



Preliminary Plan of Subdivision Locust Hill – Phase 3

4-24038

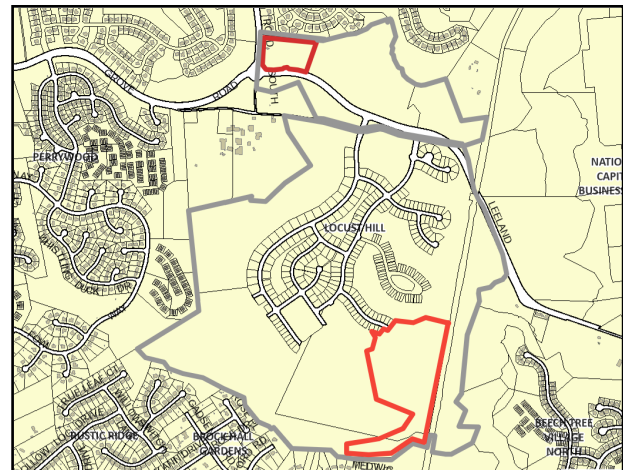
REQUEST	STAFF RECOMMENDATION
161 lots and 8 parcels for residential development consisting of 161 single-family attached dwelling units.	With the conditions recommended herein: • Approval of Preliminary Plan of Subdivision 4-24038 • Approval of Type I Tree Conservation Plan TCPI-024-06-03 • Approval of a Variation from Section 24-128(b)(7)(A)

Location: On the north and south sides of Leeland Road, within the Locust Hill Subdivision, approximately 1.5 miles west of the intersection of Leeland Road and US 301 (Robert Crain Highway).

Gross Acreage:	50.09
Zone:	LCD
Prior Zone:	R-L
Reviewed per prior Subdivision Regulations:	Section 27-1704
Gross Floor Area:	N/A
Dwelling Units:	161
Lots:	161
Parcels:	8
Planning Area:	74A & 79
Council District:	06
Municipality:	N/A

Applicant/Address:
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Planning Board Date:	10/02/2025
Planning Board Action Limit:	10/09/2025
Mandatory Action Timeframe:	140 days
Staff Report Date:	09/24/2025
Date Accepted:	04/21/2025
Informational Mailing:	01/31/2025
Acceptance Mailing:	04/07/2025
Sign Posting Deadline:	09/02/2025

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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 4-24038
Type I Tree Conservation Plan TCPI-024-06-03
Variation from Section 24-128(b)(7)(A)
Locust Hill - Phase 3

OVERVIEW

The subject property is located on the north and south sides of Leeland Road within the overall Locust Hill Subdivision, approximately 1.5 miles west of Leeland Road's intersection with US 301 (Robert Crain Highway). The site contains 50.09 total acres of land, consisting of two separate tracts of land. The first tract is Outparcel A, which is 8.69 acres, and is recorded in the Land Records of Prince George's County in Plat Book ME 268, Plat number 65. The second tract is a 41.40-acre portion of Outparcel Q, recorded in the aforementioned land records in Plat Book ME 268, Plat number 67.

The subject property lies in the Legacy Comprehensive Design (LCD) Zone. However, this preliminary plan of subdivision (PPS) application was submitted for review in accordance with 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 27-1704 of the current Zoning Ordinance. The site is further subject to two area master plans. The 41.40-acre portion of the project, labeled as Phase 3A, is subject to the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (Bowie Master Plan). and the 8.69-acre portion of the project, labeled as Phase 3B, is subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan).

The subject property was included in Comprehensive Design Plan CDP-0506, which was approved by the Prince George's County District Council on April 19, 2007. Pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid CDP, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a) of the Zoning Ordinance, may be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of approval of the CDP. Therefore, this application is reviewed pursuant to the standards of the prior Residential Low Development (R-L) Zone, which were effective prior to April 1, 2022. In accordance with Section 24-4503(a)(4) of the Subdivision Regulations, this PPS is supported by and subject to an approved Certificate of Adequacy ADQ-2024-072.

This PPS proposes to subdivide Outparcel A and part of Outparcel Q of the overall Locust Hill subdivision, which is proposed to be developed in three phases. This PPS is proposed as Phase 3 of the Locust Hill development. More specifically, the development proposed in this phase

consists of two pods - Phase 3A and Phase 3B. The 41.40-acre Phase 3A, which is currently undeveloped and wooded, is located in the southeast corner of the Locust Hill development, adjacent to the CSX Popes Creek Railroad tracks, which bisect the eastern portion of the Locust Hill subdivision. The second development pod, Phase 3B, consists of Outparcel A, which is predominately wooded except for an existing construction staging area to be removed, and is located on the north side of Leeland Road in the northwest corner of the Locust Hill subdivision. The overall Locust Hill subdivision itself consists of 503.53 acres and is located on the north and south sides of Leeland Road, on the east side of Church Road, and is bisected by the CSX Popes Creek Railroad tracks.

This PPS application proposes to resubdivide the subject property into 161 lots and 8 parcels for development of 161 single-family attached residential dwelling units. Specifically, 141 townhouse lots and 5 parcels are proposed for Phase 3A, and 20 attached carriage dwelling lots and 3 parcels are proposed for Phase 3B.

In addition, the applicant filed a request for a variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations, to allow 66 of the 141 proposed townhouse lots to be served by alleys without having frontage on and direct vehicular access to a public street. This request is discussed further in the Transportation finding of this technical staff report.

Staff recommend **APPROVAL** of the PPS and the Type I tree conservation plan (TCPI), with conditions, and **APPROVAL** of the variation from Section 24-128(b)(7)(A), based on the findings contained in this technical staff report.

SETTING

Phase 3A of the subject property (part of Outparcel Q) is located on Tax Map 76, Grid F4 and Tax Map 84, Grids E1 and F1. Phase 3A abuts the greater Locust Hill subdivision in the LCD Zone (prior R-L Zone) to the north, which is currently under development for single-family attached and detached homes, as approved under prior PPS 4-06075. To the west, Phase 3A abuts the remaining portion of Outparcel Q, which is to be developed as Phase 2 of the greater Locust Hill subdivision, pursuant to PPS 4-06075, with single-family detached homes. The south side of Phase 3A abuts land in the Reserved Open Space (ROS) Zone (prior Reserved Open Space (R-O-S) Zone) owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and part of the Collington Branch Stream Valley Park. The east side of Phase 3A abuts the CSX Popes Creek Branch Railroad track, with Parcel P of the greater Locust Hill subdivision beyond.

Phase 3B of the subject property (Outparcel A) is located on Tax Map 76, Grid E2 and is surrounded by land located in the LCD Zone (prior R-L Zone). Phase 3B is bound to the north by land developed with single-family detached homes in the Oak Creek subdivision. Phase 3B is bound to the south and east by Leeland Road, with the continuation of the greater Locust Hill subdivision, which is under development for single-family attached and detached homes pursuant to 4-06075. Phase 3B is bound to the west by Church Road with single-family detached residential development beyond.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	EVALUATED
Zones	LCD	R-S
Use(s)	Vacant	Residential
Acreage	50.09	50.09
Parcels	0	8
Lots	0	161
Outlots	0	0
Outparcels	2	0
Dwelling Units	0	161
Subtitle 24 Variation	No	Yes; Section 24-128(b)(7)(A)
Subtitle 25 Variance	Yes; Section 25-122(b)(1)(G)	No

The subject PPS, 4-24038, was accepted for review on April 21, 2025. Pursuant to Section 24-119(d)(2) of the prior Subdivision Regulations, the PPS was referred to the Subdivision and Development Review Committee (SDRC), which held a meeting on May 9, 2025, where comments were provided to the applicant. Pursuant to Section 24-113(b) of the prior Subdivision Regulations, the requested variation from Section 24-128(b)(7)(A) of the prior Subdivision Regulations was also received on April 21, 2025, and comments were provided to the applicant at the SDRC meeting on May 9, 2025. Revised plans and documents were received on June 26, 2025, and July 25, 2025, which were used for the analysis contained herein.

2. **Previous Approvals**—The property is the subject of several prior approvals, which include Zoning Map Amendments A-9975-C and A-9975-01-C, CDP-0506 and its amendment CDP-0506-01, PPS 4-06075, and SDPs and their amendments SDP-0701, SDP-1705, SDP-2101, and SDP-2504. The prior development approvals applicable to this PPS are separately discussed below.

ZMA A-9975 was approved by the District Council on November 9, 2006 (Zoning Ordinance 19-2006), for approval of residential dwelling units ranging from 475–581 dwelling units. It was subsequently revised with the District Council approval of A-9975-01-C, enacted on May 13, 2019 (Zoning Ordinance 6-2019), to increase the number of dwelling units to 706 residential units, subject to 21 conditions and 9 considerations, of which those that are applicable to the review of this PPS are provided below in **bold**, with staff analysis following in plain text. Conditions are analyzed first, followed by Considerations.

1. **The Basic Plan shall be revised to show the following land use locations, types and quantities:**

Total Area:	505.81 acres
Land in the 100-year floodplain:	69.21 acres
Adjusted Gross Area: (total area less half the floodplain (34.6 acres))	471.21 acres

Density Permitted under the R-L Zone: 1.0-1.5 dwellings (d.u.)/acre

Permitted Dwelling Unit Range: 471-706 d.u.

Approved Land Use Types and Quantities*

Approved Dwelling Unit Range: 471-706 d.u.

Residential Single-Family Detached:

Minimum Range (65%) 306-459 d.u.

Maximum Range (90%) 424-635 d.u.

Residential Attached Dwellings (attached dwellings shall not exceed 35 percent of the maximum density):

Minimum Range (10%) 47-71 d.u.

Maximum Range (35%) 165-247 d.u.

Total Dwellings: 471-706 d.u.

Public Open Space (parkland and parks, a minimum of 10 acres shall be developable): 58 acres

Private Open Space Buffer: 65 acres

***Maximum achievable density shall be determined at the time of Comprehensive Design Plan (CDP) not to exceed 706 d.u. (Note-single-family detached should include large lot units, with dimensions to be determined at the time of CDP)**

This application is in conformance with the land use quantities listed in this condition, as well as the density approved with CDP-0506-01. This PPS proposes 161 dwelling units as part of Phase 3 development. Phase 1 was approved for 335 dwelling units (SDP-1705-02), and Phase 2 proposes 210 dwelling units. The total number of dwelling units proposed for the overall Locust Hill development, therefore, will be 706, which is the maximum number of units permitted by the basic plan. The coversheet of the PPS shows a chart that demonstrates that both the subject application and all prior approved applications for the Locust Hill project are in conformance with the land use quantities and density approved with A-9975-C-01 and CDP-0506-01.

- 2. Development shall preserve the Patuxent River Primary Management Area (PMA) to the fullest extent possible. Impacts to the PMA shall be minimized by limiting the number of road crossings, by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.**

The primary management area (PMA) has been correctly shown on the most current natural resources inventory (NRI), and the impacts proposed are consistent with CDP-0506, 4-06075, SDP-1705, SDP-1705-02, and CDP-0506-01. No additional impacts are proposed with this application.

3. **Alignment of the master planned collector roadway (MC-600) shall be evaluated in detail to determine the location that results in the preservation of the existing natural resources to the fullest extent possible.**

The alignment of the master-planned collector roadway MC-600 was evaluated with the review of CDP-0506, CDP-0506-01, PPS 4-06075, SDP-1705, and SDP-1705-02, with the result of preserving the existing natural resources to the fullest extent possible. This application does not propose any revisions to the alignment of MC-600. The portion of MC-600 within Locust Hill was dedicated per Plat Book ME 265, Plat 60.

4. **Natural Resources Inventory (NRI), signed by appropriate staff, shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.**

All environmental features of the property, including stream buffers, wetlands, and floodplain, are correctly shown on NRI-047-06-05, and the PMA has been correctly delineated. The current PPS application and revised TCPI are consistent with the most recent NRI approval.

5. **A protocol for surveying the locations of all rare, threatened and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources prior to acceptance of the CDP and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any Application for preliminary plans.**

This site contains one identified rare, threatened, and endangered plant (RTE) species. A Rare, Threatened and Endangered Species Habitat Protection and Management Program dated November 11, 2016, was approved by Maryland Department of Natural Resources (MDNR) with SDP-1705. Annual monitoring reports are required to be filed with both M-NCPPC and MDNR. With subsequent entitlement reviews, the applicant submitted email correspondence with the Environment Planning Section, dated November 23, 2021 (Finch to Klebasko) which confirmed that, due to the location of the RTE plant species on the parcel on the eastern side of the railroad tracks that is to be dedicated to M-NCPPC and because that area will not be disturbed, no additional surveys or construction monitoring is required for this development. It is recommended that this previous condition be removed from this application.

6. **The Woodland Conservation Threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I Tree Conservation Plan required with the CDP Application shall focus on the creation of contiguous woodland. Priority areas for tree preservation shall be concentrated in areas**

within the framework of the approved Green Infrastructure Master Plan. No woodland conservation shall be provided on a residential lot.

This condition has been addressed with the prior TCP approval and will be confirmed with any subsequent TCP reviews. The TCPI submitted with this application correctly shows the woodland conservation threshold (WCT) as 25 percent and is proposed to be met on-site. Areas of interconnected woodlands are proposed within the framework of green infrastructure network. No woodland conservation is proposed on residential lots.

- 7. Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance. This note shall also be placed on all Tree Conservation Plans.**

This condition has been addressed with prior TCP approvals and will be confirmed with any subsequent TCP reviews. Note 13 on Sheet 8 of the TCPI reiterates this condition.

- 8. A Marlboro Clay geotechnical report that identifies the location and elevation of the Marlboro Clay layer throughout the site shall be submitted as part of the CDP application package.**

A geotechnical report titled "Report of Geotechnical Exploration, Locust Hill" prepared by Geo-Technology Associates, Inc., and last revised on January 31, 2024, has been submitted for review. While Marlboro clay is found on the Locust Hill development, the geotechnical report determined that slope stability analysis is not needed for this application because Marlboro clay has not been encountered in the areas associated with Phase 3A and 3B, the subject of this PPS.

- 9. A Phase I noise study shall be submitted with the Preliminary Plan Application package. The noise study should address the location of the 65 dBA Ldn noise contour related to the CSX Railroad tracks, and what mitigation measures, if any, will be required to reduce noise impacts to 65 dBA Ldn in outdoor activity areas.**

A noise study was submitted with this PPS acceptance submission and is discussed further in the Noise finding in this technical staff report.

- 10. If noise mitigation is required to reduce noise levels to below 65 dBA Ldn in outdoor activity areas, a Phase II noise study shall be submitted with the Preliminary Plan Application package. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA Ldn interior.**

The Phase I Noise Analysis for Phases 2 and 3 of Locust Hill submitted with this PPS application concluded that none of the homes proposed for Phases 2 and 3 of the Locust Hill residential development will be exposed to transportation noise levels

above 65 dBA Ldn. As a result, none of the proposed residences will require additional mitigation or modifications to proposed building construction to comply with Prince George's County's noise regulations. Therefore, the proposed standard building construction for these homes may be used without modification. In addition, none of the outdoor recreation areas and residential yards will be impacted by future noise levels exceeding 65 or 55 dBA Ldn during daytime or nighttime hours, respectively, and will therefore require no further analysis.

11. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.

There are no lots proposed within 150 feet of the centerline of the CSX Popes Creek Branch railroad tracks.

12. The Applicant and its heirs, successors, and/or assignees shall provide the following trail facilities.

- a. **Construct the portion of the 10-foot-wide Master Plan hiker-biker trail located on the subject property's portion of the Collington Branch Stream Valley. The 10-foot width of the Master Plan trail may be modified at appropriate locations to respond to environmental constraints. Trail alignments shall be determined by the Department of Parks and Recreation of the M-NCPPC. Appropriate feeder trail connections from the project to the Master Plan hiker-biker trail shall be determined at CDP.**
- b. **Construct the 8-foot wide Master Plan hiker-biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.**
- c. **Construct a Class I Master Plan trail (or side path) along the 'subject property's entire frontage of both Oak Grove Road and Church Road. The location of the Class I Master Plan trail (or side path) will be located along or adjacent to the Oak Grove and Church Road rights-of-way, except where environmental constraints require otherwise. In the event that environmental constraints require a different alignment, the Master Plan trail shall be routed around said constraint to ensure a continuous connection.**
- d. **The location of trail facilities shall be determined at the time of Comprehensive Design Plan and Preliminary Plan of Subdivision (PPS) review. Any realignment of trails and/or relocation of stream crossings required under this Condition, due to existing environmental constraints, shall be reviewed and approved by the Department of Parks and Recreation (DPR). Any structures required to ensure dry passage shall be reviewed and approved by DPR at time of Specific Design Plan (SDP).**

The applicant will construct a number of master-planned trails and 6-foot-wide internal feeder trails as part of the PPS and prior SDPs for Locust Hill. Five-foot-wide sidewalks will also be provided along both sides of the internal public streets. The required Class I Master Plan trail is reflected on the approved SDP-1705-02, along the frontage of Leeland Road and Church Road. The road section and associated paths within the public right-of-way (ROW) will be finalized with the Prince George's County Department of Permitting, Inspections and Enforcement (DPiE) and the Prince George's County Department of Public Works and Transportation (DPW&T).

- 13. In the event the applicant elects to develop both Locust Hill and the adjacent Willowbrook communities with shared private recreational amenities, the applicant shall submit for DPR's approval, prior to the time of CDP approval, appropriate covenants that shall be recorded in the County Land Records at final plat for both the Locust Hill and Willowbrook properties. The covenants are to ensure that residents within both the Locust Hill and Willowbrook communities will have equal access to membership in and use of open space and recreational facilities in both developments.**

The Locust Hill development does not propose to share private recreational amenities with the adjacent Willowbrook development (now National Capital Business Park), which is approved for industrial development.

- 14. At the time of CDP and Preliminary Plan of Subdivision submissions, the applicant or its heirs, successors, and/or assignees shall provide a traffic study that analyzes the following intersections:**

- US 301/MD 725
- US 301/Village Drive
- US 301/Leeland Road
- US 301/Trade Zone Avenue
- Leeland Road/Safeway Access
- Oak Grove Road/Church Road
- Oak Grove Road/MD 193
- MD 202/MD 193
- Link of Leeland Road-Oak Grove Road, between US 301 and MD 202.

The applicant submitted a traffic impact study, dated October 17, 2024, with the associated ADQ-2024-072 application. The traffic study analyzes the intersections listed in the above condition. A detailed review of the traffic impact study was completed with the ADQ.

- 15. All stream and wetland mitigation for impacts to environmentally regulated site features shall be provided within the Collington Branch watershed, or, if mitigation sites cannot be found, within the Western Branch watershed, to the fullest extent possible, as determined by the permitting agency.**

The applicant coordinated with the Maryland Department of the Environment (MDE) to comply with this condition. MDE confirmed that there are no on-site or off-site wetland mitigation banks within the Collington Branch watershed, or within

the Western Branch watershed for properties not within the priority funding area. MDE directed the applicant to purchase credits at the Peige Mitigation Bank which is not within the same watershed; however, that is where this applicant was directed by MDE. MDE notice of permit decision Permit 24-NT-0193/202461296 stated that the mitigation requirement was satisfied by the applicant.

- 16. Prior to any ground disturbance or the approval of any grading permits, the Applicant shall ensure that all artifacts recovered from the archeological survey on the subject property are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to the Historic Preservation Section.**

This condition has been satisfied. Staff received confirmation from the applicant on July 14, 2023, that the artifacts from the Phase IB excavations of Locust Hill subdivision had been received at the Maryland Archaeological Conservation Laboratory at Jefferson Patterson Park and Museum.

- 17. Prior to approval a preliminary plan of subdivision for that portion of the subject property that is believed to include a cemetery in the southern portion of Parcel 30, the applicant shall perform archeological investigations of the site to include geophysical survey(s), such as ground penetrating radar, electrical resistivity and/or magnetometer survey, or limited shovel testing, hand excavation, and selected shallow surface removal, to determine the possible existence of burials. If it is determined that burials are present, the applicant shall avoid the area defined as containing burials.**

This condition has been satisfied. A Phase I archeological survey was completed for the cemetery, identified as Historic Site 18PR1124. Five copies of the revised final report, Supplemental Phase IB Survey of a Portion of the Locust Hill Property, Prince George's County, Maryland (Final Report), were submitted to staff on January 24, 2019. Two burial shafts were identified during investigation of the approximately 0.5-acre portion of Parcel 30, within the overall Locust Hill development. Historical research indicates that there may be at least two more burials within what was determined to be a Brock family cemetery. Preservation in place was recommended, and Historic Preservation staff agree with this assessment.

Consideration 6. Single-family dwelling units shall have a range of lot sizes and lot standards to ensure a variety of housing types.

Consideration 7. To ensure that the increase from 20 percent to 35 percent in single-family attached units will continue to provide a high-quality suburban development and will be in keeping with previous approvals and surrounding developments in terms of site design, lot size, dwelling units size, even "architecture and scale" (Master Plan page 179), at the next stages of the review process, such as at the time of the CDP, PPS, and SDP, the development proposal shall be carefully reviewed and attention should be given to the design of the project to ensure the site

provides various lot sizes, house types, and architectural design that is compatible with surrounding land uses.

To support the residential low (R-L) zoning of the community, but also allow the flexibility requested by the Applicant, a varied housing stock is appropriate. The carriage home lot sizes shall be comparable to the CDP approved lot sizes, to be determined with the CDP. This will ensure a more integrated layout with single-family dwellings on varying lot sizes, attached carriage homes on large lots, and townhouses, which will provide for a varied ownership interest that will support an integrated development. The increase in dwelling units and change in house types will require careful site planning to preserve the natural features of the site.

The proposed PPS layout and development pattern for Phase 3 is compatible with surrounding land uses. The proposal includes 161 lots consisting of 20 carriage lots and 141 townhouse lots. The prior approved PPS and SDPs provide a mix of architecture, house types, and lot sizes under the overall Locust Hill development and together satisfy the above considerations.

Consideration 8. As the original Basic Plan required carriage homes, there shall be some percentage of carriage homes provided.

This PPS proposes 20 carriage home lots in Phase 3A, representing 8 percent of the total homes proposed with this subdivision, which satisfies this consideration.

CDP-0506 was approved by the Prince George's County Planning Board on January 4, 2007 (PGCPB Resolution No. 06-274), for 552 dwelling units on approximately 503.53 acres, consisting of single-family detached and a maximum of 110 attached dwelling units. The District Council affirmed the findings of the Planning Board and approved CDP-0506 on April 9, 2007. However, this CDP was amended by CDP-0506-01, which this PPS must conform to, and which is evaluated below.

PPS 4-06075 and TCPI-024-06-01 were approved by the Planning Board on March 15, 2007 (PGCPB Resolution No. 07-28(C)(A)), for 554 lots and 24 parcels. However, PPS 4-06075 will be superseded for those portions of the Locust Hill subdivision included in this PPS, specifically, Phase 3.

CDP-0506-01 was approved by the Prince George's County Planning Board on October 3, 2024 (PGCPB Resolution No. 2024-091) to increase the number of residential units to 706 and to conform with conditions and considerations set forth in Basic Plan A-9975-01-C. CDP-0506-01 was approved, subject to 37 conditions. Those conditions applicable to the approval of this PPS are provided below in **bold**, with staff analysis following in plain text.

3. Prior to the acceptance of a preliminary plan of subdivision (PPS), the applicant, and the applicant's heirs, successors, and/or assignees shall:

- a. **Submit a bicycle and pedestrian impact statement (BPIS).**
- b. **Submit a new traffic impact study to evaluate transportation adequacy for units/lots proposed as part of the PPS application.**

The applicant has submitted a bicycle and pedestrian impact statement package and traffic impact study with the PPS application. This condition has been met.

7. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- a. **Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Oak Grove Road, prior to issuance of the 530th building permit.**
- b. **Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Church Road, prior to issuance of the 530th building permit.**
- c. **Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to the Prince George's County Department of Parks and Recreation or within a public use easement on homeowners association land, prior to issuance of the 414th building permit.**

The required Class I Master Plan trail is reflected on the approved SDP-1705-02 along the frontage of Oak Grove Road (Leeland Road) and Church Road. The road section and associated paths within the public ROW will be finalized with DPIE and DPW&T. SDP-1705-02 approved 335 dwelling units for Phase 1 of the Locust Hill Development. SDP-2504 has been submitted by the applicant for Phase 2 of the development and proposes 210 dwelling units. This PPS is for Phase 3 development and proposes 161 dwelling units. The trails along Leeland Road and Church Road will be triggered by construction of Phase 2 development, when the 530th building permit will be issued. The proposed alignment of master plan trail along Black Branch is located on Parcel R, which is to be developed with Phase 2 of Locust Hill. This condition will be reviewed at the time of SDP-2504, for Phase 2 development.

13. At the time of preliminary plan of subdivision, the applicant shall be conditioned to dedicate all rights-of-way for Leeland Road (MC-600) as identified by the Prince George's County Planning Department.

The PPS shows the ROW for Leeland Road (MC-600) as dedicated to by final plats recorded in Plat Book ME 265, Plats 60, 64, and 67.

17. The following note shall be placed on the preliminary plan of subdivision and all future tree conservation plans: "All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."

This condition is reflected on General Note 31 on the Coversheet of the PPS.

19. **The Type I tree conservation plan (TCPI) submitted with the preliminary plan of subdivision shall identify each clearing area by type: net tract clearing, primary management area (PMA) clearing (master plan road), PMA clearing (includes floodplain), and off-site clearing. Each of the clearing types shall be identified using a different symbol. A chart indicating the type and size of each isolated clearing area in its respective category shall also be added to the plan.**

This condition was addressed both graphically and in a table on Sheet 2 of the TCPI associated with the PPS.

20. **At least 30 days prior to the Prince George's County Planning Board hearing for the preliminary plan of subdivision (PPS), a detailed geotechnical report based on the existing conditions of the site, including the most current topographical information (or as shown on the Natural Resources Inventory) shall be submitted. It shall also address the existing outcrop pattern of Marlboro clays and areas of slope stability concerns with respect to the existing conditions. The study shall provide the appropriate plans and/or exhibits, showing the location of all slope stability cross sections, and identify the unmitigated 1.5 safety factor lines. The unmitigated 1.5 safety factor lines based on that report shall then be placed on the Type I tree conservation plan and the PPS.**

The geotechnical report titled "Report of Geotechnical Exploration, Locust Hill" prepared by Geo-Technology Associates, Inc., and revised on January 31, 2024, determined that a slope stability analysis is not needed because Marlboro clay has not been encountered within the limits of this PPS.

21. **At least 30 days prior to any Planning Board hearing on the preliminary plan of subdivision (PPS) application, the existing conditions and proposed 1.5 safety factor line shall be shown on the PPS and Type I tree conservation plan. No structures, septic fields, or lots less than 40,000 square feet in area shall be placed within the mitigated 1.5 safety factor line. All subsequent plans shall also show this information. If proposed, engineering of the site will change the location of the existing 1.5 safety factor line, the proposed 1.5 safety factor line must also be shown on all plans.**

This information was previously provided on 4-06075 and TCPI-024-06-02. However, the site has been previously graded to eliminate the 1.5 safety factor lines. As a result, they are not reflected on TCPI-024-06-03, submitted with this PPS.

22. **Prior to signature approval of the preliminary plan of subdivision, a copy of the approved stormwater management (SWM) concept plan shall be submitted. The plan shall include the use of SWM environmental site design (ESD) practices to handle 100-year quantity control and ESD, to the fullest extent possible. Those practices may include sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other SWM techniques.**

The Stormwater Management (SWM) Concept plan and approval letter (42211-2014-03) approved the use of submerged gravel wetlands, a dry detention pond, and micro-bioretenment facilities to treat the stormwater for the development. Prior to signature approval of PPS 4-24038, Note 11 of the TCPI shall be corrected to reflect the current SWM concept plan number.

24. **Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the United States, copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Prince George's County Planning Department.**
25. **Prior to issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.**

Conditions 24 and 25 have been carried over to this PPS as conditions of approval.

28. **The applicant shall dedicate ±48 acres of parkland to The Maryland-National Capital Park and Planning Commission (M-NCPPC), including the Collington Branch and Black Branch stream valleys, and 8.5 acres of developable land for active recreation as shown on the amended comprehensive design plan.**

The applicant dedicated Parcel P (30.04 acres) and proposes to dedicate Parcels R, T, and U (14.18 acres), for a total of 44.22 acres, to M-NCPPC in accordance with this condition. Parcels R, T, and U, which have not yet been platted, are located in the northeast corner of the overall Locust Hill subdivision. Parcel R is proposed as the location for the active park required by this condition. With this PPS, an additional 9.14 acres of land will be dedicated, thereby bringing the total area dedicated to M-NCPPC to 53.36 acres.

29. **The land to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC) shall be subject to the standard conditions for conveyance of land to M-NCPPC.**

Appropriate conditions are included with this PPS for Parcel MM to be conveyed to M-NCPPC.

In addition to the above, Conditions 4, 10, 11, 12, 14, and 15 of CDP-0506-01, are related to public facility adequacy (specifically, transportation, and pedestrian and bikeway) for the proposed development. The subject PPS is subject to public facility adequacy standards of the current Subdivision Regulations. ADQ-2024-072, which was reviewed concurrently with this PPS, evaluates the proposed development for pedestrian and bicycle adequacy and transportation adequacy. The above conditions were carried forward with modifications, if necessary, as conditions of approval of ADQ-2024-072.

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

Plan 2035

Plan 2035 places the subject property in the Established Communities Growth Policy Area. The vision for the Established Communities growth policy area is that it is 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).

Master Plan

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (Bowie Master Plan) and 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan) recommend residential-low land use on the subject property (Bowie Master Plan: Map 16 on page 50; Subregion 6 Master Plan: Map 27 on page 286). Residential-low land use is described by both master plans as “residential areas of up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.” The overall Locust Hill development was approved for a residential use with a permitted density of 1.15 dwelling units per net acre with CDP-0506-01. Also, the phasing of development provided in the CDP reflects 161 dwelling units in Phase 3. This PPS proposes 161 dwelling units. The proposed use and density of this PPS, therefore, conforms with the land use and density envisioned by the master plans.

In addition, the Subregion 6 master plan recommend the following strategies and policies to help advance the intent and purpose of the plans.

Development Pattern and Land Use

Policy 1: Promote a development pattern that allocates appropriate amounts of land for residential, commercial, employment, industrial, and institutional land uses in accordance with county development goals by considering local and regional needs, the integration of land uses wherever possible, and the impact of development proposals on the economy, environment, equity, and efficiency. (page 58)

Strategy 1: Maintain low to moderate-density land uses except as part of mixed-use development and planned communities.

This project proposes residential-low development, which is Phase 3 of the overall Locust Hill development that was approved with a density of 1.5 dwelling units/acre. This PPS conforms with the land use and density approved by CDP-0506-01. This PPS proposes 161 dwelling units, which conforms with the number of units proposed with the Phase 3 development of the CDP.

Provisions of the master plans and other functional master plans, including policies and strategies that are found applicable to the development of the subject property, and the PPS conformance to these policies and strategies, are further discussed throughout this technical staff report.

Zoning

The 2013 sectional map amendment associated with the Bowie Master Plan retained the subject property in the R-A and R-E Zones. Basic Plan A-10059 reclassified the subject property from the R-L Zone. On November 29, 2021, the District Council approved Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the R-L Zone to the LCD Zone. However, this PPS is reviewed according to the prior R-L zoning.

4. **Stormwater Management**—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. A SWM Concept Plan 42211-2014-03 and an associated letter approved by DPIE on March 25, 2025, and expiring on March 25, 2028, were submitted with the subject application. The approved plan shows the use of micro-bioretenment facilities and submerged gravel wetlands to manage the stormwater. The design of the infrastructure started with CDP-0506 and PPS 4-06075. Further changes to the road network and associated infrastructure were approved with SDP-1705. Since those reviews, the stormwater and sediment control regulations have changed, and the applicant continued to pursue final engineering of the development working with DPIE and the Prince George's County Soil Conservation District (SCD).

DPIE and SCD design revisions were analyzed and approved with SDP-1705-02. This development will be subject to a site development fine grading permit and continuing reviews by DPIE and the SCD. Any changes to the stormwater or erosion and sediment control plans must be reflected on the Type II tree conservation plan (TCPII) prior to permit.

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

5. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the master plans, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and Sections 24-134 and 24-135 of the prior Subdivision Regulations, as they pertain to public parks and recreation and facilities.

The Subregion 6 Master Plan provides goals and policies related to parks and recreation (pages 130–139). The master plan indicates that there are approximately 13,700 acres of local and regional parks, recreation, and open space land in Subregion 6 (page 131). Of this total, approximately 60 percent, or 8,220 acres, is owned by M-NCPPC, and 40 percent is owned by the state. Both the Bowie Master Plan and the Subregion 6 Master Plan recommend connecting neighborhoods with trails to public parks. Policies of the Subregion 6 Master Plan include the following:

Continue to build high-quality, suburban development organized around a network of open space and community facilities with attention to site design.
(page 179)

Parks nearby include Watkins Regional Park, located approximately 3.0 miles northwest of the subject property; Oak Creek West Park, located 2.0 miles to the north; and, Beechtree West Park, approximately 3 miles to the southeast. In addition, Largo/Kettering / Perrywood Community Center is located 2.0 miles northwest of Locust Hill, and Patuxent Community Center is approximately 9.5 miles to the southeast. Most of the local parkland is within the Developing Tier, including 315 acres north of MD 4 (Pennsylvania Avenue) in Upper Marlboro and communities to the north. The Subregion 6 Master Plan recommends the development of a 100-acre parcel within the proposed Beechtree development (northern part), with potential access from Town Farm Road.

The proposed application will generate an additional 451 people (2.80 persons per dwelling unit) for Planning Area 79. Sections 24-134 and 24-135, which relate to mandatory dedication of parkland, provide for the dedication of land, the payment of a fee-in-lieu, and/or the provision of private on-site recreational facilities, for the mitigation of inadequate park facilities to serve the active recreational needs of residential development. Based on the proposed density of development, five percent of the net residential lot area, 2.5 acres, would be the required amount of land for dedication to M-NCPPC for public parks if the proposed subdivision was inadequately served by public parks and recreation facilities.

The applicant proposes dedicating approximately 9.14 acres of land (Parcel MM) to M-NCPPC which abuts open space currently owned by M-NCPPC to the south. It is noted that almost the entire area of Parcel MM contains regulated environmental features and is also currently placed in a conservation easement. Parcel MM, therefore, is not appropriate and suitable for active and passive recreation. However, the proposed PPS is designed to provide useable open space, recreation facilities, and trail connections to other development phases, recreation facilities, and public parks. The on-site recreational facilities will be reviewed for sufficiency and proper siting at the time of SDP. The proposed lot layout includes Parcel KK (1.46 acres) and Parcel FF (2.77 acres) in Phase 3A, and Parcel GG (5.14 acres) in Phase 3B, which are to be conveyed to the HOA, and are large enough to provide a mix of active and passive recreational opportunities for future residents. In addition, Parcel GG, and Parcel LL, also to be conveyed to the HOA, are to be developed with large stormwater ponds, which could be developed as passive recreation amenities for the community.

The PPS illustrates a trail connection between the SWM ponds (Phase 2 and Phase 3), and a connection to the land identified for dedication to M-NCPPC. A 25-foot-wide easement for a trail is shown on the PPS, to allow resident access to a future trail system on M-NCPPC-owned land. However, the easement is not necessary as it is on land to be conveyed to the HOA and will, therefore, be accessible to residents. Furthermore, a trail system has not yet been established or planned for the property to be conveyed to M-NCPPC and the location of any feeder trails to it would be premature. This may be further examined with future site plan applications.

Based on the preceding findings, staff find that the proposed PPS is designed pursuant to the applicable master plans in accordance with Section 24-121(a)(5) of the prior Subdivision Regulations, subject to the conditions recommended in this technical staff report.

6. **Transportation (pedestrian, bicycle, and vehicular)**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the two applicable area master plans, and the prior Subdivision Regulations to provide the appropriate transportation recommendations.

Transportation Related Master Plan Conformance

Master Plan Right-of-Way

Two master-planned roadways impact the subject site:

Leeland Road (MC-600)

Leeland Road (MC-600) is classified as a major collector roadway in both MPOT and the two master plans, with a recommended ROW width of 100 feet. The ROW for Leeland Road was dedicated to public use by final plat, pursuant to PPS 4-06075. The PPS correctly reflects that the prior road dedication along Leeland Road meets the minimum requirements and shows a 50-foot-wide ROW from the road centerline.

Church Road (C-300)

Church Road (C-300) is classified as a collector roadway in both the MPOT and the Bowie Master Plan, with a recommended ROW width of 90 feet. The ROW for Church Road was dedicated to public use by final plat, pursuant to PPS 4-06075. The PPS correctly reflects that the prior road dedication along Church Road meets the minimum requirements and shows a 45-foot-wide ROW from the road centerline.

Master Plan Pedestrian and Bike Facilities

Leeland Road (MC-600): Side path

Church Road: Planned shared-use path

A 10-foot-wide side path along the subject property's frontage of Leeland Road, a 5-foot-wide sidewalk, and a 5-foot-wide bike lane along the subject property's frontage of Church Road should be provided, which is consistent with approval of SDP-1705-02, for Phase 1 of the Locust Hill development.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling (MPOT, pages 9–10):

Complete Streets

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

Staff recommend standard sidewalks be provided along both sides of all roads to include crosswalks and Americans with Disabilities Act (ADA) curb ramps at vehicular crossings to meet the intent of this policy.

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 10-foot-wide side path is to be constructed along the northern frontage of Leeland Road, which will extend along the frontage of Phase 3A. Staff find the intent of this policy will be met.

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

A 10-foot-wide side path along the subject property's frontage of Leeland Road, a 5-foot-wide sidewalk, and a 5-foot-wide bike lane along the subject property's frontage of Church Road should be provided, which is consistent with approval of SDP-1705-02, for Phase 1 of the Locust Hill development. Staff find the intent of this policy will be met.

In addition, the Subregion 6 Master Plan recommends the following:

Policy 1: Develop a road network that balances regional mobility and local accessibility needs.

Strategies

- 1. Continue to manage existing and future traffic by building the Subregion Plan's Road network (as shown in Table 9 and Map 14). Give priority to key roads that would be heavily impacted by growth (including BRAC-related growth):**

- US 301**
- MD 4**
- MD 202**
- Dower House Road**
- MD 223 (Woodyard Road)**
- Old Marlboro Pike**
- Ritchie Marlboro Road**

Approved ADQ-2024-072 evaluated the proposed development for transportation adequacy. ADQ-2024-072 determined that five intersections along US 301, impacted by this development, do not meet the adequacy requirements and require mitigation. The appropriate conditions of approval are contained within ADQ-2024-072 to achieve transportation adequacy. Staff find the intent of this policy will be met.

The Bowie Master Plan recommends the following:

TM 2.2: Design all streets in the Established Communities of Bowie-Mitchellville and Vicinity to allow operation at LOS D. (page 113)

Appropriate conditions of approval are contained within ADQ-2024-072 to achieve transportation adequacy.

TM 3.2: Construct the pedestrian and bicycle facilities identified in Appendix D. Recommended Master Plan Transportation Facilities. Appendix D recommends: (page 113)

C-300: Church Road from Old Church Road to Oak Grove Road, should include 10-foot-wide shared-use path (both directions). (page 247)

A 5-foot-wide sidewalk and 5-foot-wide bike lane along the subject property's frontage of Church Road should be provided, which is consistent with approval of SDP-1705-02 for Phase 1 of the Locust Hill development.

TM 3.8: Consistent with the AASHTO Guide for the Development of Bicycle Facilities, provide a minimum of four short-term bicycle parking spaces at all nonresidential properties; provide a minimum of four long-term bicycle parking spaces at all nonresidential properties larger than 50,000 square feet of gross floor area.

Staff recommend that short- and long-term bicycle parking be provided at any recreational areas.

TM 7.1: Construct the pedestrian and bicycle recommendations in Appendix D. Recommended Master Plan Transportation Facilities, which include facilities along roadways as well as shared-use paths independent from the roadway and reflect coordinated and reconciled recommendations outlined in the City of Bowie Trails Master Plan, the M-NCPPC Department of Parks and Recreation (DPR) Strategic Trails Plan, and the MPOT. (page 118)

TM 10.1: Incorporate traffic-calming devices and facilities into roadway designs that enhance safety for all people and increase accessibility, especially in areas where people traveling by different modes are expected to interact. (page 127)

TM 10.3: Provide roadway, transit, bicycle, and pedestrian facilities that equitably enhance safety across all communities as well as across each mode so that all people can achieve equal safety outcomes. (page 127)

The project proposes 5-foot-wide sidewalks within the two development pods. In addition, the master plan recommends Church Road from MD 214 (Central Avenue) to Oak Grove Road as a collector roadway with a 90-foot-wide ROW, two lanes, and 10-foot-wide minimum shared-use paths in both directions. The project proposes only a 5-foot-wide sidewalk and 5-foot-wide bicycle lane along the east side of the master plan ROW. A 10-foot-wide side path along the subject property's frontage of

Leeland Road, a 5-foot-wide sidewalk, and a 5-foot-wide bike lane along the subject property's frontage of Church Road should be provided, which is consistent with approval of SDP-1705-02 for Phase 1 of the Locust Hill development.

TM 12.2: Consider a variety of techniques to protect the scenic and historic qualities of the designated roads during the review of applications that involve work within the right-of-way of a designated roadway. These techniques include alternative ways to circulate traffic; the use of the historic road section as one leg of a needed dual highway; provision of bypass roads; and limiting certain types of development and signs in the viewshed.
(page 127)

TM 13.2: Require the maximum possible conservation and enhancement of the existing viewsheds of designated roads during the review of land development or permit applications, whichever comes first. Elements to be considered shall include views of structures from the roadway; design character and materials of constructed features; preservation of existing vegetation, slopes, and tree tunnels; use of scenic easements; and limited access points to special roadways. (page 129)

Church Road, Oak Grove Road, and Leeland Road are all designated historic roads and Church Road and Oak Grove Road are also designated scenic roads. The proposed 20 carriage houses have frontage on Church Road and the realignment of Leeland Road. The project proposes a 40-foot-wide scenic buffer along all roadway frontages to protect the scenic and historic qualities of the designated roadways. The determination of requirement of any additional techniques, to protect the scenic and historic qualities of the road and streetscape treatments, such as larger caliper trees and vegetation, establishment of easements, and limitation of signage in these areas will be evaluated at the time of SDP.

TM 15.2 (page 129)

Create 10-foot-wide minimum shared-use paths in both directions along Church Road from Oak Grove Road to Old Church Road.

A 10-foot-wide side path along the subject property's frontage of Leeland Road, a 5-foot-wide sidewalk, and a 5-foot-wide bike lane along the subject property's frontage of Church Road should be provided, which is consistent with the approval of SDP-1705-02 for Phase 1 of the Locust Hill development. This policy has been met.

TM 15.5 (page 129)

Direct driveway access away from Church Road or consolidate driveways, wherever possible.

Direct driveway access is not proposed from Church Road. This policy has been met.

Access and Circulation

The subject site is proposed as two sub-phases, where Phase 3A is located along the southeast portion of the overall Locust Hill project, just west of the CSX Railroad tracks, while Phase 3B is located along the northern side of Leeland Road and the eastern side of Church Road. Access to Phase 3B is provided from Leeland Road, while Phase 3A is accessed via the internal road network within Phase 1 of Locust Hill. A 10-foot-wide side path is to be constructed along the northern frontage of Leeland Road, which will extend along the frontage of Phase 3A. An internal network of trails and sidewalks was reviewed with SDP-1705-01 for Phase 1 of Locust Hill, within the vicinity of Phase 3B.

Pursuant to Section 24-128(a) of the prior Subdivision Regulations, a private road, ROW, or easement cannot be the sole means of vehicular access to any lot, and every building must be located on a lot or parcel of land having frontage on and direct vehicular access to a public street. In the R-L Zone, however, access to townhouses via private alleys is permitted pursuant to Section 24-128(b)(7)(A) of the prior Subdivision Regulations, provided the lots served have frontage on and pedestrian access to a public ROW.

Sixty-six lots are proposed to be served by alleys and do not have frontage on a public ROW. The applicant submitted a request for a variation from Section 24-128(b)(7)(A), to allow these units to instead front on private streets and open spaces.

Variation Request

The below listed criteria are contained in Section 24-113 of the prior Subdivision Regulations and must be met for a variation to be approved. The criteria are listed below in bold text, and staff findings regarding each criterion are given in plain text.

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

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

The granting of the variation request will not be detrimental to public safety, health, or welfare, nor be injurious to other property. Each lot will have vehicular access by alleys, with a minimum pavement width of 22 feet, which ultimately access a public street. There are no sidewalks proposed along the private alleys; however, sidewalks should be provided along the frontage of all lots. Staff are recommending that sidewalk locations and details be shown on subsequent plans, to ensure a continuous sidewalk network is provided for these lots.

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

The overall Locust Hill project (a total of 505.81 acres) has numerous conditions which, in aggregate, are unique and are not applicable generally to other abutting properties. These site constraints include areas of extreme topographical changes, the presence of various sensitive environmental features (particularly Marlboro clay formations), the presence of an existing cemetery area on-site, the on-site accommodation of the future master-planned roadway MC-600 (which is a 100-foot-wide ROW that bifurcates the overall Locust Hill property), and the proximity to a CSX rail line, which requires a 150-foot residential lot setback per Condition 11 of Basic Plan Amendment A-9975-01. The overall Locust Hill project has been approved for development of 706 residential dwelling units in CDP-0506-01 (including carriage units, townhomes, and single-family detached units). The natural changes in topography, the location of Marlboro clay formations, the existing cemetery area, the location of MC-600, and the site's proximity to the CSX railroad line (and its required 150-foot lot setback per Condition 11 of A-9975-01) limit where sticks of townhouses, and by association the location of the necessary road/alleys to serve the townhouse units, can be placed on the site and create a practical difficulty. The combination of all of the aforementioned site constraints on a single development site are unique to Locust Hill and are not generally applicable to other properties.

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

Granting the variation will not be in violation of any known law, ordinance, or regulation. Granting the variation request would allow the Locust Hill project to create the mix of residential uses contemplated in CDP-0506-01 without negatively impacting the environmental and CSX railroad setbacks, as contemplated in the prior PPS.

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

The land within the Locust Hill development is zoned R-L and has an approved basic plan and CDP allowing smaller, single-family attached lots than what is generally permitted in residential zones. This portion of the development also faces site constraints including areas of extreme topographical changes, the presence of various sensitive environmental features (particularly Marlboro clay formations), and the proximity to a CSX rail line, which requires a 150-foot residential lot setback per Condition 11 of Basic Plan Amendment A-9975-01. The combination of all of the aforementioned site constraints limits the areas where lots and streets/alleys can be located. The difficulties related to the site constraints would be largely eliminated if the applicant could utilize alleys to access

66 of the proposed townhouse lots without frontage on a public street. The current standards for urban secondary residential roads are detailed in DPW&T Standard 100.07, which includes a 50-foot-wide ROW with a 26-foot-wide travel lane, and 5-foot-wide sidewalks on both sides, separated from the travel lane by landscaped strips. Requiring public streets abutting all lots would require expansion of development areas that would result in a particular hardship to the property owner, due to the constraints listed previously, which limit the developable area. The proposed alternative design can accommodate the necessary access and circulation for townhouse development in a more efficient manner for a compact and urban development layout. Direct pedestrian access from lots is provided via open space (HOA) parcels and will provide the necessary pedestrian connections to grant this variation.

- (5) **In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in Section 24-113(a), above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.**

The property is zoned LCD and is proceeding under the prior Zoning Ordinance, where the site was previously zoned R-L; therefore, this section is not applicable.

Based on the aforementioned findings, staff find that that extraordinary hardship or practical difficulties would result from strict compliance with Subtitle 24 and that the variation request is supported by the required findings. Approval of the variation will also not have the effect of nullifying the intent and purpose of the Subdivision Regulations, but instead will result in a better outcome than could be achieved through strict compliance with the Subdivision Regulations. Therefore, staff recommend approval of the variation from Section 24-128(b)(7)(A), to allow 66 lots to be served by private alleys without frontage on a public ROW.

7. **Public Facilities**—This PPS was reviewed for conformance to the master plan in accordance with Section 24-121(a)(5). The Subregion 6 Master Plan contains a Public Facilities chapter which identifies the following goals:
1. **Provide residents of Subregion 6 needed public facilities in locations that serve existing and future populations.**
 2. **Ensure that all new public facilities will be constructed to LEED standards and existing buildings will be retrofitted to make them as energy efficient and sustainable as possible.**
 3. **Maintain the high level of service by providing essential equipment and professional training for personnel.**

4. Priority will be given to funding public facilities to support development in the Developing Tier.

The proposed development will not impede achievement of any of the above-referenced goals. There are no master-planned police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property. The certificate of adequacy process evaluates whether the infrastructure necessary to support a proposed development is allocated.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, renovations to existing facilities, and construction of new facilities; however, none of its recommendations affect the subject site.

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

- 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 frontage on the public ROW of Leeland and Church Roads. The required PUEs are provided along the property’s frontage with those public ROWs.

In addition, Section 24-128(b)(12) requires that all private streets have a 10-foot-wide PUE along at least one side of the ROW. The PPS includes private streets within the single-family attached portion of the development. The PPS shows PUEs along at least one side of all proposed private streets.

- 9. Historic**—The Bowie Master Plan contains goals and policies related to historic preservation (pages 158–165). However, these are not specific to the subject site or applicable to the proposed development.

The subject property is reflective of the heritage themes of the eighteenth century and the Antebellum Period—Agricultural Heritage and Colonial Churches (pages 17–19) and Transportation—Railroads (page 20) identified in the 2010 *Approved Historic Sites and Districts Plan*.

The subject property is adjacent to the St. Barnabas' Episcopal Church and Cemetery, Leeland (Historic Site 79-059). Built in 1774, St. Barnabas' Episcopal Church is a two-story brick structure, with a hip-on-hip roof, modillion cornice, and walls laid in Flemish bond. As the third church on the site, it was built during the tenure of ardent Tory, rector Jonathan Boucher. Victorianized in the 1850s, St. Barnabas' was restored in 1974. Among its furnishings are items from the original church: the marble baptismal font, the silver communion service (1718), and "The Last Supper" painting by Gustavus Hesselius (1721). St. Barnabas is associated with some of the County's most prominent families, many of whom are buried in the adjoining graveyard.

Portions of the subject property were owned by prominent families in Prince George's County, including members of the Belt, Bowie, Brock, and Clarke families. The Bowies owned the northern portion of the subject property, which they called "Locust Hill", and the family of Daniel Clarke owned the southern portion, along with the land to the east of the railroad tracks, which they called "Willow Brook." The 1861 Martenet Map shows a house belonging to Dr. Seton Belt within the subject property, as well as a mill belonging to Daniel Clarke, on a western tributary of Collington Branch. The 1878 Hopkins Map identifies three structures belonging to Benjamin Lee Belt and John Belt on the subject property. Several of these structures were probably tenant houses. The 1894 Hopkins Map identifies several buildings on the subject property under the ownership of Benjamin Lee Belt, along with several structures at Leeland Station, a stop on the Baltimore and Potomac Railroad.

Outlot A is approximately 350 feet north of the Environmental Setting of St. Barnabas' Episcopal Church Environmental Setting (Historic Site 79-059). The proposed project is not adjacent to or abutting the environmental setting; it is separated from it by a portion of the HOA Parcel C, which is wooded and contains a stream bed.

The Subregion 6 Master Plan includes goals and policies related to historic preservation (pages 161–173). Several interpretive clusters have been identified in the Subregion 6 Master Plan, based on the presence of archeological resources and their interpretive potential, including the Upper Marlboro and Western Branch Collington Drainage Cluster (pages 170–171), in which the subject property is located. One goal of the master plan (page 162) is as follows:

Goal: Ensure that historic sites and resources as part of the subregion's rich cultural heritage are properly documented and protected from the onset of new development through proper and consistent historic preservation practices.

A Phase I archeological survey was completed for the above-referenced property in 2005. Five archeological sites were identified, sites 18PR810–18PR814, but none were determined to be eligible for the National Register of Historic Places or for designation as a Prince George's County Historic Site. No further work was recommended, and Historic Preservation staff agreed with this assessment. A supplemental Phase I archeological investigation on the above-referenced property was conducted in 2018, which identified site 18PR1124, a cemetery containing at least two burials. This site was identified as potentially National Register-eligible; preservation in place was recommended, and Historic Preservation staff agreed with this recommendation. These archeological investigations address the goal above.

The 2010 *Approved Historic Sites and Districts Plan* contains goals and policies related to Historic Preservation that are relevant to the subject property. A goal (page 59) and related policy and strategy in planning for archeology is to:

Goal: Incorporate archeological resource protection into the local land use and comprehensive planning processes through site identification and preservation.

Policy 1: Ensure that archeological resources are considered and protected through all phases of the development process.

Strategy 3: Request a Phase I archeological survey on properties subject to the subdivision regulations that have a moderate-to-high probability of containing prehistoric or historic archeological resources.

This goal was accomplished through the Phase I archeological excavations cited above.

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

Development Review Case	Associated Tree Conservation Plan or Natural Resources Inventory	Authority	Status	Action Date	Resolution Number
NRI-047-06	N/A	Planning Director	Signed	4/21/2006	N/A
A-9975-C	N/A	District Council	Approved	10/31/2006	Zoning Ordinance 19-2006
CDP-0506	TCPI-024-06	Planning Board	Approved	12/7/2006	PGCPB 06-274
TCPII-027-2015	N/A	Planning Director	Approved	2/9/2016	N/A
NRI-047-06-02	N/A	Planning Director	Signed	2/25/2016	N/A
4-06075	TCPI-024-06-01	Planning Board	Approved	1/25/2017	PGCPB No. 07-28(C)(A)
NRI-047-06-03	N/A	Planning Director	Signed	2/26/2018	N/A
A-9975-01	N/A	District Council	Approved	5/13/2019	Z.O. 6-2019
NRI-047-06-04	N/A	Planning Director	Signed	8/28/2019	N/A
SDP-1705	TCPII-027-2015-01	Planning Board	Approved	4/9/2020	PGCPB No. 2020-57
SDP-1705-01	N/A	N/A	Pre-Application	Pending	Pending

Development Review Case	Associated Tree Conservation Plan or Natural Resources Inventory	Authority	Status	Action Date	Resolution Number
SDP-1705-02	TCPII-027-2015-02	Planning Board	Approved	2/15/2024	PGCPB No. 2024-010
NRI-047-06-05	N/A	Planning Director	Approved	3/25/2024	N/A
CDP-0506-01	TCPI-024-06-02	Planning Board	Approved	1/13/2025	PGCPB No. 2024-091(C)
4-24038	TCPI-024-06-03	Planning Board	Pending	Pending	Pending

Grandfathering

This property is subject to the grandfathering provisions of Division 2 of the Woodland and Wildlife Habitat Conservation Ordinance because the property had a TCP that was approved prior to September 12, 2010, and shall, therefore, conform to the environmental regulations of the 1993 Prince George's County Woodland Conservation Ordinance (1993 WCO). The property must conform to the environmental regulations of the 2010 Woodland Conservation Ordinance (2010 WCO) and the 2018 Environmental Technical Manual (ETM). The property is also subject to the environmental regulations in prior Subtitles 24 and 27 because there is a previously approved CDP with a companion TCP, which was implemented in accordance with Section 25-119(g)(1) of the County Code. The development has a grading permit, SDRG 18220-2023, that was issued for the area of this TCP, which covered 26.8 percent of the land area associated with the TCP.

Environmental Site Description

The overall Locust Hill development includes 505.81 acres located on the north and south sides of Leeland Road, southwest of the intersection of Oak Grove Road and Leeland Road. This application for Phase 3 includes 50.09 acres in two parts. Phase 3A is a resubdivision of Parcel Q, consisting of 41.40 acres, located south of Leeland Road at the terminus of the platted Grey Goldenrod Drive, west of the railroad. Phase 3B is a resubdivision of Outparcel A, consisting of 8.69 acres, located in the northeast quadrant of the intersection of Church Road and the relocated Leeland Road. Streams, wetlands, 100-year floodplain with associated areas of steep slopes, highly erodible soils, and areas of severe slopes are located on the property.

According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), a sensitive species project review area, as delineated on the sensitive species project review area GIS layer, is found to occur in the vicinity of this property. Further information received from the DNR NHP staff indicated known records related to three rare, threatened, or endangered aquatic species in Collington Branch, and the possible presence of a rare, threatened, or endangered plant on the east side of the railroad tracks.

Although the rare, threatened, or endangered species are located within the limits of the overall TCPI, rare, threatened, or endangered species have not been identified in the boundaries of this application, which consists of a small area of the overall TCPI. This property is located in the Collington Branch and Western Branch watersheds in the

Patuxent River basin. The site contains the mainstem of Collington Branch along the eastern side of the property and the Northwest Branch along the southern side of the property.

Plan 2035

The site is located within the Established Community Areas of the Growth Policy Map and the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map. The project is not within the boundaries of a transit-oriented center as identified in Plan 2035.

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Conformance with the 2022 *Approved Bowie-Mitchellville Master Plan*

The Environmental Infrastructure Section of this master plan includes applicable goals, policies, recommendations, and strategies. The following guidelines are applicable to the current project with regards to natural resources preservation, protection, and restoration. The text in **bold** is the text from the master plan, and the plain text provides staff's analysis on plan conformance:

Policy NE 1: Ensure that areas of connectivity and ecological functions are maintained, restored, or established during development or redevelopment.
(page 142)

NE1.1: Use the green infrastructure network as a guide to decision-making, and as an amenity in the site design and development review processes.

The development proposed with this PPS is located in the evaluation areas of the green infrastructure network. The southern portion contains regulated area associated with the Northwestern Branch of Collington Branch. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

Policy NE 4: Support street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians. (page 145)

NE 4.2: Plant street trees to the maximum extent permitted along all roads and trail rights-of-way (see Transportation and Mobility).

Street tree planting contributes to the tree canopy coverage (TCC) requirements of Division 3 of the 2010 WCO and DPIE. As shown on the TCPI at the northeast quadrant of the intersection of Church Road and Leeland Road, the proposed reforestation areas fronting Church Road do not meet the 50-foot width requirements to qualify as reforestation in accordance with the WCO. However, Church Road is a scenic and historic roadway and will require a buffer by the Landscape Manual. This will be analyzed with the SDP.

Conformance with the 2013 *Approved Subregion 6 Master Plan*

The Environmental Infrastructure Section of this master plan includes applicable goals, policies, recommendations, and strategies. The following guidelines are applicable to the current project with regards to natural resources preservation, protection, and restoration. The text in **bold** is the text from the master plan, and the plain text provides staff's analysis on plan conformance:

Policy 1: Protect, preserve, and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities.
(pages 68–69)

Strategies

1. **Protect priority areas that will meet multiple protection objectives such as those related to green infrastructure, the priority preservation area, and the Patuxent River Rural Legacy Program.**

The development proposed with this PPS is located in the evaluation areas of the green infrastructure network. The southern portion contains regulated area associated with the Northwestern Branch of Collington Branch. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

2. **Protect primary corridors (Patuxent River, Charles Branch, Collington Branch, Piscataway Creek, Mattawoman Creek, and Swanson Creek) during the review of land development proposals to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors to restore and enhance environmental features, habitat, and important connections.**

The development proposed with this PPS is located within the evaluation areas of the green infrastructure network. The southern portion contains regulated areas associated with the Northwestern Branch of Collington Branch. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch. Impacts to the primary corridors are limited to necessary infrastructure such as road crossings, stormwater outfalls and sewer line connections.

3. **Preserve and connect habitat areas to the fullest extent possible during the land development process.**

The development proposed with this PPS is located within the evaluation areas of the green infrastructure network. The southern portion contains regulated areas associated with the Northwestern Branch of Collington Branch, and are proposed to be preserved with the exception of minor impacts for necessary infrastructure. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

4. **Preserve or restore regulated areas designated in the green infrastructure network through the development review process for new land development proposals.**

The development proposed with this PPS is located in the evaluation areas of the green infrastructure network. The southern portion contains regulated areas associated with the Northwestern Branch of Collington Branch, and are proposed to be preserved with the exception of minor impacts for necessary infrastructure. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

5. **Protect portions of the green infrastructure network outside the primary and secondary corridors to restore and enhance environmental features, habitat, and important connections.**

The sector plan identifies the Collington Branch as a primary environmental corridor. The development proposed with this PPS is located in the evaluation areas of the green infrastructure network. The southern portion contains regulated areas associated with the Northwestern Branch of Collington Branch, and are proposed to be preserved with the exception of minor impacts for necessary infrastructure. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

6. **Evaluate land development proposals in the vicinity of SCAs to ensure that the SCAs are not negatively impacted and that green infrastructure connections are either maintained or restored.**

This application is not in the vicinity of a special conservation area.

7. **Preserve and enhance, where possible, grassland habitats that are of critical importance to native and migratory bird species.**

This application area is not identified as grassland habitat.

Policy 2: Restore and enhance water quality in degraded areas and preserve water quality in areas not degraded. (pages 72–73)

Strategies

1. **Protect and restore groundwater recharge areas such as wetlands and the headwaters areas of streams and watersheds.**

The development proposed with this PPS is located in the green infrastructure network with development in the evaluation areas. The southern portion contains regulated areas associated with the Northwestern Branch of Collington Branch and are proposed to be preserved except for minor impacts for necessary infrastructure. Wetlands are located at the eastern edges of the southern portion of this application and are to be

preserved. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

5. **Require private developers to perform stream corridor assessments, where one has not already been conducted, when development along stream corridors without completed assessments is proposed. Use the outcome of these assessments to guide restoration requirements upon which development approval will be contingent.**

Condition 15 of A-9975-01 required mitigation to REF impacts from the proposed development. A “Habitat Protection and Management Program for Willowbrook (CDP-0505) and Locust Hill (CDP-0506) in Prince George’s County” (March 30, 2007) was prepared by McCarthy & Associates, Inc., in consultation with the Environmental Planning Section and the MDNR NHP.

The program addressed baseline monitoring of the site prior to the commencement of construction, monitoring of hydrology, sediment, and protective mechanisms during construction, and long-term monitoring of the sensitive species habitat after construction to assess the success of the mechanism proposed.

The applicant coordinated with the Maryland Department of the Environment (MDE) to comply with that condition. MDE confirmed that there are no on-site or off-site wetland mitigation banks within the Collington Branch watershed, or within the Western Branch watershed for properties not within the priority funding area. MDE directed the applicant to purchase credits at the Peige Mitigation Bank which is not within the same watershed; however, that is where this applicant was directed by MDE. MDE notice of permit decision Permit 24-NT-0193/202461296 stated that the mitigation requirement was satisfied by the applicant.

7. **Require environmentally-sensitive site design which includes limiting impervious surfaces and implementing best practices in on-site stormwater management to reduce the impact of development on important water resources.**

The approved concept plan shows use of submerged gravel wetlands, dry detention ponds, and micro-bioretenion devices to meet the current requirements of the environmental site design to the maximum extent practicable. The technical stormwater system will be reviewed by DPIE and Prince George’s County’s Soil Conservation District. Both stormwater management and sediment and erosion control requirements will be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the state’s standards, which are set to ensure that no degradation occurs.

Conformance with the Green Infrastructure Plan

The Green Infrastructure Plan (GI 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 GI Plan, a majority of the site is

either in a regulated or evaluation area within the designated network of the plan. The overall site contains regulated areas and evaluation areas. The text in **bold** is the text from the GI 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, re-stored, 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.**

The entirety of this site is within designated evaluation and regulated areas, with the main regulated area located along the southern portion of this application. Development is proposed within the evaluation areas with minimal impact to regulated areas for necessary infrastructure.

- 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.**

The edges of the application areas have stream systems with the associated buffers that are proposed to be in preservation with the exception of minor impacts for necessary infrastructure.

- c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**

The approved concept plan shows use of submerged gravel wetlands, dry detention ponds, and micro-bioretenion devices to meet the current requirements of the environmental site design to the maximum extent practicable. The technical stormwater system will be reviewed by DPIE and Prince George's County's Soil Conservation District. Both SWM and sediment and erosion control requirements will be met in conformance with state and local laws, to ensure that the quality of water leaving the site meets the state's standards, which are set to ensure that no degradation occurs. MDE directed the applicant to purchase credits at the Peige Mitigation Bank to mitigate for the wetland 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.

This site features woodland areas located around the REF. The regulated areas are proposed to be preserved with the exception of minor impacts for necessary infrastructure. The edges of the proposed lots are to be reforested to increase the vegetative buffers to the Collington Branch.

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 within the area of this application.

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 site does not have a network gap as the property is mostly wooded. regulated areas are at the edges of where development is proposed. The edges of the development are to be reforested to increase the vegetative buffers to the Collington Branch.

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.

Condition 15 of A-9975-01 required mitigation to REF impacts from the proposed development. The applicant coordinated with MDE to comply with that condition. MDE confirmed that there are no on-site or off-site wetland mitigation banks within the Collington Branch watershed, or within the Western Branch watershed for properties not within the priority funding area. MDE directed the applicant to purchase credits at the Peige Mitigation Bank, which is not within the same watershed; however, that is where this applicant was directed by MDE. The MDE notice of permit decision

Permit 24-NT-0193/202461296 stated that the mitigation requirement was satisfied by the applicant.

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 SDP and associated TCPII. All remaining undisturbed areas within the PMA will be protected within a conservation easement on the final plat. The development is not within a special conservation area. The application area does not contain rare, threatened, or endangered species.

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

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 concept plan shows use of submerged gravel wetlands, dry detention ponds, and micro-bioretenion devices to meet the requirements of the environmental site design to the maximum extent practicable. The technical stormwatersystem will be reviewed by DPIE and Prince George's County's Soil Conservation District. Both SWM and sediment and erosion control requirements will be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the state's standards, which are set to ensure that no degradation occurs.

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 development's proposed preservation is located adjacent to the regulated areas containing streams. Regulated areas are at the edges of where development is proposed. The edges of the proposed development are to be reforested to increase the vegetative buffers to the Collington Branch.

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.

In accordance with this master plan and 25-121(b) of County Code, the woodland conservation requirement has been maximized to the extent possible. No fee-in-lieu has been requested; however, the overall TCPI requests 20.96 acres of off-site woodland conservation credits.

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 ETM, and the Landscape Manual. TCC requirements will be evaluated at the time of the associated SDP.

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.

The site has woodland throughout, including along the stream system, with woodland preservation located adjacent to the REF. Retention of woodlands and planting of native species on-site is required by both the ETM and the Landscape Manual, and can count toward the TCC requirement for the development. TCC requirements will be evaluated at time of the SDP review.

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 clearing woodland. The new forest edges are to be reforested to increase the vegetative buffers to the Collington Branch.

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 throughout the site around the PMA and REF. This site does contain potential forest interior dwelling species (FIDS) habitat; however, it is in the vicinity of a sensitive species review area. The analysis of the rare, threatened, and endangered species habitat management program is discussed within the woodland conservation section of this finding.

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 planting of native species on-site is required by the Landscape Manual and can count toward the TCC requirement for the development. In accordance with this master plan policy and Subtitle 25 Division 3 of the County Code, TCC will be evaluated with the SDP. Green space is encouraged to serve multiple ecological functions.

COMPLIANCE WITH ENVIRONMENTAL REGULATIONS

Natural Resources Inventory/Environmental Features

Section 24-120(a)(22) of the prior Subdivision Regulations requires an approved NRI plan with PPS applications. The site has an approved NRI (NRI-047-06-05), which was approved on March 25, 2024. The TCPI shows all required information in conformance with the current NRI.

No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the grandfathering provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the property had a TCP that was approved prior to September 12, 2010, and shall conform to the environmental regulations of the 1993 Prince George's County Woodland Conservation Ordinance (1993 WCO), as well is subject to the environmental regulations in the prior Subtitles 24 and 27 of the County Code because there is a previously approved comprehensive design plan with a companion tree conservation plan which was implemented in accordance with Section 25-119(g)(1) of the County Code. The development has a grading permit, SDRG 18220-2023, that was issued for the area of this TCP which covered 26.8 percent of the land area associated with the TCP. In addition, the site has an implemented timber harvest permit (Number 135-24-FH). TCPI-024-06-03 was submitted with the application and requires revisions to be found in conformance with the prior TCP approvals and the 1993 WCO.

With the approval of Basic Plan A-9975-01, the District Council amended the woodland conservation/afforestation threshold on land with the prior Residential-Low (R-L) Development Comprehensive Design Zone to 25 percent. The woodland conservation threshold (WCT) for this 505.81-acre property results in a requirement of 25 percent, or 109.84 acres.

The overall woodland conservation worksheet shows the clearing of 244.79 acres of woodland in the net tract area, the clearing of 3.43 acres of woodland in the floodplain, and the clearing of 4.44 acres off-site or within the PMA. Based on the calculations, this results in a woodland conservation requirement of 179.31 acres. The requirement is proposed to be met with 103.46 acres of on-site woodland preservation, 49.02 acres of on-site reforestation, 5.88 acres of landscape credits, and 20.96 acres of off-site woodland conservation credits.

With the review of SDP-1705-02, the applicant provided a statement of justification (SOJ) requesting approval of a combination of on-site and off-site woodland conservation, as reflected on the TCPII worksheet. The site contains 115.55 acres of PMA, approximately 16,681 linear feet of regulated streams, and 66.44 acres of 100-year floodplain. The WCT for the development is 109.84 acres, or 25 percent, which is proposed to be met on-site in preservation and afforestation. The application proposes on-site afforestation/ reforestation areas connected to on-site preservation areas, which is a higher priority over preserving the central areas of woodlands.

The use of landscape credits is proposed in areas that do not meet the design requirements for reforestation and are generally located in areas that are adjacent or in close proximity to woodland preservation and reforestation. The northern portion of Phase 3 fronting Church Road and abutting the Oak Creek Club development proposes the use of landscape credits.

While the areas adjacent to the Oak Creek Club preservation areas should be changed to reforestation, with this application, the use of landscape credits fronting Church Road is not supported; therefore, prior to signature approval of the PPS, the landscape areas along Church Road should be removed and the landscape credit area abutting the Oak Creek Club should be changed to reforestation. With subsequent reviews, the use of landscape credits will be further analyzed to ensure that the areas are clear of proposed utility easements and will be protected by permanent tree protection fencing.

The application is required to protect the woodland preservation areas, including areas of reforestation within the woodland and wildlife habitat conservation easement. The easement for SDP-1705-02 was recorded in four parts – in Liber 49863 at folios 171, 188, 271, and 324. The 209 specimen trees to remain on-site are located in the woodland conservation easements. Any changes to the recorded woodland and wildlife habitat conservation easement shall be addressed with subsequent TCPII review for Phase 3.

The next priority method utilized to meet the woodland conservation requirement is to provide the remaining requirement off-site within an approved tree bank. The applicant purchased afforestation credits (Transfer Certificate recorded in Liber 48634 folio 425) with the certification approval of SDP-1705. The remaining 5.25 acres of afforestation credits are proposed with the current Phase 3 TCPI to meet the woodland conservation requirements. Staff support the applicant's request to meet the woodland preservation requirements, as stated, through a combination of on-site preservation, reforestation, and landscape credit areas and off-site preservation within an approved tree bank through afforestation.

Technical revisions to the revised TCPI are required and included in the conditions listed in this staff report.

Specimen Trees

NRI-047-06-05 identifies 335 specimen trees on or adjacent to the property. Ninety-two specimen trees were removed with previous approvals. No variance was required to remove these specimen trees because the TCPII was approved under the 1993 WCO and was grandfathered from the variance requirements established in the subsequent Woodland and Wildlife Habitat Conservation Ordinance revisions.

With SDP-1705-02, a variance request was approved by the Planning Board for the removal of 22 additional specimen trees, previously indicated to be saved, and the retention of 23 of the specimen trees previously approved for removal, resulting in a net gain of one additional specimen tree on the site.

The development proposed with PPS 4-24038 is reliant on the prior approvals. No additional specimen trees are requested for removal with this application.

Preservation of Regulated Environmental Features/Primary Management Area

The site contains PMA comprised of 100-year floodplain and REF including streams and associated buffers, steep slopes, and wetlands with their associated buffers.

Section 24-130(b)(5) of the 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". The development proposes impacts to the PMA, which were reviewed and approved by the Planning Board with PPS 4-06075, SDP-1705, and SDP-1705-02. The development proposed with PPS 4-24038 is reliant on the prior PMA impact approvals. No additional PMA impacts are requested with the subject application.

Rare, threatened and endangered species habitat management program

During the review of CDP-0506 for Locust Hill, and neighboring CDP-0505 for Willowbrook (now National Capital Business Park), staff conducted an extensive review of the site regarding rare, threatened, and endangered species. In a letter dated September 6, 2006, the Maryland Department of Natural Resources Natural Heritage Program noted that rare, threatened, and endangered species are known to occur on this property. The letter specifically addressed three fish species identified as the state-listed endangered Stripeback darter (*Percina notogramma*); the state-listed threatened American brook lamprey (*Lampetra appendix*); and the state-listed threatened glassy darter (*Etheostoma vitreum*). On the site, east of the railroad tracks within the property to be dedicated to M-NCPPC, one rare, threatened, and endangered plant species was identified, Coville's phacelia (*Phacelia covillei*), which is listed as endangered by the state of Maryland.

Conditions of approval regarding preservation and protection of the on-site habitat are contained in Resolution 06-274 for CDP-0506. This includes the expansion of the PMA for all streams and wetlands, additional SWM techniques, enhanced sediment and erosion control mechanisms, and the development of a habitat protection and management program.

A Habitat Protection and Management Program for Willowbrook (CDP-0505) and Locust Hill (CDP-0506) in Prince George's County" (March 30, 2007) was prepared by McCarthy & Associates, Inc., in consultation with the Environmental Planning Section and the Maryland Department of Natural Resources, Natural Heritage Program. The program addressed baseline monitoring of the site prior to the commencement of construction, monitoring of hydrology, sediment, and protective mechanisms during construction, and long-term monitoring of the sensitive species habitat after construction to assess the success of the mechanism proposed.

The program included, but was not limited to, hydrologic monitoring for a minimum of one year prior to issuance of the first grading permit to establish a baseline of data during construction and post-construction for the following elements: water quality, benthic macroinvertebrate, hydrologic flow, and sedimentation. Also included was monitoring during construction for the following: sediment and erosion control measures, SWM controls, special protection measures for RTE species habitat, and monitoring of the RTE species during and post construction.

With the review of the neighboring case SDP-1603 (Willowbrook), a “Review Habitat Protection and Management Program for Willowbrook (CDP-0505) and Locust Hill (CDP-0506) in Prince George’s County” (November 11, 2016) was prepared by Wetland Studies and Solutions, Inc. and approved by the Planning Board, fulfilling all prior conditions.

The applicant submitted email correspondence with the Environmental Planning Section dated November 23, 2021, (Finch to Klebasko) which confirmed that, due to the location of the rare, threatened, and endangered plant species on the parcel on the eastern side of the railroad tracks that is to be dedicated to M-NCPPC, and because that area will not be disturbed, no additional surveys or construction monitoring is required for this development. It is recommended that this previous condition be removed from this application.

Soils

Section 24-131 of the prior Subdivision Regulations 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 Prince George’s County soil survey, the principal soils on the site are in the following soil series: Adelphia-Holmdel, Annapolis fine, Cristiana-Downer complex, Collington-Wist, Croom-Howell-Collington complexes, Dodon, Marr-Dodon, Russett-Christiana complex, and Widewater and Issue.

A geotechnical report, titled “Report of Geotechnical Exploration, Locust Hill” prepared by Geo-Technology Associates, Inc., dated November 28, 2018, with the last revised date of January 31, 2024, has been submitted for review. The report has verified Marlboro clay is present on the overall site; however, Marlboro clay was not encountered in the areas of Phase 3A and Phase 3B based on the geotechnical report. Further geotechnical analysis might be required at the time of SDP stage. The TCPI includes the overall Locust Hill development including the areas of Marlboro clay.

Erosion and Sediment Control

Section 24-130(b)(3) of the prior Subdivision Regulations requires the submission of a sediment control concept study with the PPS. The site is located within a sediment total maximum daily load (TMDL) region, as established by the state. Watersheds within a TMDL for sediment will typically require erosion and sediment control measures above and beyond the standard treatments. With the rare, threatened, and endangered species located onsite, including fish located in the Collington Branch, redundant erosion and sediment control measures are also required for the protection of the rare, threatened, and

endangered species. Additional information, as determined by DPIE and SCD in their respective reviews for SWM, erosion, and sediment control, may be required.

The County requires the approval of an erosion and sediment control plan prior to the issuance of a grading permit. The TCP must reflect the ultimate limits of disturbance, not only for the installation of permanent site infrastructure, but also for the installation of all temporary infrastructure, including erosion and sediment control measures. The Prince George's County SCD will review the proposed buffer impacts with the future erosion and sediment control plans.

- 11. Urban Design**—This development requires filing an SDP in accordance with Section 27-478 of the prior Zoning Ordinance. The general uses proposed for this property, single-family attached, in the R-L Zone are permitted per Section 27-515. Under the prior Zoning Ordinance, conformance to the following regulations, but not limited to, will be required to be demonstrated at the time of SDP review:

- Section 27-480 – General development regulations (Comprehensive Design Zones)
- Section 27-514.08 – Purposes of the R-L Zone
- Section 27-514.10 – Regulations (R-L) Zone
- Section 27-528 – Planning Board action (Specific Design Plans)
- Part 11 – Off-Street Parking and Loading; and
- Part 12 – Signage

Conformance with the requirements of the Landscape Manual and Tree Canopy Coverage Ordinance will be evaluated at the time of the SDP.

Noise Controls

The proposed development is subject to the noise control standards contained in Section 24-121(a)(4) of the Subdivision Regulations, which states the following:

Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.

Phase 3A of the development abuts an existing transit ROW (CSX railway tracks) to the east. All proposed residential lots meet the minimum 300-foot lot depth requirement. The subject property is not adjacent to the roadways of arterial and higher classification. However, per Condition 9 of the Basic Plan A-9975-01-C (Zoning Ordinance 6-2019), a Phase I noise study is required to be submitted with a PPS application. The condition also

requires that the noise study should address the location of the 65 dBA Ldn noise contour related to the CSX Railroad tracks, and what mitigation measures, if any, will be required to reduce noise impacts to 65 dBA Ldn in outdoor activity areas. Accordingly, the applicant submitted a Phase 1 noise study with the subject application, dated March 17, 2025, to study the effects of the noise and vibration generated by the adjacent roadways. This analysis evaluates noise impact from Leeland Road, in addition to the railway used by CSX located east of the site.

The noise study evaluated average sound levels during the hours of 7:00 a.m. to 10:00 p.m. (daytime) and 10:00 p.m. to 7:00 a.m. (nighttime), with the goal of identifying dwelling units and outdoor activity areas which may be impacted by more than 65 dBA equivalent continuous sound level (Leq) during daytime hours, and more than 55 dBA Leq during nighttime hours, and interior noise levels within the dwelling units impacted by more than 45 dBA Leq during both the daytime and nighttime. It is identified that the concept location of the residential buildings will not be exposed to future transportation noise levels exceeding 65 dBA Leq (daytime or nighttime). Therefore, future interior noise levels will not exceed 45 dBA Leq during either daytime or nighttime hours. The proposed building construction may be used without additional acoustical modifications. In addition, none of the outdoor recreation areas and residential yards will be impacted by future noise levels exceeding 65 or 55 dBA Ldn during daytime or nighttime hours; therefore, no further analysis is required property.

12. **Community feedback**—At the time of writing of this technical staff report, the Planning Department has not received any correspondence from the community regarding the subject application.
13. **Adjoining Municipalities**—The subject property lies within one mile of the municipal limits of the City of Bowie. This PPS was referred to the City on April 21, 2025. At the time of the writing of this technical staff report, the Planning Department has not received any correspondence from the City of Bowie regarding the subject application.

RECOMMENDATION

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. Show and label the existing structures on Outparcel A and label them to be removed.
 - b. Provide a Parcel Table on the coversheet identifying each parcel, their uses, acreage, and ultimate ownership .
 - c. Remove the proposed access easement from the trail segment on Parcel LL.
2. Prior to approval, the final plat of subdivision shall include:
 - a. Granting of a minimum 10-foot-wide public utility easement along both sides of all public streets, and along at least one side of all private streets, in accordance with Section 24-122(a) and Section 24-128(b)(12) of the prior Prince George's County

Subdivision Regulations, and in accordance with the approved preliminary plan of subdivision.

- b. A note indicating approval of a variation from Section 24-128(b)(7)(A) of the prior Prince George's County Subdivision Regulations, to allow lots to be served by private alleys, while fronting on private streets or open space. This note shall only appear on the final plats on which the above-listed lots appear.
3. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*, and the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements and show the following facilities at the time of specific design plan.
 - a. A 10-foot-wide side path along the subject property's frontage of Leeland Road, unless modified by the permitting agency with written correspondence. 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. A 5-foot-wide sidewalk and 5-foot-wide bike lane along the subject property's frontage of Church Road, unless modified by the permitting agency with written correspondence. Any modifications shall be in accordance with Prince George's County Department of Public Works and Transportation and Maryland State Highway Administration adopted standards.
 - c. A minimum 5-foot-wide American's with Disabilities Act-compliant sidewalks along both sides of all internal roadways.
 - d. Perpendicular American's with Disabilities Act-compliant curb ramps and crosswalks crossing all vehicular access points along the frontage and throughout the site, crossing internal intersections.
 - e. Short-term bicycle parking at any proposed recreational areas.
4. Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised as follows:
 - a. Correct General Note 10 of the Standard TCPI notes to reflect that this development is grandfathered by CB-077-2024, Section 24-119(G) of the County Code.
 - b. Correct General Note 11 of the standard TCPI notes to reflect the current site development concept plan number 42211-2014-03.
 - c. Add the Site Statistics Table from the approved natural resources inventory to the tree conservation plan.
 - d. Add the prior development review case numbers on the 00 and 01 column of the Environmental Planning approval block.

- e. The proposed landscape woodland conservation credit areas along Church Road shall be removed and the landscape woodland conservation credit area abutting the Oak Creek Club shall be changed to reforestation.
 - f. Add a revision note and have the revised plan signed and dated by the qualified professional preparing the plan.
5. Development of this site shall be in conformance with Stormwater Management Concept Plan 42211-2014-003, and any subsequent revisions.
6. At the time of final plat, approximately ± 9.14 acres of parkland as shown on the preliminary plan of subdivision (Parcel MM) shall be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to the following conditions:
- a. An original, special warranty deed for the property to be conveyed, signed by the Washington Suburban Sanitary Commission Assessment Supervisor, shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department along with the application of first final plat.
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to application of the building permit.
 - c. The boundaries, lot or parcel identification, and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
 - e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled, and underground structures shall be removed. Prince George's County Department of Parks and Recreation shall inspect the site and verify that land is in an acceptable condition for conveyance, prior to dedication.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.

- g. In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by, or to be conveyed to, M-NCPPC. However, Prince George's County Department of Parks and Recreation (DPR) recognizes that there may be a need for conservation, or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR and DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond and maintenance and easement agreements may be required prior to the issuance of any grading permits.
 - h. The land to be conveyed shall not include any areas of applicant-proffered meadow or wetland habitat creation. Native tree and/or shrub planting may be substituted for meadow habitat creation, subject to the approval of the Prince George's County Planning Department staff.
 - i. The applicant is responsible for the plant installation, maintenance, bonds, and all other requirements, including maintenance period fulfillment and compliance associated with forest planting, forest edge treatment, and woodland understory enhancement environmental proffers occurring on parkland conveyance areas.
 - j. The applicant and the applicant's heirs, successors and/or assignees shall demonstrate any liens, leases, mortgages or trusts have been released from the land to be conveyed to M-NCPPC.
7. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department, to ensure that the rights of the Prince George's County Planning Board, are included. The book/page of the declaration of covenants shall be noted on the final plat, prior to recordation.
8. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey land to a homeowners association, as identified on the approved preliminary plan of subdivision and specific design plan. Land to be conveyed shall be subject to the following:
- a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department.
 - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.

- d. Any disturbance of land to be conveyed to the homeowners association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.
 - f. Covenants recorded against the conveyed property, ensuring retention and future maintenance of the property by the homeowners association, including the reservation of rights of approval by the Prince George's County Planning Director.
9. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan, TCPI-024-06-03, in conformance with Section 25-121 of the prior Prince George's County Subdivision Regulations. The following note shall be placed on the final plat of subdivision:
- "This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI-024-06-03 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."
10. Prior to issuance of permits for this subdivision, in conformance with Section 25-119(a)(3) of the County Code, 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)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved."
11. At the time of final plat of subdivision, a conservation easement shall be described by bearings and distances, in conformance with Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations. 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 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 M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

12. Prior to certification of the Type II tree conservation plan (TCPII) for this site, if changes are required to the recorded woodland conservation easement, documents for the revised woodland conservation easement shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submission to the Prince George's County Office of Land Records for recordation. The following note shall be added to the standard TCPII notes on the plan, as follows:

"Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber 49863 at folios 171, 188, 271, and 324. Revisions to this TCPII may require a revision to the recorded easement."

13. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the United States, copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Prince George's County Planning Department.
14. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional shall be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
15. In conformance with the recommendations of the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* and the 2013 *Approved Subregion 6 Master Plan*, the applicant and the applicant's heirs, successors, and/or assignees shall provide and show the active and passive recreational areas on the specific design plan.

STAFF RECOMMEND:

- Approval of Preliminary Plan of Subdivision 4-24038
- Approval of Type I Tree Conservation Plan TCPI-024-06-03
- Approval of a Variation from Section 24-128(b)(7)(A)