24-1900 *et seq.* of the Subdivision Regulations. Under the prior Zoning Ordinance, the site was in the Rural Residential (R-R) Zone, which is used for the analysis contained herein. 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) of the Subdivision Regulations, a pre-application conference was held on April 5, 2024. 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-2024-018.

The subject site is currently improved with an existing nursing or care home facility containing 94,282 square feet of gross floor area and 126 beds, located on existing Lots 1 and 2. Parcel 24 is currently developed with a one-story brick building proposed to be razed to make way for the development evaluated with this PPS. Parcel 23 is currently vacant and wooded, and is also proposed to contain a portion of the proposed development. Parcel 108 is currently developed with a single-family detached dwelling proposed as an accessory use for staff housing of the nursing or care home facility. There is no increase in gross floor area or improvements proposed beyond driveway reconfiguration to accommodate stormwater management (SWM) facilities.

This PPS proposes to subdivide the two lots and three parcels into two parcels, to accommodate the proposed expansion of the existing facility, which will add 36 skilled nursing beds

and 23,745 square feet of additional gross floor area, bringing the total development proposed on the subject property to 118,027 square feet for a 162-bed nursing or care home facility with an accessory building, parking, and associated site/SWM facilities. The proposed expansion of the existing nursing or care home facility also required the applicant to file an application for a special exception (SE) in accordance with Section 27-441(b)(3) of the prior Zoning Ordinance. An SE application was filed by the applicant and assigned case number SE-24003, which was accepted for review on February 28, 2025, and is currently under review.

Staff recommend **APPROVAL** of the PPS and Type 1 tree conservation plan (TCP1), with conditions, based on the findings contained in this technical staff report.

## SETTING

The subject property is located within Planning Area 61. The southeast boundary of the subject property has frontage on MD 212 with residential and institutional uses in the RR Zone (formerly R-R Zone) and Paint Branch Stream Valley Park III in the Reserved Open Space (ROS) Zone (formerly Reserved Open Space (R-O-S) Zone), beyond. The northeast property boundary has frontage on Pleasant Acres Drive, with single-family detached residential uses in the RR Zone (formerly R-R Zone), beyond. To northwest, the subject property is bordered by land in the ROS Zone (formerly R-O-S Zone) owned by the United States of America, a part of the U.S. Army Adelphi Laboratory. To the southwest of the subject site lies land in the RR Zone (formerly R-R Zone) developed with a church and a single-family detached home.

## FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	EVALUATED
Zone	RR	R-R
Use(s)	Institutional	Institutional
Acreage	8.34	8.34
Lots	2	0
Parcels	3	2
Dwelling Units	2	0
Gross Floor Area	94,282 sq. ft.	118,027 sq. ft.
Subtitle 25 Variance	No	No
Subtitle 24 Variation	No	No

The subject PPS was accepted for review on March 24, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, this case was referred to the Subdivision and Development Review Committee, which held a meeting on April 11, 2025, where comments were provided to the applicant. Revised plans and/or information were received on May 14, 2025, which were used for the analysis contained herein.

- Previous Approvals**—The subject site has multiple prior SE approvals, and their revisions. The SE and revisions of site plans (ROSP) are detailed below in chronological order, with discussion of any associated conditions relevant to the review of this PPS also provided.

- **SE-713** was approved by the Prince George’s County District Council on December 15, 1961, with no conditions, to permit a nursing home with five beds on the subject property.
- **SE-1757** was approved by the Prince George’s County District Council on July 17, 1968 (District Council Resolution No. 286-1968), with no conditions, to permit the expansion of the existing nursing home from five beds to 18 beds.
- **SE-3505** was approved by the Office of the Zoning Hearing Examiner on May 23, 1984, with no conditions, to permit the expansion of the existing nursing home from 18 beds to 60 beds.
- **ROSP-3505-01** was approved by the Prince George’s County Planning Board on April 4, 1991, to permit a freestanding sign and relocation of parking spaces.
- **SE-4197** was approved by the Office of the Zoning Hearing Examiner on January 21, 1997, with one condition that is not applicable to the review of this PPS, to permit the expansion of the existing nursing home from 60 beds to a 126-bed facility, with a two-story, 54,536-square-foot addition.
- **ROSP-4197-01** was approved by the Prince George’s County Planning Board on October 1, 1998, (PGCPB Resolution No. 98-258) for the redesign of the parking lot approved with SE-4197, reconfiguration of loading areas, and the increase in the total gross floor area (GFA).
- **ROSP-4197-03** was approved by the Prince George’s County Planning Director on April 26, 2017, for a 400-square-foot addition to the west side of the existing nursing home facility with no conditions of approval.

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**

The subject property is located in the Established Communities. “Plan 2035 classifies established communities as existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers. Established communities are most appropriate for context-sensitive infill and low- to medium-density development.” (page 20) Plan 2035 considers it “vital” that the County “support its Established Communities”. (page 75) In addition, the plan notes that, “Established Communities make up the County’s heart—its established neighborhoods, municipalities, and unincorporated areas outside designated centers” (page 106), and “Urban design is equally relevant to the planning and design of urban and suburban Established Communities as it is to rural areas.” (page 196)

The proposed site expansion of nursing or care home facilities is consistent with Plan 2035’s Established Communities designation as it represents context-sensitive infill of an existing, low-density nonresidential site, and the creation of additional service capacity for seniors. This expansion conforms to Housing and Neighborhoods Policy 5, page 190, which states, “Increase the supply of housing types that are suitable for, and attractive to,

the County's growing vulnerable populations. These include the elderly, the homeless, and residents with special needs." Strategy HN5.1 states, "Expand housing options by eliminating regulatory barriers to the construction of elderly accessible housing, accessory apartments, and assisted living facilities. Revise the zoning ordinance to encourage a variety of housing types."

### **Master Plan**

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035, remain in full force and effect except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS must conform to the area master plan, unless events have occurred to render the relevant recommendations no longer appropriate, no longer applicable, or the Prince George's County District Council has not imposed the recommended zoning. The master plan does not define a low-density residential land use on the subject property, but Plan 2035 defines a residential-low land use as, "Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings." (Table 14. Generalized Future Land Use Categories, page 100). The proposed expansion of an existing residential care-home facility use, while not considered a traditional residential use, is consistent with the master plan's low-density residential land use, as it has been permitted by previous Special Exceptions SE-713 and SE-4197.

The master plan further makes the following recommendations relevant to the subject property, shown below in **bold**, with analysis provided in plain text:

### **Development Pattern Elements**

**Policy 3: Plan and provide public facilities to support the planned development.** (page 13)

**Strategy: Balance the pace of development with the ability of the private sector to provide transportation and public facilities."** (page 13)

The master plan recommends wider facility improvements that follow the pace of development within the plan area. The site plan submitted with this application includes sidewalks on both sides of the roadway, wide drive aisles, and vehicular access points. These measures will ensure appropriate facilities with the expansion of the site. There are no public facilities (police, fire and emergency medical service facilities, public schools, parks, or libraries) recommended on the subject property.

### **Economic Development**

**Policy 2: Preserve and expand the residential character and housing options."** (page 79)

**Strategy: Incorporate a diversity of housing types (e.g., multifamily and single-family, rental and home**

**ownership, mixed-use residential) to accommodate all income levels.” (page 79)**

While a senior care home does not constitute a traditional residential dwelling, this housing type does respond to a demographic need within the master plan area. The expanded care home capacity will create a greater diversity of residential opportunities for aging residents at all income levels, and provide much-needed services to these residents.

**Living Areas: Calverton**

The subject property is located within the Calverton Living Area (Map 13, Approved Future Land Use for Subregion 1, page 160, Living Areas). The master plan identifies demographic characteristics regarding a substantial population of senior singles or couples in the Calverton Living Area (page 115). The proposed expansion of the existing care home facility will help meet the housing and healthcare needs of this population.

**Policy:                    Preserve and Maintain Living Environment**

**Strategy:                Establish guidelines that ensure that new development is compatible with the current character of the neighborhood. (page 117)**

While guidelines have not been established, the proposed expansion of the existing senior care home facility is compatible with the current character of the neighborhood. Specifically, it consists of an improvement of the facility and contributes to a context-specific revitalization of the surrounding community. The care home responds to a need in the Calverton Living Area, in a manner which respects the current character of surrounding low-density residential neighborhood.

Pursuant to Section 24-121(a)(5), staff find that the proposed subdivision conforms to the relevant goals, strategies, and policies of the master plan.

**Sectional Map Amendment/Zoning**

The *Approved 2010 Subregion 1 Sectional Map Amendment* retained the property in the R-R Zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA) which reclassified the subject property from the R-R Zone to the RR Zone, effective April 1, 2022. However, this PPS was reviewed pursuant to the prior zoning.

4. **Stormwater Management**—In accordance with Section 24-120(a)(8) of the prior Subdivision Regulations, an application for a major subdivision must include an approved 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 SWM Concept Plan (43689-2024-SDC/P00880-2024-SDC) approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) was submitted with this application, which shows the use of

three micro-bioretenion facilities, four planter boxes, and one filterra SWM facility. This SWM plan was approved on November 26, 2024, and expires on November 26, 2027.

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

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), master plan, and prior Subdivision Regulations to provide the appropriate transportation recommendations.

### **MPOT and Master Plan Conformance**

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

The subject property has frontage on MD 212/C-107 (Powder Mill Road). Both the MPOT and master plan identify this collector roadway as having an 80-foot-wide right-of-way (ROW), which is accurately identified on the PPS, and which further provides and shows the required dedication of 0.13 acre (5,493 square feet) along MD 212 to meet ROW width.

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

The MPOT recommends a bicycle lane along MD 212.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. The MPOT policies relevant to the review of this PPS are provided below in **bold**, with staff analysis following in plain text:

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

A sidewalk is proposed for the segment of the property frontage of MD 212, which serves the access points and connects to the building entrance along the easternmost access driveway. Significant grading and construction of a retaining wall would be required to provide a sidewalk along the western portion of the site's frontage. In addition, an ingress/egress ROW easement immediately abuts the subject site along the western boundary. The impact of this improvement would be realized by the neighboring property and would require the applicant, at a minimum, to negotiate a temporary easement for grading and construction of these facilities. If the applicant were required to provide this improvement it would negatively impact the



neighboring property owner and potentially create a hardship on the applicant if the private easements were not obtained. Therefore, due to the topographical issues, a sidewalk along the entire frontage is not feasible. Per correspondence from the Maryland State Highway Administration (SHA), the sidewalk identified on the plan sheets is practical and the only route to meet Americans with Disabilities Act (ADA) compliance. Staff also recommend a bicycle lane and signage be provided along MD 212, as one is specifically recommended in the MPOT. ROW along MD 212 is under the jurisdiction of SHA. Any improvements within the ROW of MD 212 are subject to further review and will require SHA access permit approval.

**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.**

Staff recommend a bicycle lane and signage be provided along the property frontage of MD 212 unless modified by the permitting agency. Staff also recommend that short-term bicycle parking be provided at a location convenient to the entrance to the building.

The master plan discusses transportation and mobility policies relevant to the review of this PPS and are provided below in **bold**, with staff analysis following in plain text:

**Policy 2:      Provide sidewalks and trail connections within existing communities to improve pedestrian safety, allow for safe routes to schools, and provide for increased nonmotorized connectivity between neighborhoods.**

A sidewalk is proposed along a portion of the property frontage along MD 212. The site's frontage along MD 212 also includes an existing bus stop, to which the proposed sidewalk will create new connections. The proposed sidewalk also connects to the adjacent property. Crosswalks are also proposed crossing all vehicular access points.

**Access and Circulation**

The site is currently developed with pedestrian and ADA accessible pathways from the parking area to the building entrances. Staff recommend frontage improvements for ADA-compliant sidewalks and a bicycle lane, subject to the approval of SHA. Access driveways and drive aisles meet the minimum requirement of 22 feet wide. However, SHA requires commercial access driveways along MD 212 to meet the minimum 25 feet width, which is reflected on the PPS. The easternmost driveway connects Pleasant Acres Drive to MD 212 and can support two-way vehicular traffic. There are no existing sidewalks along the site's frontage or a direct pedestrian connection from the frontage to the existing building. A sidewalk and crosswalk shall be shown on a site plan to provide a direct pedestrian route along this driveway to the building entrance. Staff find access and circulation will be sufficient, with the additional conditions provided below.

Based on the findings presented above, staff conclude that multimodal transportation facilities will exist to serve the proposed subdivision, as required under Subtitle 24 of the prior Subdivision Regulations, and will conform to the MPOT and master plan, with the recommended conditions provided in this technical staff report.

7. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Sections 24-121(a)(5) and 24-122(b) of the prior Subdivision Regulations. The master plan contains a Public Facilities section that identifies the following vision (page 69):

**Public facilities are provided in locations that serve and promote a livable community in the Subregion 1 area. Schools are at or below capacity and are conveniently located to foster learning. Police, fire and rescue services are located where response time is minimal, and library services are located within easy access of all residents in the Subregion 1 area.**

The project will not impede achievement of the above-referenced vision or specific facility improvements. This PPS is subject to ADQ-2024-018, which established that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. There are no 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, which 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. Category 3 is sufficient for PPS approval. In addition, the property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties served by public sewerage systems, which includes properties to be served by public systems (except for minor subdivisions). The property currently has water and sewer connections.

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 a minimum of 10 feet wide along both sides of all public ROWs. The site has frontage along MD 212 and Pleasant Acres Drive. The required PUE is reflected on the PPS, along both of these public ROWs.

9. **Historic**—The master plan contains goals and policies related to historic preservation (pages 101–104). It further provides policies and strategies for living areas within the master plan area (pages 105–142). One strategy under the Policy: Preserve and Maintain Natural Environment regarding the Calverton Living Area is to “Establish and maintain the historic Powder Mill and Gallant House sites, as well as the Paint Branch Stream and valley as a gateway/wooded area” (page 117). 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 (Parcel 23) is adjacent to, but does not abut, the Gallant House Historic Site (61-013), located at 3124 Powder Mill Road. The Gallant House is a multipart frame, gable-roof house with a 2.5-story antebellum main block and twentieth-century additions. The house was built in the mid-nineteenth century and rebuilt in the 1920s. The nucleus of the structure was used as a dwelling for Owen Carroll, who operated a nearby mill. The 1920s reconstruction incorporated craftsman style decorative details. Measures to ensure the proposed development’s compatibility with the Gallant House will be evaluated with SE-24003 and/or any other subsequent development application.

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

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
SE-4197	TCPI-050-95	Zoning Hearing Examiner	Approved	01/21/1997	N/A
N/A	TCPII-098-96	Staff	Approved	01-06-1997	N/A
ROSP-4197-01	N/A	Planning Board	Approved	10/01/1998	PGCPB No. 98-258
ROSP-4197-02	N/A	Planning Board	Dormant	09/29/2000	N/A
ROSP-4197-03	N/A	Planning Director	Approved	04/26/2017	N/A
ROSP-4197-04	N/A	N/A	Withdrawn	04/26/2024	N/A
NRI-073-2024	N/A	Staff	Approved	08/15/2024	N/A
NRI-073-2024-01	N/A	Staff	Approved	11/21/2024	N/A
SE-24003	TCP2-007-2025	Planning Board	Pending	Pending	Pending
4-24012	TCP1-005-2025	Planning Board	Pending	Pending	Pending

### Grandfathering

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

### Site Description

The site is currently developed with an existing nursing and care facility with associated parking and site improvements. Parcels 108 and 24 both contain a single-family detached

dwelling. Regulated environmental features (REF) as defined in Subtitle 24 of the prior Subdivision Regulations are present on-site in the form of stream buffers from an on-site stream and associated floodplain. According to the sensitive species project review area map received from the Maryland Department of Natural Resources Natural Heritage Program and provided on PGAtlas, the site is within a sensitive species review area and the applicant was provided with protective measures for aquatic habitats supporting potential rare, threatened, and endangered species.

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

Section 24 120(a)(22) of the prior Subdivision Regulations requires an approved natural resources inventory (NRI) plan with PPS applications. NRI-073-2024 was approved on August 15, 2024, but it was determined that the environmental feature calculations in the site statistics table had an error. A revision, NRI-073-2024-01, was approved on November 21, 2024, to correct the calculations. The on-site REF are in the rear of the site and include a stream, stream buffer, floodplain, and steep slopes. There are 18 specimen trees on-site. An additional tree, T17, was field surveyed and listed in the specimen tree table due to its double trunk; however, post-field work analysis concluded that this tree is 26 inches diameter at breast height (DBH) and does not meet the qualification of a specimen tree. The site contains 0.67 acre of floodplain and 2.71 acres of existing woodland. In a letter dated April 10, 2024, the Maryland Department of Natural Resources, Natural Heritage Program determined that the site is located within a sensitive species protection review area. The provisions of Prince George's County Council Bill (CB)-022-2024 came into effect on July 1, 2024, and established a minimum stream buffer of 100 feet for properties outside of a transit-oriented center. NRI-073-2024-01 depicts the 100-foot stream buffer in accordance with CB-022-2024; however, this project is submitted under the provisions of the prior Subdivision Regulations and prior Zoning Ordinance and is not subject to the 100-foot stream buffer of CB-022-2024. Staff communicated to the applicant that the NRI should depict the 100-foot-wide buffer to avoid a revision to the plan, but affirmed that the accompanying TCP1 would only be subject to a 75-foot-wide stream buffer. The PPS and TCP1 show all required information correctly in conformance with the NRI, apart from the prior 75-foot-wide stream buffer. No revisions are required for conformance with the NRI.

## **ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS**

### **Plan 2035**

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

### **Master Plan Conformance**

The master plan contains environmental goals, policies, and strategies. The following policies are applicable to the current project regarding natural resources preservation, protection, and restoration. The text in **bold** is the text from the master plan, and the plain text provides comments on plan conformance.

**Policy 1:**      **Protect, preserve and enhance the identified green infrastructure network within the Subregion 1 plan area.**  
(page 40)

**Strategy:**        **Preserve or restore regulated areas designated in the plan's green infrastructure network or through the development review process during the review of land development proposals.**

The proposal directs the new development towards the front of the site, which is in evaluation areas, and away from regulated areas. Impacts to the primary management area (PMA), as defined in the prior Subdivision Regulations, are proposed which will be reviewed with the SE that is associated with this PPS. This application proposes a very minor amount of woodland clearing for the installation of a stormwater outfall. As a result of this application, almost the entirety of the regulated areas of the on-site green infrastructure network will be preserved with the proposed preservation of the remaining woodland in the net tract area.

**Policy 2:**        **Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.**  
(page 41)

**Strategy:**        **Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.**

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

**Strategy:**        **Use Low-Impact Development (LID) stormwater management techniques such as green roofs, rain gardens, innovative stormwater outfalls, underground stormwater management, bioretention with appropriate soil mixtures, green streets, cisterns, rain barrels, grass swales, and stream restoration to the fullest extent possible during the development review process.**

The approved SWM concept plan shows the use of micro-bioretention, which is a type of environmentally sensitive design allowed by DPIE for managing stormwater runoff. The new stormwater facility will treat the new volume as well as untreated stormwater volumes from existing site features.

**Policy 3:**        **Implement the State Storm Water Management Act of 2007 in Subregion I as of the adoption of this plan to enhance water quality and control flooding in the Anacostia and Patuxent River watersheds.** (page 42)

The site is within the Anacostia River watershed. The approved SWM concept plan shows the use of micro-bioretention facilities to

manage the stormwater runoff on-site. The new stormwater facility will treat the new volume as well as untreated stormwater volumes from the existing site features.

**Policy 4: Implement more environmentally sensitive building techniques and reduce overall energy consumption.** (page 42)

The use of green building techniques and energy conservation techniques should be used as appropriate.

**Policy 5: Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.** (page 42)

Minimization of light pollution should be encouraged adjacent to the existing stream, and the use of full cutoff optics is encouraged in these areas. A lighting plan was submitted by the applicant with SE-24003, demonstrating the use of full cutoff lighting fixtures.

**Policy 7: Reduce adverse noise impacts to meet State of Maryland noise standards.** (page 42)

The site is not adjacent to any sources of traffic or aircraft noise that would result in adverse noise impacts upon the development.

**Conformance with the Green Infrastructure (GI) Plan**

The Green Infrastructure Plan (GI Plan) was approved with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017), on March 7, 2017. According to the approved GI Plan, this site contains regulated and evaluation areas. The following policies and strategies are applicable to the subject application. The text in **bold** is the text from the master plan, and the plain text provides staff's 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 2035.** (page 49)

**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 landscapes.**

The proposal directs the new development towards the front of the site, which is in evaluation areas, and away from regulated areas. The applicant proposes a very minor amount of woodland clearing and impact to regulated areas for the installation of a stormwater outfall. As a result of this application, almost the entirety of the regulated areas of the on-site green infrastructure network will be preserved. The remaining woodland in the net tract area is proposed to be placed in preservation, exceeding the woodland conservation requirements for this site.

**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.**

In a letter dated April 10, 2024, the Maryland Department of Natural Resources, Natural Heritage Program, determined that the site is located within a sensitive species protection review area. Recommendations from the Maryland Department of Natural Resources are identified in the Woodland Conservation section. The site is not within a special conservation area. This proposal is for a very minor amount of woodland clearing and impact to regulated areas for the installation of a stormwater outfall. As a result of this application, almost the entirety of the regulated areas of the on-site green infrastructure network will be preserved. The remaining woodland in the net tract area is proposed to be placed in preservation, exceeding the woodland conservation requirements for this site.

**POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process. (page 50)**

**Strategies**

**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 site does not contain network gaps.

**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.**

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

In accordance with this master plan policy and strategies, Section 24-130(b)(5) of the prior Subdivision Regulations, Section 27-317(a)(7) of the prior Zoning Ordinance, and Section 25-121(b) of the WCO, on-site woodland preservation is proposed, which will improve the green infrastructure network. Almost the entirety of the regulated areas of the on-site green infrastructure network will be preserved. The remaining woodland in the net tract area is proposed to be placed in preservation, exceeding the woodland conservation requirements for this site. No on-site or off-site mitigation is required.

**POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan. (page 51)**

**Strategies:**

**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 new culverts, bridges, or roads are proposed.

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

**Strategy**

**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.**  
(page 52)

The applicant has proposed to exceed the site's woodland conservation requirements and preserve the entirety of the remaining woodland in the net tract area. In accordance with this master plan policy, Section 24-130(b)(5) of the prior Subdivision Regulations, Section 27-317(a)(7) of the prior Zoning Ordinance, and Section 25-121(b) of the WCO, all areas within the PMA, outside of approved impacts, shall be placed into a protected conservation easement with the final plat of subdivision; while all woodland preservation will be protected through a woodland and wildlife habitat conservation easement, in accordance with Section 25-122(d) of the WCO.

**POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.** (page 53)

**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.**

In accordance with this master plan policy, Section 24-130(b)(5) of the prior Subdivision Regulations and Section 27-317(a)(7) of the prior Zoning Ordinance, the application limits impact to REF. State regulations require that developments treat stormwater on the subject property, and outfall the water safely to a wetland or stream system without creating erosion.

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

The majority of the wooded stream buffer will be preserved. The applicant has submitted an SOJ for not reforesting a total of 0.2 acre of an unforested stream buffer. The Environmental Planning Section staff is in agreement that the areas of unforested stream buffer are not suitable for the establishment of new planting material, as these areas have existing utilities and SWM facilities that cannot reasonably be relocated.

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

**General Strategies for Increasing Forest and Tree Canopy Coverage**

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

In accordance with this master plan policy, Section 24-132 of the prior Subdivision Regulations, Section 27-317(a)(7) of the prior Zoning Ordinance, and 25-121(b) of the WCO, woodland conservation is proposed to be met on-site through woodland preservation, in excess of the requirement. This use of off-site banking or fee-in-lieu is not requested.

**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 2018 Environmental Technical Manual (ETM) and the 2010 *Prince George's County Landscape Manual*.

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

Retention of existing woodlands and planting of native species on-site is required by the Landscape Manual, with both counting toward the tree canopy coverage (TCC) requirement for the development.

In accordance with this master plan policy, Section 24-132(a) of the prior Subdivision Regulations, Section 27-317(a) of the prior Zoning Ordinance, and Subtitle 25 Division 3 of the WCO, woodland conservation and TCC requirements are proposed to be met with 2.01 acres of on-site woodland preservation.

### ***Forest Canopy Strategies***

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

This application proposes 0.03 acre of woodland clearing for the installation of a SWM outfall. The edge created by this clearing will be planted with landscape plantings, in accordance with Landscape Manual buffer requirements.

- 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.**

This site does not contain the potential for forest interior dwelling species (FIDS). In a letter dated April 10, 2024, the Maryland Department of Natural Resources, Natural Heritage Program determined that the site is located within a sensitive species protection review area. In accordance with Section 24-130(b)(5) of the prior Subdivision Regulations, all areas within the PMA outside of approved impacts, shall be placed into a protected conservation easement. All woodland preservation will be protected through a woodland and wildlife habitat conservation easement, in accordance with Section 25-122(d) of the WCO.

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

The applicant is minimizing woodland clearing for this project and is proposing woodland conservation in excess of the requirement.

## **CONFORMANCE WITH ENVIRONMENTAL REGULATIONS**

### **Woodland Conservation**

This property is subject to the provisions of the 2024 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application was accepted after June 30, 2024. Pursuant to Section 25-119(a)(2)(C) of the WCO, a TCP1 was submitted for review with this PPS. The minimum woodland conservation threshold for the prior R-R Zone is 20 percent of the net tract area, or 1.53 acres.

During the NRI review, the Maryland Department of Natural Resources, Natural Heritage Program provided the applicant with recommendations for protective measures for aquatic habitats supporting potential rare, threatened, and endangered species. The draft TCP1 was prepared in accordance with Recommendation 1(a) to address SWM runoff through methods such as bioretention, and Recommendation 2(a) to minimize clearing and retain forest. The applicant proposes clearing 0.03 acre of woodland for the installation of a SWM outfall to manage the SWM facility near the northwest corner of the existing care facility building. The total woodland conservation requirement for this project is 1.56 acres, which is proposed to be met with the preservation of all remaining 2.01 acres of woodland in the net tract area.

Per Section 25-121(c)(1)(C) of the WCO, after meeting all other requirements, all remaining unforested riparian buffers on-site shall be afforested and reforested or provide an SOJ justifying the reasons for not meeting this requirement. The applicant has submitted an SOJ for not reforesting a total of 0.2 acre of unforested stream buffer and staff is in agreement. Specifically, the areas of unforested stream buffer are not suitable for the establishment of new planting material, as these areas are improved with existing utilities and SWM facilities. Two specimen trees are proposed to be removed with the SE application.

In accordance with Section 25 119(c)(5)(B) of the WCO, notices were mailed to the parties listed in Subsection 27-125.01(a) of the prior Zoning Ordinance at least 20 days before the TCP approval. According to the affidavit provided by the applicant, notice letters were mailed on March 19, 2025. Staff has not received any public comment about this application as the result of the mailing.

### **Specimen Trees**

Specimen trees are required to be protected under Sections 24-121(a)(11) and 24-132(a) of the prior Subdivision Regulations. Two specimen trees are proposed to be removed with the SE application associated with this PPS. However, the specimen tree removal variance request is being evaluated with SE-24003. Final signature approval of the PPS shall conform to the layout approved with SE-24003.

### **Regulated Environmental Features/Primary Management Area**

REF are required to be preserved and/or restored to the fullest extent possible under Section 24-130(a) of the Environmental Standards of the prior Subdivision Regulations. The on-site REF includes streams, 100-year floodplain, associated buffers, and steep slopes as defined in the prior Subdivision Regulations.

Section 24-130(b)(5) of the prior Subdivision Regulations states: "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall 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. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to the prior Subtitle 27 of the County Code, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the PMA are being reviewed with SE-24003. Final signature approval of the PPS shall conform to the layout and impacts approved with SE-24003.

### **Soils**

In accordance with Section 24-131 of the prior Subdivision Regulations, this application was reviewed for unsafe land restrictions. Section 24-131(a) states “The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes.”

According to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, soils present include Christina-Downer complex, Sassafras-Urban land complex, and Sassafras and Croom soils. A geotechnical report was included with this application which included a global stability investigation and analysis for the proposed retaining wall in accordance with Techno-Gram 002-2021 retaining wall requirements. There are no geotechnical concerns with this application.

- 11. Urban Design**—The subject PPS proposes two parcels, for institutional development, specifically the expansion of an existing nursing or care home facility. Pursuant to Section 27-441(b)(3) of the prior Zoning Ordinance, the use of “nursing or care home” is permitted in the R-R Zone via SE approval. The proposed development represents an increase of 23,745 square feet of gross floor area and 36 skilled nursing beds, bringing the total development proposed under this PPS to 118,027 square feet and 162 beds, necessitating the need for the applicant to file an SE that will supersede the site’s most recent approval, ROSP-4197-03. Detailed Site Plan (DSP) approval is not required for cases subject to an SE. The applicant has filed SE-24003 for the subject development, which was officially accepted on February 28, 2025, and which is currently being reviewed for conformance with the prior Zoning Ordinances including, but not limited to, the following:

- Section 27-317 – SE Required Findings;
- Section 27-364 –Hospital; nursing or care home; eleemosynary or philanthropic institution;
- Section 27-428 – R-R Zone (Rural Residential);
- Section 27-441 –Uses permitted;
- Section 27-442 – Regulations;
- Part 11 – Off-Street Parking and Loading; and

- Part 12 – Signage.

It is possible for a DSP to be required as a condition of the SE. At that time, per Section 27-269(a)(3) of the prior Zoning Ordinance, the conditional approval shall state as clearly as possible the reasons for requiring the site plan and the specific parts of the proposed development to be reviewed, which may include any of the design guidelines contained in Sections 27-274 and 27-283 of the prior Zoning Ordinance.

- 12. Community feedback**—At the time of the writing of this technical staff report, the Prince George’s County Planning Department has not received any correspondence from the community regarding this PPS.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
  - a. Revise General Note 6 to reflect the correct total gross acreage in accordance with the property boundary survey (8.34 acre). Revise all subsequent general notes affected by this revision.
  - b. Revise General Note 13 to provide the breakdown of proposed development per proposed parcels, and not existing lots and parcels. Remove the reference to ‘proposed dwelling’.
2. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment*, the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following facilities, and show the details, location, and extent of the following facilities on the site plan for permitting:
  - a. Unless updated by the operating agency, in accordance with the applicable Code section providing authorization during permitting, with written correspondence:
    - (1) A standard bicycle lane along the property frontage of MD 212 (Powder Mill Road).
    - (2) A minimum 5-foot-wide Americans with Disabilities Act-compliant sidewalk along the frontage of MD 212 (Powder Mill Road), where feasible.
    - (3) Continental-style crosswalks and Americans with Disabilities Act-compliant curb ramps at all vehicular access points.

Any modifications shall be in accordance with Prince George’s County Department of Public Works and Transportation and Maryland State Highway Administration adopted standards.

- b. Designated Americans with Disabilities Act-compliant pedestrian pathways to the building entrance.
  - c. Short-term bicycle parking, to include a minimum of two inverted U-style or similar style bicycle racks at a location no more than 50 feet from the building's entrance.
3. Development of this subdivision shall be in conformance with an approved Type 1 tree conservation plan (TCP1-005-2025), in conformance with Section 25-121 of the 2024 Woodland and Wildlife Habitat Conservation Ordinance. The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-005-2025 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

4. Prior to issuance of the first grading permit for this subdivision, and in conformance with Section 25-119(a)(2) of the 2024 Woodland and Wildlife Habitat Conservation Ordinance, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

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

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

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

6. The final plat of subdivision shall include the following, prior to its approval:
  - a. The granting of a 10-foot-wide public utility easement along the public rights-of-way, in accordance with the approved preliminary plan of subdivision, in accordance with Section 24-122(a) of the prior Prince George's County Subdivision Regulations.
  - b. The dedication of right-of-way along MD 212 (Powder Mill Road) in accordance with Section 24-123(a)(1) and Section 24-123(a)(5) of the prior Prince George's County Subdivision Regulations, and the approved preliminary plan of subdivision.

**STAFF RECOMMEND:**

- Approval of Preliminary Plan of Subdivision 4-24012
- Approval of Type 1 Tree Conservation Plan TCP1-005-2025