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## Amendment to a Basic Plan Oak Creek Club – Landbay T

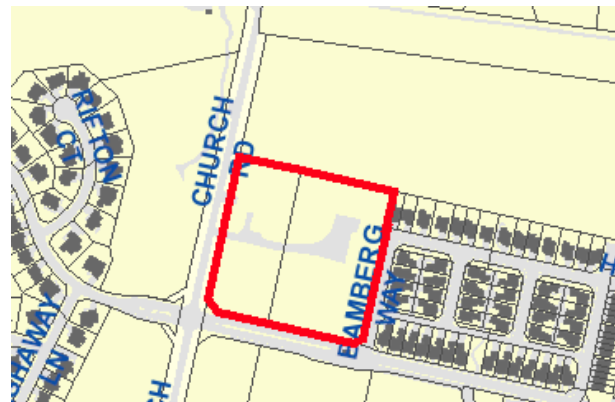
**A-8427-01**

**A-8578-01**

**A-8579-01**

REQUEST	STAFF RECOMMENDATION
Amendments to Basic Plans A-8427-01, A-8578-01 and A-8579-01, to increase residential density.	With the conditions recommended herein: <ul style="list-style-type: none"><li>• APPROVAL of Basic Plan Amendment A-8427-01</li><li>• APPROVAL of Basic Plan Amendment A-8578-01</li><li>• APPROVAL of Basic Plan Amendment A-8579-01</li></ul>

<b>Location:</b> At the northeast corner of the intersection of Mary Bowie Parkway and South Church Road.	
Gross Acreage:	8.09
Zone:	LCD
Prior Zone:	L-A-C/R-L
Reviewed per prior Zoning Ordinance:	Section 27-1704(h)
Dwelling Units:	0
Gross Floor Area:	0
Planning Area:	74A
Council District:	06
Election District:	07
Municipality:	N/A
200-Scale Base Map:	201SE12
<b>Applicant/Address:</b> Carrolton Oak Creek, LLC: 11785 Beltsville Drive Beltsville, MD 20705	
<b>Staff Reviewer:</b> Joshua Mitchum <b>Phone Number:</b> 301-952-4132 <b>Email:</b> Joshua.Mitchum@ppd.mncppc.org	



Planning Board Date:	10/17/2024
Planning Board Action Limit:	N/A
Staff Report Date:	09/17/2024
Date Accepted:	05/23/2024
Informational Mailing:	N/A
Acceptance Mailing:	N/A
Sign Posting Deadline:	08/06/2024

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at

[http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/).

Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Basic Plan Amendments A-8427-01, A-8578-01, and A-8579-01  
Oak Creek Club – Landbay T

Zoning staff has reviewed the basic plan amendment application for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

**EVALUATION CRITERIA**

The subject property is within the Legacy Comprehensive Design (LCD) Zone and was previously located within the Local Activity Center (L-A-C) and Residential Low Development (R-L) Zones. This application is being reviewed and evaluated in accordance with the Prince George's County Zoning Ordinance effective prior to April 1, 2022 ("prior Zoning Ordinance"), pursuant to Section 27-1704(h) of the Zoning Ordinance, which provides: "Property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received." Accordingly, staff has considered the following in reviewing this basic plan amendment application:

- a. The requirements of Basic Plans A-8427, A-8578, and A-8579;
- b. The 2014 *Plan Prince George's 2035 Approved General Plan*;
- c. The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*;
- d. The requirements of the prior Prince George's County Zoning Ordinance; and
- e. Referral comments;

**FINDINGS**

1. **Location and site description:** The subject property is located on the east and west sides of Church Road, north of Oak Grove Road. The area specific to this amendment is the portion of the Oak Creek development on the east side of Church Road, north of Mary Bowie Parkway, and west of Bamberg Way. The subject area of amendment, currently zoned Legacy Comprehensive Design (LCD), is approximately 8.09 acres and is composed of part of Parcel B and Parcel 3, within the Oak Creek Club subdivision. Parcel 3 is recorded by deed

in the Prince George's County Land Records in Book 48450 page 299, and Parcel B is recorded in Plat Book REP 203 Plat 20. This application is being reviewed pursuant to the prior Prince George's County Zoning Ordinance, under which the area of amendment is zoned Local Activity Center (L-A-C) and Residential Low Development (R-L). The site is currently vacant and unimproved.

2. **History:** Basic Plans A-8427, A-8578, and A-8579 ("basic plans") were approved by the Prince George's County District Council on November 26, 1991 (CR-120-1991) for the subject property. The basic plans rezoned the property from the Residential-Agricultural (R-A) and Rural Residential (R-R) Zones to the R-L and L-A-C Zones, respectively.

On July 24, 2000, the District Council approved amendments to Basic Plans A-8427, A-8578, and A-8579 (Zoning Ordinance No. 11-2000) for the Oak Creek Club subdivision, which introduced an 18-hole golf course, subject to 49 conditions and 10 considerations.

Preliminary Plan of Subdivision (PPS) 4-01032 was approved by the Prince George's County Planning Board on September 6, 2001 (PGCPB Resolution No. 01-178(C)(A)). PPS 4-01032 approved 1,148 lots and 36 parcels for the development of 1,148 single-family residential dwelling units, 26,000 square feet of retail use, and an 18-hole golf course on the overall property. Further subdivision of the property for new residential lots will require a new PPS.

Comprehensive Design Plans CDP-9902 (for the R-L Zone) and CDP-9903 (for the L-A-C Zone) were approved by the District Council on May 13, 2002, to develop a maximum of 1,148 dwelling units on 923 acres of land, including a golf course, a clubhouse and a recreation center.

The first revision to CDP-9902, CDP-9902-01, was approved by the Planning Board on June 22, 2006, to reduce the attached single-family dwelling unit side yard setback from 5 feet to 0 feet.

A second revision, CDP-9902-02, was approved by the Planning Board on September 13, 2007 (PGCPB Resolution No. 07-172), to combine the community building and golf course clubhouse into a single facility, and to amend the location and the construction schedule for the recreational facilities.

A third revision, CDP-9902-03, was approved by the District Council on January 30, 2012, for amending prior Condition 27 regarding bonding and commencing construction of the golf course clubhouse.

A fourth revision, CDP-9902-05, was approved by the Planning Board on December 6, 2012 (PGCPB Resolution No. 12-110), to revise a prior condition of approval, to allow the approved clubhouse to be reduced in area from 25,000 square feet to 13,000 square feet.

The first revision to the above-referenced CDP-9903, CDP-9903-01, was approved by the Planning Board on September 13, 2007 (PGCPB Resolution No. 07-173 (C)), for a revision to a prior approved condition regarding the on-site recreational facilities.

A second revision, CDP-9903-02 was approved by the District Council on January 30, 2012, for a revision to a prior approved condition regarding the construction trigger of the approved golf course.

A third revision, CDP-9903-04 was approved by the Planning Board on December 6, 2012 (PGCPB Resolution No. 12-111), for a revision to reduce the proposed size of the approved golf course clubhouse. Amendments to CDP-9902 and CDP-9903 are anticipated for the increase to dwelling units, as proposed under these basic plan amendments, should they be approved.

PPS 4-01032 was approved by the Planning Board on September 6, 2001 (PGCPB Resolution No. 01-178(C)(A)). PPS 4-01032 approved 1,148 lots and 36 parcels for the development of 1,148 single-family residential dwelling units, 26,000 square feet of retail use, and an 18-hole golf course on the overall property. Further subdivision of the property for new residential lots will require a new PPS.

Numerous specific design plans have been approved for the Oak Creek Club development, as covered under the basic plans. Future development of the area proposed for increase of density under this application, if approved, will require specific design plan approval.

3. **Neighborhood and surrounding uses:** Neighborhood boundaries are normally defined by major roadways or environmental features. The following boundaries create the neighborhood for the subject property:

<b>North —</b>	MD 214 (Central Avenue)
<b>South —</b>	Oak Grove Road
<b>East —</b>	New York Central Rail Line
<b>West —</b>	Watkins Park Drive

The area immediately surrounding the subject area of amendment is comprised of the following roadways and existing development, which are all within the Oak Creek Club subdivision:

<b>North —</b>	Vacant land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), currently zoned LCD (prior R-L Zone).
<b>South —</b>	Mary Bowie Parkway right-of-way.
<b>East —</b>	Single-family detached residential dwelling units in the Lake View section of the Oak Creek Club subdivision. Currently zoned LCD (prior L-A-C).
<b>West —</b>	Church Road right-of-way.

4. **Request:** The purpose of this request is to amend Basic Plans A-8427, A-8578, and A-8579, approved by the District Council on November 26, 1991, to allow for the additional

development of 36 single-family detached dwelling units. The request specifically asks for an increase in density through the modification of Condition 1 of the prior approved basic plans. No other conditions of the approved basic plans are proposed for amendment with this request. Furthermore, the request does not involve a change in the overall land area of the approved basic plans. The development area specific to the density increase proposed is identified on the proposed amended basic plan as Development Parcel/Landbay T. The area in which the increase in residential density is proposed is currently shown on the approved basic plan for single-family detached residential dwelling units, church, and day care uses. The applicant proposes amendment of this land-use area for single-family detached development only. However, additional land in the L-A-C Zone to the south of Mary Bowie Parkway is to retain the nonresidential future development component within Oak Creek Club, to satisfy the purposes of the L-A-C Zone.

This application was accepted by the Planning Department on May 23, 2024, and is being reviewed in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1704(h) of the Zoning Ordinance. This application is filed pursuant to Section 27-197(a) of the prior Zoning Ordinance.

Currently, Condition 1 of A-8427, A-8578 and A-8579 states the following:

1. **In no event shall the maximum number of dwelling units exceed 1,096 in the R-L Zone, which equates to 1.3 dwelling units per adjusted gross acre, and 52 in the L-A-C Zone.**

The revised condition is proposed, as follows:

1. **In no event shall the maximum number of dwelling units exceed 1,108 in the R-L Zone, which equates to 1.4 dwelling units per adjusted gross acre, and 76 in the L-A-C Zone.**

5. **General Plan, Master Plan, and Sectional Map Amendment (SMA) Recommendations:**

**General Plan** – The 2014 *Plan Prince George's 2035 Approved General Plan* (General Plan) classifies the subject property in the Established Communities plan area. The vision for Established Communities is to create the most appropriate and context-sensitive infill for low- to medium-density development.

**Master Plan** - The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan) recommends residential low and neighborhood mixed-use land uses on the subject property. The R-L portion of the subject property is designated as residential low. Residential low land uses are defined as residential areas between 0.5 and 3.5 dwelling units per acre, with primarily single-family detached dwellings. The L-A-C portion of the subject property is designated as neighborhood mixed-use. Neighborhood mixed-use is defined as traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities, with a residential density up to or equal to 48 dwelling units per acre.

6. **Development Proposal Analysis:** The applicant has filed these basic plan amendments and included a statement of justification (SOJ) dated August 2, 2024 (Hatcher to Mitchum), which sets forth the amendments sought by this application. The following provides further detail and analysis of the applicant's requested amendment.

The applicant proposes to increase the permitted residential density cap in the R-L and L-A-C Zones, to allow for the development of a maximum of 1,108 dwelling units in the R-L Zone, and a maximum of 76 dwelling units in the L-A-C Zone. The following table represents the prior approved dwelling unit types and development maximums for the L-A-C Zone, and the amendments proposed by the applicant:

<b>A-4827, A-8578, A-8579</b>	<b>APPROVED</b>	<b>EVALUATED</b>
Zone (R-L)	R-L	R-L
Total Acreage	892 acres	892 acres
Max. Dwelling Units	1096 units	<b>1,108 units</b>
Density Cap	1.3 d/u per acre	<b>1.4 d/u per acre</b>
Zone (L-A-C)	L-A-C	L-A-C
Total Acreage	33 acres	33 acres
Max. Dwelling Units	52 units	<b>76 units</b>

The table illustrates an increase of the density cap for the R-L Zone to 1.4 dwelling units per acre (an increase of 0.1), which increases the maximum permitted dwelling units to 1,108 units (an increase of 12 from 1,096). The application does not propose rezoning, or a change in the dwelling unit types.

7. **Basic Plan Compliance with the Zoning Ordinance:**

**Section 27-197(a). Amendment of approved Basic Plan.**

- (1) **If an amendment of an approved Basic Plan involves a change in land area or an increase in land use density or intensity for the overall area included in the approved Basic Plan, the Plan shall be amended only in accordance with all the provisions of this Subdivision which apply to the initial approval of the Basic Plan by Zoning Map Amendment application, except as provided in this Section.**

The application does involve an increase in the residential dwelling unit density cap approved for the Oak Creek Club. The density will be added to the area noted on the submitted plan as Landbay T. The area is made up of a 100-foot buffer from Church Road that will remain, and vacant land in the R-L and L-A-C Zones. Landbay T is located east of Church Road, north of Mary Bowie Parkway, west of Bamberg Way and south of Parcel A (the park/school site owned by The Maryland-National Capital Park and Planning Commission). A condition is included herein for removal of the designation of the area as Landbay T, as this area was already designated for residential development under the approved basic plan.

The amendment requested requires that the criteria of an initial approval of a basic plan be met, per Section 27-195(b) of the prior Zoning Ordinance. The following is an analysis of the application's conformance to Section 27-195(b).

**Section 27-195(b). Criteria for approval.**

**(1) Prior to approval of the application and Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:**

**(A) The proposed Basic Plan shall either conform to:**

- (i) The specific recommendations of a General Plan map or Area Master Plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the development, and the impact which the development may have on the environment and surrounding properties;**
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity or nonresidential buildings, and the location of land uses.**

The master plan recommends residential low for the land area formally zoned R-L (Parcel B and the northern portion of Parcel 3) and neighborhood mixed-use for the land area formally zoned L-A-C (the southern portion of Parcel 3).

Residential low land uses are defined as residential areas between 0.5 and 3.5 dwelling units per acre with primarily single-family detached dwellings. Neighborhood mixed-use is defined as traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities, with a residential density up to or equal to 48 dwelling units per acre (pages 49–50).

The proposed development meets the definition for residential low, by staying below the maximum density recommended per the master plan residential low land-use classification (up to 3.5 dwelling units per acre).

With respect to the recommended neighborhood mixed-use land use, this basic plan amendment proposes only single-family homes in a location approved for residential, church, and day care uses. However, the option for nonresidential development is retained in the L-A-C zoned portion of the overall development that is south of Mary Bowie Parkway, on land that is currently vacant and nearest to the golf course, clubhouse, and recreational facilities. Therefore, the proposal conforms to the master plan recommendation for neighborhood mixed-use.

The proposed amendment to Condition 1 of the basic plans meets several of the purposes and recommendations of the General Plan and master plan. Furthermore, the increase in density from 1.3 dwelling units per acre to 1.4 dwelling units per acre does not represent a significant departure from the original condition of the prior approved basic plans.

The proposed amendments will increase residential density on a portion of the subject site that was previously intended to be developed with future residential and nonresidential uses. The applicant states that, due to the County's shifting land-use priorities, low- and medium-density residential homes represent the most viable use for the subject site.

The approved NRI-136-2023 shows no regulated environmental features on-site. Approximately half of the site is covered in woodlands with 14 specimen trees. This woodland area is isolated, as it is not connected to the woodlands on the surrounding properties. The environmental impact that will most likely occur if this project proceeds will be the removal of the woodlands and specimen trees. PGAtlas shows that there is sensitive species and potential forest interior dwelling species (FIDS) on-site, however, in a letter dated November 8, 2023, the Maryland Department of Natural Resources Wildlife Heritage Services office determined that there are no sensitive species or FIDS on-site.

Staff find that this statement is in line with a policy recommendation of the General Plan (LU 4.4, page 113), which states "Identify additional strategies that may reduce the amount of residential and commercial development that is no longer economically viable and has been approved but not constructed throughout the County". In addition, while the land has been cleared and remains vacant, the subject site has not been developed for church/day care uses, and doing so would require significant investment and infrastructure to achieve financial viability. Accordingly, this basic plan amendment will provide the option of developing the site with additional residential units in this location. The applicant proposes to retain the option for future nonresidential development within Oak Creek Club.

**(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.**

This analysis is not required because the application does not propose retail or commercial uses. Therefore, this section was not evaluated by staff.

**(C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital**

**Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;**

A PPS is required to subdivide the subject property, in order to implement the applicant's development proposal. Prior to approval of the PPS, the applicant must attain approval of a Certificate of Adequacy, which includes a finding that transportation facilities are adequate to serve the proposed development. However, Section 27-195(b) requires a transportation adequacy finding, which follows below.

The proposed development is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The subject property has frontage along Church Road (C-300), along the western boundaries of the site. The MPOT refers to this section of Church Road as MC-300 and recommends a four-lane master collector road, with an ultimate right-of-way (ROW) of 90 feet. The subject application does not require ROW dedication or other recommendations to the aforementioned section of Church Road.

The Transportation Planning Section also notes that the portion of Church Road that fronts the subject site is currently constructed as a four-lane collector roadway. Furthermore, the subject site also has frontage along Mary Bowie Parkway, along its southern boundary, for which neither the MPOT nor the master plan contain ROW recommendations.

The Transportation Planning Section also notes that the increase in residential units is *de minimis* in nature and therefore will result in a *de minimis* increase in trips, not anticipated to result in any failing intersections, nor provoke additional mitigation. However, upon approval of the subject application, a PPS and a new determination of adequacy will be required.

The roadways needed to serve the proposed increase in residential density have already been constructed, as recommended in the MPOT.

The MPOT also provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. To fulfill the intent of the MPOT, sufficient pedestrian and bicycle facilities shall be provided to serve the subject site.

Based on the preceding finds, the Transportation Planning Section concludes that the vehicular, pedestrian, and bicycle access and circulation for this subject application is acceptable, consistent with the site design guidelines pursuant to Section 27 of the prior Zoning Ordinance, and meets the findings for transportation purposes.

- (D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;**

The above requirement and the prior Zoning Ordinance provide no methodology for determining the adequacy of public facilities. Per Subtitle 24 of the County Code, methodology for testing adequate public facilities occurs at the time of PPS review, pursuant to the level of service (LOS) requirements contained therein. The LOS prescribed under Subtitle 24 is provided for evaluation purposes below, given that Section 27-195(b) requires a public facilities finding. Adequate public facilities will be further evaluated at the time of PPS, with the submittal of an application for a Certificate of Adequacy.

In a referral dated August 29, 2024 (Walker to Mitchum), the Special Projects Section offered an analysis of the existing planned private and/or public facilities.

#### **Water and Sewer**

The 2018 *Water and Sewer Plan* identifies the proposed development within the water and sewer Category 3 (Community System). Category 3 comprises all developed land (platted or built) on public water and sewer, and underdeveloped land with a valid preliminary plan approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act.

#### **Capital Improvement Program (CIP)**

The subject property is located in Planning Area 74A (Mitchellville and Vicinity). The Prince George's County FY 2024–2029 Approved CIP identifies the Collington Athletic Complex as a proposed new public facility within the planning area.

#### **Police**

Per Section 24-4508 of the current Subdivision Regulations, the Planning Board's test for Police adequacy involves the following:

#### **Section 24-4508. Police Facility Adequacy**

##### **(b) Adopted LOS Standard-Police**

**(2) To demonstrate compliance with this LOS standard, the Chief of Police shall submit the following information, on an annual basis, to the Planning Director:**

**(A) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the *Public Safety Master Plan* for police stations in the vicinity of the area of the proposed subdivision; and**

This project is served by Police District II, Bowie, located at 601 Crain Highway SW in Bowie. The site is further located in Police Sector E. Consistent with the provisions of Section 24-4508, correspondence was received from representatives of the Prince George's County Police Department dated September 4, 2024, that stated the Department "has an adequate amount of equipment for our current sworn officers".

**(B) A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.**

Compliance with the required 10/25-minute emergency/non-emergency response times is evaluated by reviewing the most recent annual report provided by the Chief of Police. Response times that equal or are less than the criteria for both types of calls shall cause the subdivision to satisfy police facility adequacy. An application that fails one or both of these response times, but for which the response times for both emergency and nonemergency calls does not exceed 20 percent above the respective response times, may mitigate. If one or both response times exceed 20 percent, or an applicant with an

opportunity to mitigate chooses not to do so, the application fails the police facility adequacy test.

The appropriate response time is the time for the area closest in proximity to the proposed subdivision that also contains accurate data. At the beat and reporting area level, times are often not sufficiently accurate because there may be none, or only a few calls, in an entire year at that level. At the sector level, however, there are a sufficient number of calls to provide accurate response times. Since the sector level is more narrowly drawn, sector level estimated times are closer to the vicinity of the subdivision and are, therefore, applied when provided by the Chief of Police. If sector level times are not available, staff applies times at the division level.

The current police response times for the site located in Division II, Sector E is 10 minutes for emergency calls and 15 minutes for non-emergency calls, which would pass the LOS standard. This will be further evaluated at the time of the PPS.

## **Fire and Rescue**

Per Section 24-4509 of the current Subdivision Regulations, the Planning Board's test for fire and rescue adequacy involves the following:

### **24-4509. Fire and Rescue Adequacy**

#### **(b) Adopted LOS Standard for Fire and Rescue**

- (1) The population and/or employees generated by the proposed subdivision, at each stage of the proposed subdivision, will be within the adequate coverage area of the nearest fire and rescue station(s) in accordance with the Public Safety Guidelines.**
- (2) The Fire Chief shall submit to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Director:**

- (A) **A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the Public Safety Master Plan for fire stations in the vicinity of the area where the subdivision is proposed to be located; and**
- (B) **A statement by the Fire Chief that the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.**
- (3) **Subsection (b)(2), above, does not apply to commercial or industrial applications**

Table 24-4502: Summary of Public Facility Adequacy Standards, of the current Subdivision Regulations requires a fire and rescue standard of seven minutes travel time for any residential uses. This project is served by the Kentland Volunteer Fire/EMS Company 846, located at 10400 Campus Way South, as the first due station. The "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" provides the following LOS standard:

The Fire Chief shall submit a statement that the response time for the first due station, in the vicinity of the property proposed for subdivision, is a maximum of seven minutes travel time.

The statement from the Fire Chief will be requested at the time of PPS.

### **Schools**

Per Section 24-4510 of the current Subdivision Regulations, the Planning Board's test for school adequacy involves the following:

#### **24-4510. Schools Adequacy**

##### **(b) Adopted LOS Standard for Schools**

- (2) **The adopted LOS standard is that the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity, as adjusted by**

**the School Regulations, of the affected elementary, middle, and high school clusters.**

This project is in School Cluster 4. There are three schools serving this area - Perrywood Elementary, Kettering Middle, and Dr. Henry A Wise, Jr. High.

The adopted LOS standard is that the number of students generated by the proposed subdivision, at each stage of development, will not exceed 105 percent of the state-rated capacity of the affected elementary, middle, and high school clusters. Schools at all levels will continue to operate at a capacity below 105 percent and pass the LOS standard for schools' adequacy at all school levels.

Currently, according to the 2023-2024 Update of the Pupil Yield Factors and Public School Clusters, none of the schools' levels exceed the state-rated capacity and are operating below 100 percent of capacity. This will be further evaluated at the time of PPS.

**Library**

This area is served by the South Bowie Library, 15301 Hall Road Bowie, MD 20721.

**(E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**

This basic plan amendment will provide the option of developing the site with additional residential units in a location previously approved for residential, church, and day care uses. These dwelling units will be compatible with the surrounding approved general land use types, so as to promote the health, safety, and welfare of the present and future inhabitants of the regional district.

The application's proposal, to increase the residential dwelling density cap from 1.3 to 1.4 dwelling units per acre strengthens the established golf-course centric and residential-focused community of Oak Creek Club. The increase in residential density is compatible and harmonious with the surrounding residential communities that abut the property, such as Lake View (primarily single-family detached dwellings), and Clubhouse Terrace (primarily townhouse dwellings). In addition, the proposed additional residential density will be located across Mary Bowie Drive from the area of Oak Creek Club that is approved for non-residential, community-based uses. The

additional residential density will complement these nonresidential uses.

To the north of the area, in which the additional dwelling units are proposed, is a school/park site that has yet to be developed. This site will support the additional residents by providing recreational and/or educational opportunities.

Environmental and open space features have been evaluated in a memorandum from the Environmental Planning Section, dated July 15, 2024 (Rea to Mitchum), incorporated by reference herein, and will remain unchanged by this proposal.

- (2) Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.**

The application does not propose a construction schedule of more than six years; therefore, this section was not evaluated by staff.

- (3) In the case of an L-A-C Zone, the applicant shall demonstrate to the satisfaction of the District Council that any commercial development proposed to serve a specific community, village, or neighborhood is either:**

- (A) Consistent with the General Plan, an Area Master Plan, or a public urban renewal plan; or**
- (B) No larger than needed to serve existing and proposed residential development within the community, village, or neighborhood.**

A portion of the subject site is zoned L-A-C; however, this application does not propose additional commercial development from that previously approved. Therefore, this section was not evaluated by staff.

- (4) In the case of a V-M or V-L Zone, the applicant shall demonstrate to the satisfaction of the District Council that the commercial development proposed to serve the village is no larger than needed to serve existing and proposed residential development within and immediately surrounding the village, within the parameters of Section 27-514.03(d)(1)(A).**

The subject site is not zoned Village-Medium or Village-Low. Therefore, this section was not evaluated by staff.

### **Land Use**

Through the original basic plans, the subject property was rezoned from the R-A and R-R Zones to the R-L and L-A-C Zones, respectively.

Section 27-494 of the prior Zoning Ordinance states the purpose of the L-A-C Zone. Section 27-494 is replicated below in **bold** text, and staff's analysis of the subject application's conformance follows, in plain text.

#### **Sec. 27-494. – Purposes.**

**(a) The purposes of the L-A-C Zone are to:**

**(1) Establish (in the public interest) a plan implementation zone, in which (among other things):**

**(A) Permissible residential density and building intensity are dependent on providing public benefit features and related density/intensity increment factors; and**

The increase in residential density is in compliance with the density and intensity increment factors contained in Section 27-496, as shown on the provided plan amendment to the prior approved basic plans.

**(B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, public renewal plan, or Sectional Map Amendment Zoning Change;**

This purpose was met at the time of the initial basic plan approval and is not proposed to be amended.

**(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, and Sectional Map Amendment Zoning Changes for Community, Village, and Neighborhood Centers) can serve as the criteria for judging individual physical development proposals;**

The proposed basic plan amendments conform to the vision of the General Plan by protecting environmentally sensitive areas, to which no amendment is proposed, while staying below the maximum density that the General Plan recommends, which conforms with the L-A-C Zone's purpose of establishing regulations and policies from the General Plan, master plans, and sector plans. Furthermore, the amendments reflect the General Plan's policy of identifying

additional strategies that may reduce the amount of residential or commercial development that is no longer economically viable.

- (3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District;**

The application's proposal to increase the residential dwelling density cap from 1.3 to 1.4 dwelling units per acre maintains a purpose of the L-A-C Zone in that it strengthens the established golf-course centric and residential-focused community of Oak Creek Club. The increase in residential density is compatible and harmonious with the surrounding residential communities that abut the property, such as Lake View (primarily single-family detached dwellings), and Clubhouse Terrace (primarily townhouse dwellings).

- (4) Encourage and stimulate balanced land development;**

The increase in residential density will encourage and stimulate balanced land development. Specifically, additional residential use at this site will support existing and planned commercial uses in the vicinity, including the approved Community Service Center, an area approved for commercial uses, within Oak Creek Club.

- (5) Group uses serving public, quasi-public, and commercial needs together for the convenience of the populations they serve; and**

This application does not propose additional uses serving public, quasi-public, and commercial needs. It provides the option to develop additional residential use, rather than day care and church uses. The applicant proposes to retain the church and/or day care uses as an option for the nonresidential component within Oak Creek Club. Other uses serving public, quasi-public, and commercial needs within Oak Creek Club remain grouped together. Specifically, the Community Service Center, Bowieville Mansion, and the clubhouse are grouped together on the south side of Mary Bowie Parkway. In addition, a school/park site lies to the north of the location of the added dwelling units. This configuration will not change with this basic plan amendment application.

- (6) Encourage dwelling integrated with activity centers in a manner which retains the amenities of the residential environment and provides the convenience of proximity to an activity center.**

The proposed additional dwelling units will be located south of a park/school site and across Mary Bowie Parkway from approved nonresidential uses in the overall Oak Creek Club property. Should these approved, but unbuilt nonresidential uses be constructed,

future residents will have convenient access to the nonresidential amenities, while retaining the amenities of the residential environment.

Section 27-514.08 of the prior Zoning Ordinance states the purpose of the R-L Zone. Section 27-514.08 is replicated below in **bold** text, and staff's analysis of the subject application's conformance to the section follows in plain text.

**27-514.08 - Purposes.**

**(a) The purposes of the Zone are to:**

**(1) Establish (in the public interest) a plan implementation Zone, in which (among other things):**

**(A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**

The increase in residential density is in compliance with the density and intensity increment factors contained in Section 27-496 of the prior Zoning Ordinance, as shown on the provided plan amendment to the prior approved basic plans.

**(B) The location of the Zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

This purpose was met at the time of the initial basic plan approval, and the location of the zone remains unchanged by this request.

**(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, or Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual development proposals;**

As stated in Finding 7, the proposed basic plan amendments conform to the vision of the General Plan by protecting environmentally sensitive areas while staying below the maximum density that the General Plan recommends, which conforms with the R-L Zone's purpose of establishing regulations and policies from the General Plan, master plans, and sector plans. Furthermore, the amendments reflect the General Plan's policy of identifying additional strategies that may reduce the amount of residential or commercial development that is no longer economically viable.

**(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**

The application's proposal, to increase the residential dwelling density cap from 1.3 to 1.4 dwelling units per acre, maintains a purpose of the R-L Zone in that it strengthens the established golf-course centric and residential-focused community of Oak Creek Club. The increase in residential density is compatible and harmonious with the surrounding residential communities that abut the property, such as Lake View (primarily single-family detached dwellings), and Clubhouse Terrace (primarily townhouse dwellings).

**(4) Encourage amenities and public facilities to be provided in conjunction with residential development;**

This application proposes an increase in residential density in a location previously approved for development. No changes to the amenities and public facilities for Oak Creek Club, including the established golf course and approved school/park site, are proposed with this basic plan amendment application.

**(5) Encourage and stimulate balanced land development;**

The increase in residential density will encourage and stimulate balanced land development. Specifically, additional residential use at this site will support existing and planned commercial uses in the vicinity, including the approved Community Service Center within Oak Creek Club.

**(6) Improve the overall quality and variety of residential environments in the Regional District;**

The introduction of more single-family detached dwelling units will improve the quality and variety of the residential environment of the regional district, will grow the established community that is attached to the existing infrastructure (which includes roads and utilities), and will further complete the remaining phases of the Oak Creek Club development.

**(7) Encourage low-density residential development which provides for a variety of one-family dwelling types, including a large lot component, in a planned development;**

The application encourages low-density residential development by proposing more single-family detached dwelling units, while remaining under the maximum recommended residential density cap established by the General Plan.

**(8) Protect significant natural, cultural, historical, or environmental features and create substantial open space areas in concert with a unique living environment; and**

The subject property is near Bowieville Historic Site 74A-018 but does not contain and is not adjacent to any designated Prince George's County historic sites or resources.

**(9) Protect viewsheds and landscape/woodland buffers along the primary roadways and woodlands, open fields, and other natural amenities within the Zone.**

Future development in the Oak Creek Club will utilize environmental site design to preserve and enhance tree canopy coverage on the subject property to the fullest extent possible, with the stated goal of decreasing stormwater runoff and protecting woodland buffers along primary roadways.

## **8. Referrals**

The following referral memorandums were received, which discuss the proposed basic plan amendments, support the required findings above, are included as backup to this memorandum, and are incorporated herein by reference:

- a. Subdivision Section, dated August 1, 2024 (Gupta to Mitchum)
- b. Community Planning Section, dated July 10, 2024 (Lester to Mitchum)
- c. Historic Preservation and Archeology Section, dated July 10, 2024 (Stabler, Smith, and Chisholm to Mitchum)
- d. Transportation Planning Section, dated September 12, 2024 (Ryan to Mitchum)
- e. Environmental Planning Section, dated July 15, 2024 (Rea to Mitchum)
- f. Special Projects Section, dated September 10-, 2024 (Ray to Mitchum)

## **CONCLUSION**

Based on the analysis and findings, staff recommend APPROVAL of Basic Plan Amendments A-8427-01, A-8578-01, and A-8579-01, Oak Creek Club, with the following land use quantities and subject to the original conditions and considerations, with amendment of Condition 1, as follows:

### **Land Use Quantities:**

Gross Acreage	895 Acres
Less 50% Flood Plain	-46 Acres
Net site Area	846 Acres
R-L 1.0 DU/Ac	846 Units
R-L 1.5 DU/Ac	1,269 Units
Proposed Density	1,106 Units 1.4 DU/Ac
L-A-C Zone	
Gross Area	33 Acres
Community Service Center	40,000 Square feet
Village Housing	76 dwelling units
Bowenville Historic Site	
Total	1,182 dwelling units

## **CONDITIONS:**

Staff recommend **approval** of this amendment request subject to the original conditions and considerations, with amendment of Condition 1, as follows:

### **A-8427-01, A-8578-01, and A-8579-01**

Condition 1. In no event shall the maximum number of dwelling units exceed 1,108 in the R-L Zone, which equates to 1.4 dwelling units per adjusted gross acre, and 76 in the L-A-C Zone.

The following additional conditions are recommended:

1. Remove the designation of Development Parcel/Landbay T from the amended basic plan.