

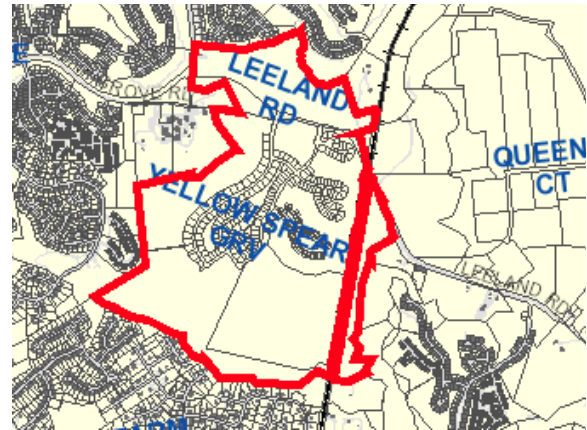


## Comprehensive Design Plan Locust Hill

## CDP-0506-01

REQUEST	STAFF RECOMMENDATION
Amend CDP-0506 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	With the conditions recommended herein:  APPROVAL of Comprehensive Design Plan CDP-0506-01 APPROVAL of Type 1 Tree Conservation Plan TCPI-024-06-02

<b>Location:</b> On the north and south sides of Oak Grove Road and west of Leeland Road (MC-600), between Church Road and Collington Branch.	
Gross Acreage:	505.81
Zone:	LCD
Zone Prior	R-L
Reviewed per prior Zoning Ordinance	Section 27-1704(h)
Dwelling Units:	706
Gross Floor Area:	N/A
Planning Area:	79
Council District:	06
Municipality:	N/A
<b>Applicant/Address:</b> WBLH, LLC 6731 Columbia Gateway Dr., Suite 120 Columbia, MD 21046	
<b>Staff Reviewer:</b> Te-Sheng (Emery) Huang <b>Phone Number:</b> 301-952-4534 <b>Email:</b> tesheng.huang@ppd.mncppc.org	



Planning Board Date:	09/12/2024
Planning Board Action Limit:	09/20/2024
Staff Report Date:	08/29/2024
Date Accepted:	06/11/2024
Informational Mailing:	12/10/2021
Acceptance Mailing:	06/06/2024
Sign Posting Deadline:	08/13/2024

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: Comprehensive Design Plan CDP-0506-01  
Type 1 Tree Conservation Plan TCPI-024-06-02  
Locust Hill

The Urban Design Section has reviewed the comprehensive design plan for the subject property and recommend APPROVAL with conditions, as described in the Recommendation section of this report.

**EVALUATION CRITERIA**

This property is within the Legacy Comprehensive Design (LCD) Zone. It was previously located within the Residential Low Development (R-L) Zone. With this comprehensive design plan (CDP), the applicant proposes to amend CDP-0506 to increase the number of residential units from 554 to 706 within the subject site. Pursuant to Section 27-1704(h) of the Prince George's County Zoning Ordinance, property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance effective prior to April 1, 2022 ("prior Zoning Ordinance"), and subject to the terms and conditions of prior development approvals (Basic Plan A-9975-01-C and CDP-0506), which it has received. Accordingly, staff have reviewed the subject CDP under the property's former R-L Zone, and the standards and procedures of the prior Prince George's County Zoning Ordinance. Therefore, technical staff considered the following in reviewing this CDP:

- a. The requirements of Zoning Map Amendments (Basic Plans) A-9975-C and A-9975-01-C;
- b. The requirements of the prior Prince George's County Zoning Ordinance governing development ordinance for the Residential Low Development (R-L) Zone;
- c. The requirements of Comprehensive Design Plan CDP-0506;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George's County Tree Canopy Coverage Ordinance;
- e. Referral comments; and
- f. Community feedback.

## FINDINGS

Based upon the evaluation and analysis of the subject comprehensive design plan (CDP), the Urban Design staff recommend the following findings:

1. **Request:** This CDP application seeks to amend CDP-0506 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.
2. **Development Data Summary:**

	EXISTING	APPROVED (CDP-0506)	EVALUATED (CDP-0506-01)
Zone(s)	R-L	R-L	R-L
Gross track area	503.53 acres	503.53 acres	505.81 acres*
100-year floodplain	-	68.56 acres	66.44 acres*
Net tract area	-	434.97 acres	439.37 acres
Density permitted	-	1.18 du/ac	1.5 du/ac
Base density**	-	471	471
Maximum density**	-	706	706
Proposed density	-	<b>554</b>	<b>706</b>
Lots	-	554	706
Parcels	-	30	29
Single-family attached (SFA) units	-	90-110	211***
Single-family detached (SFD) units	-	370-445	495

**Notes:** \*Figures based on revised survey data and floodplain study (FPS No. 200521) approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on November 8, 2021, which resulted in changes to the computation of total acreage and reduced the floodplain area to 66.44 acres.

\*\*Per Section 27-486(a) of the prior Prince George's County Zoning Ordinance, residential density determinations in the Residential Low Development (R-L) Zone shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain.

\*\*\*Fifty carriage homes were approved with Specific Design Plan SDP-1705-02, which are counted towards the proposed 211 single-family attached units. Page 4 of PGCPB Resolution No. 18-93(C) notes that, "carriage homes" are three-attached dwellings on 5,500-square-foot exterior lots and 4,000-square-foot interior lots. As stated on page 18 of the submitted statement of justification (SOJ) for the subject CDP, a condition is included herein requiring the applicant to note on the plan that a minimum of 7 percent of carriage homes will be included in the entire Locust Hill development.

3. **Location:** The subject site is located on the north and south sides of Oak Grove Road and west of Leeland Road (MC-600), between Church Road and Collington Branch. There are approximately 395.4 acres south of Oak Grove Road and west of the Pennsylvania Railroad right-of-way (ROW), approximately 30.9 acres south of Leeland Road between the railroad

ROW and Collington Branch, and approximately 79.5 acres along the north side of Oak Grove Road between Church Road and the railroad tracks. The site is in Planning Area 79 and Council District 6.

4. **Surrounding:** This site is bounded to the north by the Oak Creek Club subdivision in the Legacy Comprehensive Design (LCD) Zone (prior Residential Low Development (R-L) Zone) and County parkland in the Agriculture and Preservation (AG) Zone (prior Open Space (O-S) Zone). To the northeast is Leeland Road, which also crosses through the subject site, and beyond are the National Capital Business Park and the Collington Corporate Center in the LCD Zone (prior Residential Suburban Development (R-S), Light Industrial (I-1), and Employment and Institutional Area (E-I-A) Zones). To the east is the Beech Tree subdivision in the LCD Zone (prior R-S Zone), and to the south are single-family detached homes in the Residential Estate (RE) and Residential, Rural (RR) Zone (prior Residential-Estate (R-E) and Rural Residential (R-R) Zones). To the west are developed residential properties in the LCD Zone (prior R-S Zone), the Perrywood development and the St. Barnabas Church and Cemetery Historic Site in the Agricultural-Residential (AR) Zone (prior Residential-Agricultural (R-A) Zone), and the Queen Anne Parish property in the RE Zone (prior R-E Zone).
5. **Previous Approvals:** The subject property was rezoned from the R-A and R-E Zones to the R-L Zone, through the approval of Zoning Map Amendment (Basic Plan) A-9975-C by the Prince George's County District Council on October 31, 2006 (Zoning Ordinance 19-2006), for approval of residential dwelling units ranging from 475–581 dwelling units. The application had an approved Stormwater Management (SWM) Concept Plan, 47462-2005-00.

Comprehensive Design Plan CDP-0506 and Type I Tree Conservation Plan TCPI-024-06 were 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.

Preliminary Plan of Subdivision (PPS) 4-06075, with TCPI-024-06-01, was approved by the Planning Board on March 15, 2007 (PGCPB Resolution No. 07-28), for 554 lots and 24 parcels, to develop 438 single-family detached dwelling units and 116 single-family attached dwelling units. It was subsequently corrected and amended by the Planning Board on March 8, 2018, to include a total of 29 conditions (PGCPB Resolution No. 07-28(C)(A)).

Type II Tree Conservation Plan TCPII-027-2015 was approved by the Prince George's County Planning Director on February 9, 2016, with the limited purpose of placing a real estate sales trailer on Parcel A, located in the northeast corner of the intersection of Oak Grove Road and Church Road.

Basic Plan A-9975-01-C was approved by the Planning Board on October 18, 2018 (PGCPB Resolution No. 18-93(C)) and was confirmed by the District Council on May 13, 2019 (Zoning Ordinance 6-2019), amending the original A-9975-C for 471–706 dwelling units on an adjusted gross tract area of 471.21 acres, with 58 acres of public open space and 65 acres of private open space.

SDP-1705 was approved by the Planning Board on April 9, 2020 (PGCPB Resolution No. 2020-57), for Phase 1 infrastructure only, for 285 single-family detached and 53 single-family attached residential lots. The lots for Phase 1 were subsequently platted and are currently recorded in Plat Book 265, Plats 60–78. The application had an approved SWM Concept Plan, 47462-2005-00.

SDP-2101 was approved by the Planning Board on March 31, 2022 (PGCPB Resolution No. 2022-36), for an umbrella architecture package for 31 single-family detached models.

SDP-1705-02 was approved by the Planning Board on March 7, 2024 (PGCPB Resolution No. 2024-010), for development of 335 units within Phase 1 of Locust Hill, of which 285 are single-family detached homes and 50 are single-family attached carriage houses.

6. **Design Features:** This 505.81-acre CDP site contains Oak Grove Road/Leeland Road (MC-600) as one master plan right-of-way (ROW) identified in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which is categorized as a major collector roadway. MC-600 transects the subject property and then intersects Church Road at the northwest corner of the site. Two entry/exit points are located on the south side of MC-600 and three are located on its north side. Through these entry/exit points, internal public/private ROWs extend from MC-600 inwards to the subject site and provide circulation to residential lots and on-site recreational facilities.

The proposed development will be constructed in multiple phases. In each stage, a specific number of residential units and types has been identified along with the proposed recreational facilities. The phasing and the facilities are preliminary in nature and will be fine-tuned with progression of the development, as follows:

Phase		Number of SFA Lots	Number of SFD Lots	Total Number of Lots	Recreational Facilities Staging
Phase 1	1A	0	34	34	-
	1B	50*	136	186	community garden
	1C	0	115	115	Central Park HOA trails in Phase 1**
	Total	<b>50</b>	<b>285</b>	<b>335</b>	-
Phase 2	2A	0	170	170	HOA trails in Phase 2** clubhouse*** public park in Parcel R****
	2B	0	40	40	-
	Total	<b>0</b>	<b>210</b>	<b>210</b>	-
Phase 3	3A	141	0	141	HOA trails in Phase 3** master plan trails*****
	3B	20	0	20	-
	Total	<b>161</b>	<b>0</b>	<b>161</b>	-
Final Total		211	495	706	-

Note: \*The 50 SFA lots in Phase 1 are for the carriage homes.

\*\*The construction of HOA trails is by approximately 75 percent of the building permits for that phase.

\*\*\*The construction of the clubhouse is by approximately 60 percent of the building permits for the entire project.

\*\*\*\*The construction of the public park is by the 414th building permit in accordance with Condition 20 of PPS 4-06075.

\*\*\*\*\*The construction of the master plan trails is by approximately 75 percent of the building permits for the entire project.



**Figure 1: Comprehensive Design Plan**

### Development Standards

The subject CDP application also includes design guidelines governing the development of this project, including parking, loading, and circulation; landscaping; lighting; views; site and streetscape amenities; grading; townhouses and attached dwellings; architecture; and fences, sheds, and pools. Lot standards for the single-family detached units and single-family attached (townhouse and carriage) units are, as follows:

Lot Standards (R-L Zone)*					
Type	SFD (small)	SFD (medium)	SFD (large)	SFA (townhouse)	SFA (carriage)
Min. Lot Size	5,500 sq. ft.	7,000 sq. ft.	18,000 sq. ft.	2,000 sq. ft.	3,840 sq. ft.
Max. Lot Coverage	50%	45%	45%	N/A	N/A
Min. Cumulative Yard Area	2,200 sq. ft.	2,800 sq. ft.	6,800 sq. ft.	N/A	N/A
Min. Front Setback**	20 feet	25 feet	25 feet	20 feet	20 feet
Min. Side Setback**	5 feet	6 feet	6 feet	N/A	N/A
Min. Rear Setback**	15 feet	20 feet	20 feet	15 feet	15 feet
Deck Setback**	5 feet from any side or rear property line	5 feet from any side or rear property line	7 feet from any side or rear property line	1 foot from any side and 5 feet from rear property line	1 foot from any side and 5 feet from rear property line
Min. Building Separation	10 feet	12 feet	12 feet	N/A	N/A
Max. Height (Stories)	3	3	3	4	4
Min. Lot Width at Building Line	40 feet	40 feet	95 feet	N/A	N/A
Min. Lot Width at Street Line***	40 feet	40 feet	95 feet	N/A	N/A

**Notes:** \*A variation to the above regulations can be granted by the Prince George's County Planning Board on a case-by-case basis, with the approval of a specific design plan, if circumstances warrant.

\*\*A condition is included herein requiring the applicant to include a footnote, which is associated with the lot standards, for the permitted encroachments (extensions and projects) of bay windows, decks, porches, chimneys, stoops, foundations, cantilevers, and sheds into the proposed setbacks.

\*\*\*The minimum lot width at the street line on cul-de-sacs shall be 25 feet.



### **Green Building Techniques**

A development project of this large scale, with multiple phases, has numerous opportunities to apply green building and sustainable site development techniques to achieve green building certification and environmental excellency. The applicant should apply those techniques, as practical, at the time of SDP. Condition 12 of CDP-0506 specifically notes, "At time of Specific Design Plan submission, each SDP shall include a statement regarding how the proposal uses green building techniques and alternative energy sources". With this CDP amendment, the condition will be revised to "At the time of specific design plan (SDP), the applicant shall submit a list of sustainable site and green building techniques at the site, building, and appliance levels that will be used in this development". In addition, a condition is included herein requiring the applicant to add some green building techniques to the proposed design guidelines.

### **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Zoning Map Amendment (Basic Plan) A-9975-C and A-9975-01-C:** Basic Plan A-9975-C, which rezoned the subject property from the R-A and R-E Zones to the R-L Zone, was approved by the District Council on October 31, 2006, in accordance with Zoning Ordinance 19-2006, subject to 18 conditions and 5 considerations. A-9975-01-C was approved by the District Council on May 13, 2019, to amend the layout and conditions of A-9975-C (Zoning Ordinance 6-2019), subject to 21 conditions and 9 considerations. The conditions of A-9975-01-C relevant to the review of this CDP are listed below, in **bold** text. Staff analysis of the project's conformance to the conditions follows each one, in plain text:

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

<b>Total Area:</b>	<b>505.81 acres</b>
<b>Land in the 100-year floodplain:</b>	<b>69.21 acres</b>
<b>Adjusted Gross Area: (total area less half the floodplain (34.6 acres))</b>	<b>471.21 acres</b>
<b>Density Permitted under the R-L Zone:</b>	<b>1.0-1.5 dwellings (d.u.)/acre</b>
<b>Permitted Dwelling Unit Range:</b>	<b>471-706 d.u.</b>
<b>Approved Land Use Types and Quantities*:</b>	
<b>Approved Dwelling Unit Range:</b>	<b>471-706 d.u.</b>
<b>Residential Single-Family Detached:</b>	
<b>Minimum Range (65%)</b>	<b>306-459 d.u</b>
<b>Maximum Range (90%)</b>	<b>424-635 d.u.</b>

## **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).**

The subject CDP application is in conformance with this condition, which has been addressed in Finding 2 (Development Data Summary) above.

- 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, PPS 4-06075, SDP-1705, and SDP-1705-02. 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 CDP-0506, PPS 4-06075, SDP-1705, and SDP-1705-02 reviews, which result in preserving the existing natural resources to the fullest extent possible. This application does not propose any revisions to the alignment of MC-600.

- 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.**

The site has NRI-047-06-05, which was submitted with this application. All environmental features of the property, including stream buffers, wetlands, and floodplain, are correctly shown on the revised NRI, and the PMA has been correctly

delineated. The current CDP 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 the 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 species of rare, threatened, or endangered plant 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 The Maryland-National Capital Park and Planning Commission (M-NCPPC) and MDNR. The applicant submitted email correspondence to the Environmental Planning Section dated November 23, 2021 (Finch to Klebasko), which confirmed that, due to the location of the rare, threatened or 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. Detailed discussions are also addressed in the Referral Comments section below.

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 tree conservation plan (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 the 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 the 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, dated August 18, 2023, has been submitted for review. The report has verified Marlboro clay is present on-site. The slope stability analysis has indicated the slope stability for the existing and proposed conditions, to meet the minimum required factor of safety of 1.5. Grading in Marlboro clay areas must not exceed 5H:1V without specific slope analyses. The geotechnical report shall be provided to DPIE for review and approval at the time of grading permit submission.

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

The submitted plans show no residential lots located within 150 feet of the centerline of the CSX 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.**

Both Prince George's County Department of Parks and Recreation's (DPR) referral and page 13 of the SOJ submitted by the applicant, note the discussions between the applicant and DPR on the alignment of the Black Branch and Collington Branch trails. Given the existing environmental constraints, DPR recommended the applicant not to construct the Collington Branch trails and, instead, extend the Black Branch trail off-site, into the neighboring Oak Creek Club Development on M-NCPPC-owned property, as shown on the submitted plan. No private properties will be affected by this proposed extension.

- 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.**

The submitted plan shows the location of the Black Branch master plan trail and feeder trails. The development of these trails will be addressed and approved in future SDP applications.

- 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.**

The submitted plans show a 10-foot-wide side path along the subject property's north frontage of Oak Grove Road and MC-600 and a 5-foot-wide sidewalk along the subject property's frontage of Church Road, which is consistent with approval of SDP-1705-02 for Phase 1 of the Locust Hill development.

- 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 submitted plan shows a number of master-planned trails and 6-foot-wide internal feeder trails as part of the SDP applications for the Locust Hill development. The road sections and associated paths within the public ROWs will be finalized with DPIE and the Prince George's County Department of Public Works and Transportation (DPW&T). All trail alignments proposed will be reviewed and approved by DPR and/or M-NCPPC as part of the review and approval of future SDP applications.

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 the final plat for both Locust Hill and Willowbrook properties. The covenants are to ensure that residents within both the Locust Hill and Willowbrooks communities will have equal access to membership in and use of open space and recreational facilities in both developments.**

The subject CDP application does not propose shared private recreational facilities with the adjacent Willowbrook property (now National Capital Business Park), which is approved for industrial development.

14. **At the time of CDP and 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 Road, between US 301 and MD 202

The applicant submitted a traffic impact study, dated July 15, 2024, with the subject CDP application. A detailed discussion of the traffic impact study is included in the Transportation Planning Section's comments, in the Referral Comments section below.

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 environmental consultant for the Locust Hill projects previously confirmed that there are no on-site or off-site wetland mitigation banks within the Collington Branch watershed, or within the Western Branch watershed. The absence of banks does not mean that there are no potential mitigation/restoration sites. In fact, the *Western Branch Watershed Characterization* (December 2003) prepared in support for the Prince George's County and City of Bowie Watershed Restoration Action Strategy for the Western Branch watershed identified numerous project locations within that watershed.

While it is desirable to have the mitigation occur in the same watershed where the impacts occur, the most appropriate mitigation methods and locations will be determined by the Maryland Department of the Environment (MDE), who will issue the required permits with associated conditions.

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. Historic Preservation staff received confirmation from the applicant on July 14, 2023, that the artifacts from the Phase IB excavations of Locust Hill had been received at the Maryland Archaeological Laboratory at the Jefferson Patterson Park and Museum.

18. **If a determination is made at the time of CDP, based on the proposed total density, that the proposed dedication of public parkland and public recreational facilities are insufficient, additional on-site and/or off-site**

**dedication of public parkland and/or public recreational facilities shall be provided to satisfactorily meet the recreational needs of this community.**

The submitted plan, with this CDP, shows approximately 49 acres of parkland dedication to M-NCPPC, which includes the Collington and Black Branch stream valleys, and approximately 10 acres of developable land (Parcel R) for active recreation. Therefore, the proposed dedication of public parkland and public recreational facilities are sufficient to satisfactorily meet the recreational needs of this community.

- 19. At the time of CDP, the Applicant shall demonstrate the public benefit features above those previously required will be provided to justify the density proposed with this Application.**

The subject CDP application shows various types of public and private recreational facilities throughout the Locust Hill development, as discussed in Finding 6 above.

### **Considerations**

- 1. A detailed analysis of parkland, Master Plan trails, internal trail networks, sidewalk networks and neighborhood connector trails should be completed at the time of Specific Design Plan Review.**

The submitted plan shows the location of master plan trails, internal trail networks, sidewalk networks, and neighborhood connector trails throughout the Locust Hill development. The trails located within Phase 1 were approved with SDP-1705-02. Trails in Phase 2 and 3 will be further evaluated and addressed in future SDP applications. In addition, the road section and associated paths within the public ROW will be finalized by DPIE and DPW&T.

- 2. At the time of CDP review, specific acreage of parkland dedications shall be determined. Such dedication should include the Collington Branch and Black Branch stream valleys and 10 acres of developable land for active recreation as provided on January 27, 2006, memo from the DPR. (A-9975, Exhibit 30(a))**

The submitted plan, with this CDP, shows approximately 49 acres of parkland dedication to M-NCPPC, which includes the Collington and Black Branch stream valleys, and approximately 10 acres of developable land (Parcel R) for active recreation.

- 3. At the time of CDP review the Applicant shall address its plan to grade a 10 acre developable portion of the dedicated parkland on the northeast corner of the property next to the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot. The parkland shall have a direct frontage on proposed Oak Grove Road.**

The submitted plan shows a public park dedication of approximately 10 acres on Parcel R, which will accommodate ball fields and a parking lot. This parkland is located on the northeast corner of the subject site, next to the Pennsylvania (now called CSX) Railroad ROW and fronts Leeland Road.

4. **At the time of CDP review the Application shall provide adequate, private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.**

The applicant proposes various types of private recreational facilities, which have been discussed in Finding 6 above. The recreational facilities located within the Phase 1 development were approved with SDP-1705-02. Other facilities located in Phase 2 and 3 will be further evaluated and discussed with future SDP applications.

5. **The Applicant shall obtain approval from the Planning Board for any transfer of Locust Hill recreation facilities/funds to be used at the Willowbrook property at the time of CDP approval.**

With this application, the applicant does not propose any shared private recreational amenities with the adjacent Willowbrook property (now National Capital Business Park).

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

This subject CDP application includes a mixture of single-family detached, single-family attached, and carriage homes. These house types have a range of lot sizes and lot standards in order to serve the needs of different income households.

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 architecture 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 subject CDP application includes a mix of single-family attached and detached dwelling units. Among 706 units, 211 are single-family attached (townhouse and carriage) units and 495 are single-family detached units. These units are designed



with various lot sizes and compatible architectural design, as discussed in Finding 6 above. An umbrella architectural package for 31 single-family detached models was approved with SDP-2101 (PGCPB Resolution No. 2022-36). In addition, there are 50 attached dwelling units, which were approved with SDP-1705-02 to be designed as carriage homes (PGCPB Resolution No. 2024-010). There are two lot sizes (interior and exterior) and three home models for the 50 carriage homes. Each home model also has several options in terms of building façade and floor plan. All of these design varieties are to ensure flexibility and compatibility to single-family detached units within the Locust Hill development, as well as to surrounding development projects.

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

Fifty carriage homes were approved with SDP-1705-02, which is approximately 7 percent of the proposed 706 units within the Locust Hill development.

**9. An alternative community or institutional use may be provided in lieu of the church site previously approved with A-9975-C.**

With this CDP amendment, there are no alternative community or institutional uses proposed in lieu of the church site.

**8. Prince George's County Zoning Ordinance:** This application has been reviewed for conformance with the requirements of the prior Zoning Ordinance governing development in the R-L Zone, as follows:

- a. In accordance with Section 27-515(b) of the prior Zoning Ordinance, the proposed residential uses consisting of both single-family detached and single-family attached (townhouse) units are permitted in the R-L Zone, pursuant to approved A-9975-01-C.
- b. **Density Increments**—In accordance with Section 27-514.10, Regulations, of the prior Zoning Ordinance, for Residential Low 1.0 development, the base density is 1.0 dwelling units per acre and the maximum density is 1.5 dwelling units per acre. The base density for the Locust Hill Development is 471 units (1.0 x 471.20 acres). The proposed 706 dwelling units in the prior R-L Zone are at a density of 1.5 dwelling units per acre, which is above the base density, but still within the maximum allowed density of 1.5 dwellings per acre.

At the time of reviewing CDP-0506, the total number of dwellings units the applicant sought ranged between 475 and 581, which was approved with Basic Plan A-9975-C. Based on page 2 of PGCPB No. 06-274, the base density for CDP-0506 was 469 units (1.0 x 469.25 acres). Pursuant to Section 27-514.10(b) of the prior Zoning Ordinance, the approval of CDP-0506 was awarded an additional 349 dwelling units. However, the applicant only added 83 dwelling units from the earned density increments to the base density, for a total of 552 dwelling units, approved with CDP-0506, as shown in the table below.

In order to achieve a density that is above the base density of 1.0 dwelling units per acre with this CDP amendment, the applicant has proposed public benefit features and density increment factors, as stipulated in Section 27-514.10(b), as follows:

- (1) For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed 25% in dwelling units.**

The applicant is requesting a density increment of 25 percent or 117.75 additional units using this factor with this CDP amendment. The submitted plan shows that approximately 260 acres will be set aside as open space. Based on the ratio of 3.5 acres per 100 dwelling units, the subject CDP application seeks approval of 706 residential units, which require approximately 24.71 acres of open space. Because 65 acres are required by Basic Plan A-9975-01-C for private open space buffer, this land area needs to be subtracted from the proposed 260 acres. The resulting provision of approximately 195 acres of open space exceeds approximately 24.71 acres of open space. Staff are in support of this request. However, a condition is included herein requiring the applicant to remove the required 65-acre private open space buffer from the Public Benefit Features and Bonus Increment Factors Schedule.

- (2) For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosion action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed 2.5% in dwelling units.**

The applicant is not requesting a density increment using this factor.

- (3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed 5% in dwelling units.**

The maximum density increment allowed for this public benefit is 5 percent. The submitted plan, with this CDP, includes a pedestrian system (private 6-foot-wide trails), which is separated from the future and existing roadways. As a result, the applicant is seeking, and staff is in support of, the full 5 percent density increment. This equates to 23.55 additional units.

- (4) For recreational development of open space (including minimum improvements of heavy grading, seeding, mulching, utilities, off-street parking, walkways, landscaping, and playground equipment), an increment factor may be granted, not to exceed 10% in dwelling units.**

The applicant is requesting the maximum density increment (47.1 dwelling units) allowed. The subject CDP application proposes to increase the number of single-family attached and detached residential units up to 706. Based on the anticipated 706 dwelling units and their projected population, the value of the recreational facilities provided should be at least \$729,284.

The applicant is pursuing this density increment by providing substantial private recreational facilities within open space in the Locust Hill development. Specifically, the amenities include a community building (clubhouse) with pool; a community garden (with a shed and compost bins); a central park (with a dog park, an amphitheater, a playground, and a picnic area), etc. With approval of SDP-1905-02 for Phase 1 development, the recreational facilities schedule submitted with that SDP shows that the value of the provided facilities is approximately \$1,681,274, which is beyond \$729,284. Therefore, staff support the request for the 10 percent density increment.

**(5) For public facilities (except streets and open space areas), an increment factor may be granted, not to exceed 30% in dwelling units.**

Pages 2–3 of PGCPB No. 06-274, for CDP-0506, noted that the applicant used 66.70 acres of on-site area to be preserved as a buffer from the existing adjacent church, as a public benefit to claim additional dwelling units. With this CDP amendment, the applicant proposes to claim the 30 percent density increment through the construction of the approximate 10-acre park, which will be dedicated to M-NCPPC. However, constructing this park was a condition of approval (Condition 35) of CDP-0506, which states that, “The applicant shall construct recreational facilities on dedicated parkland typical for the neighborhood park. The applicant shall develop the park development concept plan and incorporate it into the preliminary plan of the subdivision. The concept plan shall be reviewed and approved by DPR staff.”

In response to Condition 35 of CDP-0506, page 28 of PGCPB Resolution No. 07-28(C)(A) for PPS 4-06075, findings are included that DPR had reviewed the conceptual plan submitted by the applicant on January 11, 2007, and concluded that the amenities for the neighborhood park are appropriate, which include two junior soccer fields, a picnic shelter, a playground and 60 parking spaces on-site. To further qualify for this density increment for this CDP amendment, a condition is included herein requiring the applicant to add two pickleball courts to the park, subject to the review and approval of the Urban Design Section and DPR staff, and note such information on the plan prior to certification of this CDP. Given the proposed and recommended facilities to be placed in the dedicated parkland, staff find that these facilities will support the creation of a neighborhood park and bring public benefits to the area, and therefore, support the request for the 30 percent density increment. Detailed design drawings will be further evaluated at the time of Phase 2 development, which includes the development of this parkland.

**(6) For creating activity centers with space provided for quasi-public services (such as churches, day care centers for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed 10% in dwelling units.**

This density increment factor was included in CDP-0506. However, the Planning Board concluded that the donation of a church site (8.76 acres) was inappropriate in a calculation for density increment and therefore excluded, in accordance with page 3 of PGCPB Resolution No. 06-274 for CDP-0506. With this CDP amendment, however, the applicant is not requesting a density increment using this factor.

- (7) For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed 5% in dwelling units.**

The applicant is not requesting a density increment using this factor.

In summary, the applicant has provided additional improvements and amenities that are above and beyond what is normally required to satisfy density increment criteria (1), (3), (4) and (5) above. As a result, the applicant has earned density increments, subject to certain conditions, as follows:

Factor Number	Density Increment (%)	Density Increment (# of units)	
		Approved CDP-0506 (Base density: 469)*	Evaluated CDP-0506-01 (Base density: 471)*
1	25	117	117.75
2	2.5	-	-
3	5	-	23.55
4	10	46	47.10
5	30	140	141.30
6	10	46	-
7	5	-	-
Total Bonus Increment Earned		<b>349</b>	<b>329.70</b>
Total Bonus Increment Proposed		<b>83</b>	<b>235.00</b>

**Note:** \*The based residential density for both CDP-0506 and CDP-0506-01 is 1.0 dwelling units per gross acre. The gross acreage of both applications is slightly different, based on updated survey information, which results in a slightly different number for the permitted based density.

- c. **Development Standards**—A comprehensive set of development standards for residential uses, including single-family detached and attached dwelling units, have been provided with this CDP. Urban Design staff have reviewed the proposed development standards, as discussed in Finding 6 above.
- d. In accordance with Section 27-521(a) of the prior Zoning Ordinance, prior to approving a CDP, the Planning Board must make the following required findings:
- (1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per**

**Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

Basic Plan A-9975-01-C was approved by the District Council on May 13, 2019 (Zoning Ordinance 6-2019), subject to 21 conditions and 9 considerations. The subject CDP application is in conformance with the conditions and considerations set forth in A-9975-01-C, as discussed in Finding 7 above.

The 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (master plan) recommends residential low land use on the subject property. Table 7: Future Land Use Map Designations states residential low areas are for "... up to 3.5 dwelling units per acre. Primarily single-family detached dwellings" (master plan, page 40). This CDP proposes approximately 1.5 dwelling units per acre, which is consistent with the recommended land use and density.

**(2) The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The flexibility inherent in comprehensive design zones, such as the prior R-L Zone, will allow the applicant to produce a much better environment and achieve high standards for the development, rather than those constructed in regular Euclidean zones. This CDP will provide a mixture of single-family attached (townhouse and carriage) and detached homes and include a variety of public and private recreational facilities, as discussed in Finding 6 above. In addition, approximately 260 acres of open space will be preserved and dedicated for active/passive recreational purposes. The fusion of urban- and suburban-style development cannot be achieved under normal regulations designed solely for suburban settings.

**(3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

Approval is warranted because the CDP includes design elements and a land use vision that are consistent with the approved basic plan. The CDP does include lot standards for the proposed single-family attached and detached units, as well as design guidelines for architecture, streetscape, landscaping, etc., as discussed in Finding 6 above. In addition, the design features included in this CDP are the preservation of environmental features and accessibility to public and private recreational facilities. Further evaluation of the urban design elements will be evaluated at the time of SDP. Staff support approval of the CDP because it includes various housing types, multiple locations for recreational facilities, and amenities that are

consistent with the approved basic plan, subject to the conditions in the Recommendation section below.

**(4) The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**

The development proposed with this CDP is compatible to neighboring properties, which were developed with single-family attached and/or detached residential units. These projects include the Oak Creek Club development to the north, the Beech Tree Village development to the southeast, the Perrywood development to the west, and other residential projects to the south.

Even though the applicant obtained an amendment to the original basic plan, development in this CDP remains generally the same as was previously approved. The basic plan envisions a community with low residential development on the property. The proposed development is to implement this land use vision. In addition, the proposed design guidelines, as revised, are appropriate for this location.

**(5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

**(A) Amounts of building coverage and open space;**

Building coverage is minimal and within the maximum allowable density, as discussed in Finding 6 above. The exact percentages will be determined at the time of SDP.

**(B) Building setbacks from streets and abutting land uses; and**

The setbacks proposed are equivalent to the standards already found in the prior Zoning Ordinance for townhouses and single-family detached dwellings and where applicable, the proposed development will conform to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) to ensure compatibility with abutting properties.

**(C) Circulation access points;**

Oak Grove Road currently transects the subject site, connecting to MC-600 to the east and Watkins Park Drive to the west. Several entry/exit points will be established on Oak Grove Road (future MC-600), with internal public and private ROWs accessing the proposed residential units and public and private recreational facilities within the subject site.

Additional evaluation, analysis, and review of these elements will be required and addressed with future PPS and SDP applications.

- (6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**

The CDP includes a phasing plan that consists of three major stages to fully construct the proposed development. Each major stage also has subordinate stages to further implement the proposed development. The applicant proposes to start the development by constructing single-family attached units in the area immediately located south of Oak Grove Road, within Phase 1, and then gradually continue to develop other areas, as discussed in Finding 6 above. As compact residential neighborhoods, each of these sections can exist as a unit, capable of sustaining an environment of continuing quality and stability.

- (7) The staging of development will not be an unreasonable burden on available public facilities;**

PPS 4-06075 was approved by the Planning Board on March 15, 2007 (PGCPB Resolution No. 07-28), for development of 554 residential units. According to Subdivision's referral, Phase 3 of the Locust Hill Development will be subject to a PPS, at which time adequacy of public facilities will be tested; however, at this time, staff find that the proposed development will not create an unreasonable burden on available public facilities.

- (8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

- (A) The proposed adaptive use will not adversely affect indistinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
- (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**
- (C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

The subject CDP application does not propose an adaptive re-use of an historic site. And no historic sites are located within the subject site.

- (9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);**

The subject CDP application incorporates the applicable design guidelines set forth in Section 27-274 and Section 27-433(d) of the prior Zoning

Ordinance. The submitted design standards, discussed in Finding 6 above, include all design components in Section 27-274 except green space. A condition is included herein requiring the applicant to add design guidelines for green space to the submitted design guidelines for the Locust Hill development. To ensure the subject CDP application is in conformance with Section 27-433(d), a condition is included herein requiring the applicant to note additional design standards, derived from Section 27-433(d), on the plan. Conformance to Section 27-274 and Section 27-433(d) will be further evaluated at the time of SDP applications.

**(10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

The CDP is in conformance with TCPI-024-06-02, subject to conditions in the Recommendation of this report.

**(11) The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5).**

There is PMA, comprised of regulated environmental features (REF), which includes streams and associated buffers, 100-year floodplain, steep slopes, and wetlands with their associated buffers. Under Section 27-521(a)(11) of the Zoning Ordinance, the plan shall demonstrate the preservation and/or restoration of the REF in a natural state to the fullest extent possible. The development proposed 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 CDP-0506-01 is reliant on the prior PMA impact approvals. No additional PMA impacts are requested with the subject application.

**(12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

This regulation is not applicable because the subject CDP application was placed in a comprehensive design zone through the approval of a sectional map amendment.

**(13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This regulation is not applicable because the subject CDP application is not a regional urban community.

- 9. Comprehensive Design Plan CDP-0506:** CDP-0506 was approved by the Planning Board on January 4, 2007 (PGCPB Resolution No. 06-274), subject to 44 conditions. The District Council affirmed the Planning Board's approval on April 9, 2007. The conditions relevant to



the review of this CDP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one, in plain text. Staff recommend that the conditions contained within this technical staff report supersede those conditions in CDP-0506.

1. **If it is determined that potentially significant archaeological resources exist in the project area, prior to Planning Board approval of the preliminary plan of subdivision, the applicant shall provide a plan for:**

- a. **Evaluating the resource at the Phase II level, or**
- b. **Avoiding and preserving the resource in place.**

A Phase I archeological survey was completed for the above-referenced property. Four copies of a revised final report, "A Phase I Archaeological Survey of the *Locust Hill Property Prince George's County, Maryland Preliminary Plan 4-06075*," were submitted to staff on December 22, 2006. Five archeological sites were identified but none were determined to be eligible for the National Register of Historic Places. No further work was recommended. Since this condition has been satisfied and is no longer relevant to the current application, this condition shall not be carried forward as a condition of approval.

2. **Prior to signature approval of the subject Comprehensive Design Plan, applicant shall respond adequately in the opinion of Historic Preservation Section staff, to further comments offered by the HPC regarding the Phase I Archeological Investigation Report.**

The Historic Preservation Commission (HPC) reviewed the proposed revised basic plan, A-9975-01-C, for the subject property on April 17, 2018. HPC required that prior to the approval of any specific design plan (SDP), the applicant provide a sight-line study that demonstrated that the new construction adjacent to the St. Barnabas' Episcopal Church and Cemetery, Leeland (Historic Site 79-059), would not be visible. A sight-line study was reviewed and approved by HPC on March 17, 2020, with SDP-1705. In addition, the Landscape Manual requires that a 50-foot setback and a 40-foot tree buffer be retained or planted on the developing property, wherever it adjoins the historic site. The proposed 65-acre buffer area between the developing property and the historic site appears to meet this requirement. Based on the applicant's presentation at the March 2020 HPC meeting, HPC was satisfied that there is sufficient existing woodland present on the developing property to protect the viewshed of the historic site. This condition was satisfied, and this condition shall not be carried forward as a condition of approval.

3. **Prior to issuance of any building permits for the subject project the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**

- a. **Construct the master trail along the subject site's portion of the Collington Branch. Park dedication and the alignment of the trail shall be coordinated with the Department of Parks and Recreation.**

- b. **Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Oak Grove Road.**
  - c. **Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Church Road.**
  - d. **Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to DPR or within a public use easement on HOA land.**
4. **A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails will be completed at the time of specific design plan. Trail locations may be contingent upon the location of environmentally sensitive features and other constraints. Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods should be provided.**

Conditions 3 and 4 correspond to Condition 1 of PPS 4-06075. With this CDP amendment, the applicant is requesting to revise the triggers for construction contained in Condition 3 of CDP-0506. Staff have no objection to the triggers requested by the applicant because they do not conflict with Condition 1 of PPS 4-06075, which does not contain any triggers.

Given the existing environmental constraints, DPR recommended the applicant not construct the Collington Branch trail and, instead, extend the Black Branch trail off-site into the neighboring Oak Creek Club Development on M-NCPPC-owned property, as shown on the submitted plan with this subject CDP application. Therefore, Condition 3a shall not be carried forward as a condition of approval.

5. **All future submissions to the Development Review Division regarding Locust Hill, CDP-0506 shall indicate the PMA as shown on the NRI submitted with the subject application.**

The current application reflects the PMA as shown on the NRI. This condition was satisfied, and this condition shall not be carried forward as a condition of approval.

6. **All private recreational facilities to be provided for the proposed development shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

The submitted plan shows that the subject CDP application includes various on-site recreational facilities, including a clubhouse with a swimming pool, a central park, community garden areas, etc. The applicant concurs that the construction of these facilities will be in accordance with the standards outlined in the *Prince George's County Park and Recreation Facilities Guidelines*. This condition has been carried forward.

7. **With the submission of each building permit, the applicant, his heirs, successors or assignees shall pay to Prince George's County a fee calculated as \$1,550/DU x (FHWA Construction Cost Index at time of payment)/(FHWA**

**Construction Cost Index for 2<sup>nd</sup> quarter, 1989) as its share of costs for improvements to US 301 between MD 725 and MD 214.**

- 8. In lieu of the payment of fees which otherwise would be required above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors or assignees may be required to construct a third northbound through lane on US 301 from a point just north of Leeland Road to a point just north of Trade Zone Avenue. Additionally, the improvement may include a third eastbound left turn lane along Leeland Road at its intersection with US 301. The total cost of these improvements, or other variation determined by SHA shall not exceed an amount calculated as \$2,170,000.00 x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2<sup>nd</sup> quarter, 1989).**

The above-referenced Conditions 7 and 8 remain and will be addressed at the time of building permit. Additional discussion about US 301 (Robert S Crain Highway) improvements, facilitated by per-unit dwelling fees, is discussed in the Referral Comments section below, specifically the Analysis of Traffic Impacts provided by the Transportation Planning Section.

- 9. At the time of preliminary plan, the applicant shall be conditioned to dedicate all rights-of-way for MC-600 (Leeland Road) as identified by the Planning Department.**

This condition corresponds to Condition 4 of PPS 4-06075. The ROW for Leeland Road through this site has been dedicated by plats recorded in Plat Book ME 265 Plats 60, 64, and 67. However, this condition shall remain in order to ensure that any additional ROW dedication that might be needed in the future can still be dedicated.

- 10. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assignees:**

**a. Leeland Road**

- Construct Leeland Road-Oak Grove Road to provide a minimum of 2 lanes of the ultimate 4-lane master plan alignment between US 301 and MD 193, in accordance with DPW&T standards.**

**b. MD 193/Oak Grove Road Intersection (roundabout)**

- The applicant shall provide an exclusive right turn lane at the westbound approach.**

**c. MD 202/MD 193 Intersection**

- **Provide a left turn, a shared left/through lane, and a right turn lane on the southbound MD 193 approach**
  - **Provide a second left turn on the eastbound MD 202 (towards Upper Marlboro) approach**
- 11. Prior to the issuance of any building permit, the applicant shall conduct signal warrant studies at the following intersections, and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by DPW&T;**
- **Leeland Road/Safeway Access**
  - **Leeland Road/ Site Access B**
  - **Leeland Road/ Site Access A**
  - **Oak Grove Road/ Church Road**
  - **Oak Grove Road/Whistling Duck Drive.**

The above-referenced Conditions 10 and 11 remain and will be addressed at the time of building permit.

- 12. At time of Specific Design Plan submission, each SDP shall include a statement regarding how the proposal uses green building techniques and alternative energy sources.**

This condition remains and will be addressed in future SDP applications. With approval of SDP-1705-02, the following statement was added to that SDP: "In conformance with Condition 12 of CDP-0506, this SDP shall utilize green building techniques and alternative energy sources, including the use of engineered wood products for the proposed residential dwelling units and low impact development techniques and environmental site design in handling stormwater runoff".

To be more specific on what building techniques and alternative energy sources are used, this CDP amendment revised this condition to "At the time of specific design plan (SDP), the applicant shall submit a list of sustainable site and green building techniques at the site, building, and appliance levels that will be used in this development".

- 13. The following note shall be placed on the preliminary plan 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 remains and the note will need to be added to any future PPS and TCP1 per this condition.

- 14. Prior to certification of the CDP, note five of the NRI shall be revised to correctly address all rare, threatened, and endangered species on the site. The NRI shall also be revised to include a wetland delineation that includes the area to the east of the railroad tracks.**

The NRI was corrected to address this condition prior to the certification of CDP-0506. Therefore, this condition shall not be carried forward as a condition of approval.

15. **Prior to certification of the CDP, the TCP I shall be revised to add the following note below the TCPI worksheet: "The acreage of all clearing within the 100-year floodplain is reflected in the worksheet column for PMA clearing and off-site impacts. PMA clearing for the master planned roadways is included in the site clearing calculations."**

The condition was satisfied at the time of certification of CDP-0506. However, this condition shall remain because such a note will be included with future TCPs.

16. **The TCP I submitted with the preliminary plan shall identify each clearing area by type: Net Tract Clearing, 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 with PPS 4-06075. However, there may be a need for the information required by this condition to be shown on the anticipated future PPS for the project. Therefore, this condition shall be carried forward as a condition of approval.

17. **At least 30 days prior to Planning Board hearing for the preliminary plan, a detailed geotechnical report based on the existing conditions of the site, including the most current topographical information (or as shown on the NRI) 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 TCPI and the preliminary plan.**

The geotechnical report was reviewed with PPS 4-06075. An update to this report, dated August 18, 2023, was reviewed with this application. The report verified that Marlboro clay is present on-site. The slope stability analysis has indicated the slope stability for the existing and the proposed conditions, to meet the minimum required factor of safety of 1.5. This result does not require showing a 1.5 safety line on the TCPI.

With the anticipated future PPS application for Phase 3 development, this condition shall be carried forward because, due to potential grading or other factors, the updated geotechnical report may not be sufficient. The location of the proposed 1.5 safety factor line may also still be important to show on the forthcoming PPS and other future plans.

- 18. At least 30 days prior to any Planning Board hearing on the preliminary plan application, the existing conditions and proposed 1.5 safety factor line shall be shown on the preliminary plan 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.**

Slope stability was reviewed with PPS 4-06075 and with SDP-1705-02, resulting in the 1.5 safety line not required to be shown on the TCPI. With the anticipated future PPS application for Phase 3 development, this condition shall be carried forward because, due to potential grading or other factors, the updated geotechnical report may not be sufficient. The location of the proposed 1.5 safety factor line may also still be important to show on the forthcoming PPS and other future plans.

- 19. At least 30 days prior to any Planning Board hearing for the preliminary plan, the associated TCPI shall be revised to show a 100-foot protection buffer for rare, threatened and endangered species with respect to all streams and wetlands on the site. The PMA shall be revised to include that 100-foot buffer. Impacts shown to the 100-foot buffer and PMA on the TCPI associated with the CDP shall be re-evaluated and reduced or eliminated during the review of the preliminary plan. Impacts should be limited to those that are essential for the development of the site.**

This condition was addressed with PPS 4-06075. The plans submitted with this CDP revision continue to reflect the 100-foot-wide protection buffer. Impacts to the PMA were reviewed with PPS 4-06075, SDP-1705, and SDP-1705-02. No additional PMA impacts are requested with the subject application. Therefore, this condition was satisfied and shall not be carried forward.

- 20. Prior to signature approval of the preliminary plan, a copy of the stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques.**

This condition was addressed with the signature approval of PPS 4-06075. However, a SWM concept plan will be required at the time of the anticipated future PPS, and there may be a need for the plan to include the use of the specific techniques specified by this condition. This condition shall remain.

- 21. At least 30 days prior to any Planning Board Hearing on the preliminary plan application, a conceptual Habitat Protection and Management Program shall be submitted for approval with the Preliminary Plan of Subdivision. The program shall include, but not be limited to:**

- a. **Hydrologic monitoring for a minimum of a year prior to the 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, sedimentation.**
- b. **Monitoring during construction for the following: sediment and erosion control measures, stormwater management controls, special protection measures for rare, threatened and endangered species habitat.**
- c. **Monitoring of the rare, threatened and endangered species during and postconstruction.**

The revised Habitat Protection Management Program, dated November 11, 2016, was reviewed with SDP-1705. A further discussion regarding the monitoring program is below in the Woodland Conservation section of this report. This condition was satisfied and shall not be carried forward as a condition of approval.

- 22. **At least 30 days prior to any Planning Board hearing on the first SDP application, a detailed Habitat Protection and Management Program shall be submitted to be approved with the first SDP which addresses specific implementation methodologies for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. Prior to issuance of the first grading permit, a minimum of one year of hydrologic monitoring data, as determined by the program, shall be submitted, to establish a baseline for evaluation impacts to the RTE habitat resulting for construction activities, and post development.**

This condition was addressed with review of the first SDP application (SDP-1603) for Willowbrook (now National Capital Business Park), Phase 1. A revised detailed habitat protection and management plan, dated November 11, 2016, was submitted as part of the SDP-1705 review. A further discussion regarding the monitoring program is below in the Woodland Conservation section of this report. This condition was satisfied and shall not be carried forward as a condition of approval.

- 23. **As part of the submission package for the first SDP, a plan and text shall be submitted that addresses a sediment and erosion control protocol that is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms such as sediment basins stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section staff in coordination with the staff of the Soil Conservation District.**

Since the time of approval of CDP-0506, more stringent sediment and erosion control regulations have been mandated by law. The applicant's proposal has been designed to comply with the aforementioned requirements. PPS 4-06075 was designed in accordance with the highest water quality and environmental

standards, to help preserve and protect the water quality of all on-site and adjacent streams, tributaries, and regulated environmental areas.

The property is also the subject of SWM Concept Plan 42211-2014-02; Concept Grading, Erosion and Sediment Control Plan CSC 31-18-01; Environmental Site Development Grading, Erosion, and Sediment Control Plan SSC 31-18; stream restoration analysis (McCarthy and Associates, December 2006); and habitat protection and management program (Wetland Studies and Solutions, Inc., November 11, 2016). In addition to these programs, the sediment control plan incorporates redundant and innovative sediment controls and SWM practices into the site design that offer water quality and rare, threatened, or endangered species protection, in addition to monitoring. Given the stringent regulations and the increased density added to the site with this CDP, which will require a new PPS application for Phase 3 development, this condition shall remain as a condition of approval.

**24. Prior to certificate approval of the CDP, the TCP I shall be revised as follows:**

- a. Add the following note: “The limits of disturbance shown on this plan are conceptual and do not depict approval of any impacts to regulated features.”**
- b. Clearly identify the proposed master planned trails and show the associated width.**

This was completed prior to the certification of CDP-0506. Therefore, this condition shall not be carried forward as a condition of approval.

**25. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., 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 Planning Department.**

This condition remains and will be met at the time of permit review.

**26. Prior to certification of the CDP, the Type I Tree Conservation Plan, TCP I/24/06, shall be revised as follows:**

- a. Add the following note: “Woodland cleared within the PMA 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.”**
- b. Revise note 1 as follows: “This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements of CDP-0506. The TCP I will be modified by a TCP I in conjunction with the review of the Preliminary Plan of Subdivision and subsequently by a**



**Type II Tree Conservation Plan (TCP II) in conjunction with the approval of a SDP and/or a grading permit application.”**

- c. Add the following note: “Reforestation and afforestation areas shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device that is aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP.”**
- d. Calculate all woodland on lots less than 20,000 square feet as woodland cleared, add lot sizes to the plan, add a table calculating all woodland treatment areas, and label all areas appropriately.**
- e. Eliminate the use of a “proposed tree line” and only use a limit of disturbance.**
- f. Show a continuous match-line for each match-line boundary on each sheet.**
- g. Show one continuous limit of disturbance for all areas proposed for development, particularly the master planned roadway located outside the eastern boundary of the site.**
- h. Remove the proposed structure from the parcel located north of Lot 1, Block G.**
- i. Show the conceptual clearing for Parcels R and T.**
- j. Add the following note: “Prior to contract signing, the seller shall show the prospective buyer a copy of this Type I Tree Conservation Plan or the subsequent Type II Tree Conservation Plan, whichever plan is most current and has received signature approval, as required by CB-60-2005.”**
- k. Revise the worksheet as necessary.**
- l. Have the plans signed and dated by the qualified professional who prepared the plans.**

This condition was addressed prior to certification of CDP-0506. Therefore, this condition shall not be carried forward as a condition of approval.

- 27. Prior to signature approval of the preliminary plan, submit written authorization from the Department of Parks and Recreation for any woodland conservation provided on land to be dedicated.**

During the review of SDP-1705-02, DPR agreed to allow the applicant to count the woodland conservation on lands dedicated to M-NCPPC toward the project’s woodland conservation requirements. Therefore, this condition shall not be carried forward as a condition of approval.

28. **At the time of Specific Design Plan, the SDP and TCP II shall have the same sheet sections, sheet key, and sheet order. The sheet key shall be placed on all sheets.**

This condition was met with the certification of SDP-1705. This condition was satisfied and shall not be carried forward as a condition of approval.

29. **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 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.**

This condition will be met at the time of building permit review and has been carried forward.

30. **At least 30 days prior to Planning Board hearing for the preliminary plan, the TCP I associated with that plan shall be revised to show the scenic easement with a minimum width of 40 feet located outside of the ultimate right-of-way and exclusive of the public utility easement and proposed master planned trail adjacent to the realigned Oak Grove Road.**

This condition was addressed with the certification of CDP-0506 and TCPI-024-06. Therefore, this condition shall not be carried forward as a condition of approval.

31. **At the time of Specific Design Plan, all planting within the scenic easement shall be native plant material.**

This condition will be addressed at future SDP applications and shall remain.

32. **At time of final plat, a 40-foot-wide scenic easement shall be established adjacent to Oak Grove Road, and a note shall be placed on the final plat as follows:**

**“Oak Grove Road is a designated Historic Road. The scenic easement described on this plat is an area where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the MNCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”**

The submitted plan shows scenic easements on both sides of Leeland Road. Though they are not specifically labeled as scenic easements, they are consistent with scenic easements shown on previously recorded plats (i.e., Plat Book ME 265 Plat 64), where they are denoted with the note required by Condition 32. This condition shall remain to ensure that the information shown on the TCP1, submitted alongside the anticipated future PPS, is consistent with prior plans. A condition is included herein requiring the applicant to label the scenic easements on the plan.

- 33. The applicant shall dedicate 48± acres of parkland to M-NCPPC, including the Collington Branch and Black Branch Stream Valleys, and 8.5 acres of developable land for active recreation as shown on DPR Exhibit “A.”**

This condition corresponds with Condition 16 of PPS 4-06075, which requires ±44.32 acres to be conveyed to M-NCPPC. A total of ±44.9 acres will be dedicated to M-NCPPC, with approval of SDP-1705-02. Since the dedicated land has not fully conveyed to M-NCPPC, the condition shall remain.

- 34. The land to be conveyed to the M-NCPPC shall be subject to the conditions of attached Exhibit “B.”**

This condition shall remain and will be addressed with future SDP applications, specifically with Phase 2 development.

- 35. The applicant shall construct recreational facilities on dedicated parkland typical for the neighborhood park. The applicant shall develop the park development concept plan and incorporate into the preliminary plan of the subdivision. The concept plan shall be reviewed and approved by DPR staff.**

The applicant and DPR have determined the appropriate programming and plan for the 10-acre public park dedication within the Locust Hill development, which includes two junior soccer fields; one pre-teen playground; one 600-square-foot picnic shelter; a minimum 60-space parking lot; and approximately 2,900 linear feet of an 10-foot-wide asphalt master plan trail alignment along the Black Branch stream valley. Since the park is located within the limits of Phase 2 development as shown on the submitted plan, the timing of constructing this park should be established with Phase 2 development. This condition will be carried forward as a condition of approval.

- 36. The applicant shall construct an eight-foot-wide master plan hiker/biker trail along Collington Branch Stream Valley, and six-foot wide feeder trails to the development pods. The applicant shall connect the section of the master planned trail in Locust Hill to the trails in the Beech Tree and Woodside Village developments. The applicant shall construct any needed structure to provide a dry passage.**

Given the existing environmental constraints, DPR recommended the applicant not to construct the Collington Branch trails and, instead, extend the Black Branch trail off-site into the neighboring Oak Creek Club Development on M-NCPPC-owned property, as shown on the submitted plan. Therefore, this condition is no longer applicable and shall not be carried forward as a condition of approval. However, a condition is included herein requiring the applicant to construct a 10-foot-wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley and 6-foot-wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to ensure dry passage. All details shall be discussed with DPR staff with review of the revised RFA. The applicant shall also revise Exhibit A in the

RFA, recorded in Liber 47326 folio 397, to show the connecting segment of the Black Branch Trail.

In addition, Condition 1a of 4-06075 also requires construction of a master plan trail along the subject site's portion of the Collington Branch. This condition cannot be deleted with the subject CDP amendment. Condition 1a will remain in effect until it is superseded with a future PPS for the entire property, or otherwise removed from the requirements of 4-06075. The future PPS anticipated for the 161 units in Phase 3 will only be able to remove the trail requirement as it relates to those 161 units. Development of the units in Phase 2, under 4-06075, will still require construction of the trail. The applicant has noted that they anticipate filing a reconsideration request in order to remove the requirement to construct the trail from 4-06075.

- 37. The applicant shall construct an eight-foot-wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley and six-foot-wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to provide a dry passage.**

With the discussions between the applicant and DPR, the applicant has agreed to construct an extension of the Black Branch master plan trail within the proposed 10-acre park into the neighboring Oak Creek Club Development on M-NCPPC-owned property, as shown on the submitted plan. The construction of feeder trails to the Locust Hill development will be further evaluated and discussed in the future SDP application. Therefore, this condition shall remain.

- 38. Prior to submission of the Specific Design Plan (SDP), the applicant shall develop detailed construction drawings for park facilities and submit them to DPR for their review and approval, prior to submission of the SDP.**

An updated conceptual plan for the park facilities was previously submitted to DPR for review. An updated concept plan for the 10-acre public park dedication within this development was finalized between the applicant and DPR in June 2023. However, no detailed construction drawings have been submitted to DPR. This condition shall remain.

- 39. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DRP.**

The submitted plan shows the location of various trail types to be constructed within the Locust Hill development. The construction of dry passage and associated issues will be further developed and constructed with future SDP applications. This condition shall remain.

- 40. The handicapped accessibility of all trails shall be determined during SDP review.**

This condition shall remain to ensure that these trails are in compliance with the Americans with Disabilities Act to the maximum extent practicable.

- 41. The applicant shall allocate appropriate and developable areas for the private recreational facilities on Home Owners Association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of the DRD for adequacy and property siting. The private recreation package shall be approved by Planning Board at the time of SDP.**

This subject CDP application includes approximately 260 acres of open space that will be dedicated to the homeowners association (HOA) for recreational purposes. The private recreation facilities within Phase 1 were approved with SDP-1705-02. Other facilities located in Phase 2 and 3 will be further evaluated and discussed with future SDP applications. Therefore, this condition shall remain.

- 42. The applicant shall provide suitable vehicular access to the parkland from realigned Oak Grove Road at the location approved by DPR and DPW&T staff.**

The submitted plan shows an entry/exit point on Oak Grove Road to access the parkland. This condition remains and will be addressed with an appropriate SDP application.

- 43. All additional accesses to the parkland from development pods shall be at least 30 feet wide.**

This condition shall remain and will be addressed with an appropriate SDP application.

- 44. The applicant shall work with the owners of Parcels 2 and 6 to realign the existing access driveway and easement from Leeland Road to the properties on the north to minimize impacts to the planned park. The final determination of the easement location shall be made at the time of preliminary plan of subdivision.**

A final determination on the location of an access driveway and easement to Parcels 2 and 6 was made with SDP-1705-02, which located them on Parcel S. The plan submitted with the subject CDP application, reflects the alignment previously shown on that SDP. Given that no further adjustments to the easement location are anticipated and given that the easement location will not be germane to the anticipated future PPS for Phase 3 (which does not cover the location), this condition shall not be carried forward as a condition of approval.

- 10. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George's County Tree Canopy Coverage Ordinance:** This CDP has been reviewed for conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Tree Canopy Coverage Ordinance, as follows:

- a. **Woodland Conservation Ordinance**—This site is subject to the provisions of the 1993 Woodland Conservation Ordinance (WCO) because the project is subject to PPS 4-06075, which predates the current 2010 *Woodland and Wildlife Habitat*

*Conservation Ordinance and the Environmental Technical Manual.* There is an approved TCPI and TCPII on the development related to the residential subdivision. Type I Tree Conservation Plan TCPI-024-06-02 was submitted with the application and requires revisions to be found in conformance with the prior TCP approvals and the WCO.

With the approval of Basic Plan A-9975-01-C, the District Council amended the woodland conservation/afforestation threshold on land with the prior R-L 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 on 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 Environmental Planning Section's calculations, this results in a woodland conservation requirement of 179.32 acres which is 0.01 acre more than calculated in the worksheet provided by the applicant. The requirement is proposed to be met with 103.50 acres of on-site woodland preservation, 49.18 acres of on-site reforestation, 5.79 acres of landscape credits, 2.36 acres of street tree credits, and 15.71 acres of off-site woodland conservation credits.

With the review of SDP-1705-02, the applicant provided an 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 worksheet on the TCPI proposes preserving 159.47 acres of the 179.31 acres of the woodland conservation requirement on-site in areas located adjacent to the PMA, which has a priority for preservation. The woodland conservation threshold 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. With subsequent reviews, the 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 request to utilize street tree credits is not supported.

Subtitle 25-121(c)(1)(L) gives the following requirements in order to count street tree credits, "Street trees on or adjacent to the site when located in the following areas as designated by the Prince George's County General Plan: Transportation Service Area 1, Regional Transit Districts, or Local Centers; or in conformance with a municipality's street tree planting plan or program, where the trees have been provided sufficient root zone space to ensure long-term survival and sufficient crown space is provided that is not limited by overhead utility lines that are existing or proposed". The property is located within Transportation Service Area 2 and is not located within either a Regional Transit District or a local center, and the

property is not in a municipality. Therefore, the use of street tree credits is not supported for this development. A condition has been provided to remove the street tree credits as a method for meeting the woodland conservation requirement.

The application is required to protect the woodland preservation areas, including areas of reforestation, within a woodland and wildlife habitat conservation easement. This easement was previously recorded in Liber 48305 at folio 214, and with the certification review of SDP-1705-02 it was determined that because of the phasing of the development, the best way to revise the easement was to execute a complete vacation, then record new easements that follow the development phases. The easement vacation was recorded in Land Records in Liber 49891 at folio 101. The replacement easements were 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.

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. 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 at the end of this memorandum.

- b. **Tree Canopy Coverage Ordinance**—Prince George's County Council Bill CB-21-2024 for the Tree Canopy Coverage Ordinance became effective July 1, 2024. Subsequently, Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 2,500 square feet of disturbance or gross floor area. Properties in the prior R-L Zone are required to provide a minimum of 20 percent of the net tract area in TCC. At the time of SDP review, the applicant must demonstrate conformance with the relevant requirements of the Tree Canopy Coverage Ordinance.

**11. Referral Comments:** This application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and incorporated herein by reference:

- a. **Historic Preservation**—In a memorandum dated August 12, 2024 (Stabler, Smith, and Chisholm to Burke), the Historic Preservation Section noted that a Phase I archeological survey was completed for the above-referenced property in 2005. Five archeological sites were identified, sites 18PR810–18PR1814, but none were determined to be eligible for the National Register of Historic Places or for designation as Prince George's County historic sites. No further work was recommended. A further 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 eligible for National Register; therefore, preservation in place was recommended.

The Historic Preservation Section concluded that the subject CDP application does not impact the proposed buffer area and indicated that any future PPS presented by the applicant may be required to be referred to the HPC for review.

- b. **Community Planning**—In a memorandum dated August 12, 2024 (Lutz to Huang), Community Planning staff found that, pursuant to Section 27-521(a)(1) of the prior Zoning Ordinance, this application conforms to Basic Plan A-9975-01-C and the design guidelines recommended by the master plan.

The master plan recommends residential low land use on the subject property. Table 7: Future Land Use Map Designations states residential low areas are for “... up to 3.5 dwelling units per acre. Primarily single-family detached dwellings” (master plan, page 40).

- c. **Subdivision**—In a memorandum dated August 13, 2024 (Diaz-Campbell to Huang), the Subdivision Section provided an evaluation of applicable conditions of Basic Plan A-9975-01-C and CDP-0506 that are related to the Subdivision Section’s review. The relevant comments have been included in the above findings of this report. In addition, the Subdivision Section concluded that a new PPS application for Phase 3 development will be required, with comments on that PPS, which will be addressed when that PPS is filed. Additional comments are listed, as follows:

1. The CDP depicts the locations of different unit types, vehicular circulation, master-planned trails, and recreational facilities. The configuration of any proposed lots and parcels which will be subject to a future PPS will be evaluated with that PPS.
2. The CDP identifies conceptual locations for proposed on-site recreational facilities spread throughout the development. Only one of these, however, is in an area anticipated to be subject to a future PPS. Although all proposed recreation facilities may be used to serve the entire development, the future PPS will have to meet the mandatory dedication of parkland requirement without relying on the facilities used to meet mandatory dedication at the time of 4-06075, because additional dwelling units are proposed. Adequacy of any on-site recreational facilities proposed to satisfy the mandatory parkland dedication requirement for additional dwelling units will be evaluated at the time of future PPS and SDP review. It is noted that the applicant is also proposing open space and recreational facilities as benefit features to achieve a density increment over the permitted base density for the development. Any facilities or land used to meet the mandatory dedication of parkland requirement should be separate from the public benefit features.
3. The lotting and circulation pattern in the areas subject to a future PPS, and any required ROW dedication, will be reviewed further with that PPS application. ROW widths for any private streets internal to these areas will also be determined at the time of the PPS. The location of public utility easements required along all public and private streets will be determined with the PPS.



4. The proposed lots adjacent to the abutting transit ROW in Phase 3A will require a lot depth of at least 300 feet (as measured from the transit ROW line) pursuant to Section 24-121(a)(4) of the prior Subdivision Regulations. At this time, this requirement is met; and will be confirmed at the time of the new PPS covering these lots. A Phase I noise and vibration study will be required with the PPS to ensure the noise and vibration impacts on the property can be mitigated.
  5. The development appears to propose the use of private alleys to provide access to some of the lots in Phase 3A. The proposal to use private alleys in the R-L Zone will be subject to Section 24-128(b)(7)(A) at the time of the new PPS covering these lots. It is noted that the plans show that the lots served by alleys will not front on public ROWs, as required by Section 24-128(b)(7)(A) of the prior Subdivision Regulations.
  6. Final plats of subdivision will be required for all proposed lots (regardless of which PPS they are subject to) before permits may be approved for the subject property.
  7. Pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, 4-06075 has an associated automatic Certificate of Adequacy (ADQ), effective April 1, 2022, for a period of twelve years, subject to the expiration provisions of Section 24-4503(c). A new ADQ will be reviewed concurrently with the anticipated new PPS and must be approved prior to approval of that PPS by the Planning Board.
- d. **Transportation Planning**—In a memorandum dated August 5, 2024 (Ryan to Huang), the Transportation Planning Section provided an analysis of the application’s conformance with the requirements of the previous approvals, the Zoning Ordinance, the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (sector plan), the MPOT, and the traffic impact study, as follows:

#### **Analysis of Traffic Impacts**

The subject property is located within Transportation Service Area 2, as defined in the *Plan Prince George’s 2035 Approved General Plan*. As such, the subject property is evaluated with the following standards:

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

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way, stop-controlled intersections:

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

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

To meet the threshold cited above, the applicant has provided staff with a traffic impact study, dated July 15, 2024. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the Transportation Review Guidelines Supplement. The table below shows the intersections deemed to be critical for the proposed development, as well as the levels of service representing existing conditions. The following represents the intersections deemed critical for the proposed development:

EXISTING CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
US 301 / Trade Zone Avenue (Signalized) With CIP Fees and/or improvements by applicant	B / 1,150	B / 1,078
US 301 / Leeland Road (Signalized) With CIP Fees and/or improvements by applicant	A / 651	A / 855
US 301 / Beech Tree Parkway (Signalized) With CIP Fees and/or improvement by applicant	B / 1,046	D / 1,318
US 301 / Village Drive (Signalized) With CIP Fees and/or improvement by applicant	A / 813	B / 1,064
US 301 / MD 725 (Signalized) With CIP Fees and/or improvement by applicant	B / 1,129	D / 1,356
Leeland Road / Safeway (Unsignalized)	A / 241	A / 110
Leeland Road / Moores Plains Boulevard (Unsignalized)	A / 373	A / 311
Oak Grove Road / Church Road (Future Signal)	A / 793	A / 574
Oak Grove Road / Whistling Duck Drive (Unsignalized)	A / 737	A / 653
Oak Grove Road / MD 193 (Roundabout - Sidra Results) With WB right turn lane (Per Res. 07-28) With two lane approaches on all 3 legs	D / 0.966	C / 0.777
MD 202 / MD 193 With additional eastbound left turn lane With additional southbound left turn lane	C / 1,200	B / 1,027
Leeland Road / Locust Hill (East Entrance) (Unsignalized)	n/a	n/a
Leeland Road / Locust Hill (West Entrance) (Unsignalized)	n/a	n/a
Leeland Road / Locust Hill (West Entrance #2) (Unsignalized)	n/a	n/a
<ul style="list-style-type: none"> <li>•Unsignalized intersections. In analyzing two-way, stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within</li> </ul>		

the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the "Guidelines", all three tests must fail in order to require a signal warrant study.

- In analyzing roundabouts, intersections must operate with volume-to-capacity (v/c) ratios less than or equal to 0.850.

The traffic study identified 10 background developments whose impact would affect some or all of the study intersections. In addition, a growth of 1.25 percent over six years was also applied to the traffic volumes. A second analysis depicting background traffic conditions was done, yielding the following results:

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
US 301 / Trade Zone Avenue (Signalized) With CIP Fees and/or improvements by applicant	E / 1,508	F / 1,741
US 301 / Leeland Road (Signalized) With CIP Fees and/or improvements by applicant	C / 1,198	E / 1,505
US 301 / Beech Tree Parkway (Signalized) With CIP Fees and/or improvements by applicant	E / 1,589	F / 2,182
US 301 / Village Drive (Signalized) With CIP Fees and/or improvements by applicant	C / 1,289	F / 1,649
US 301 / MD 725 (Signalized) With CIP Fees and/or improvements by applicant	E / 1,562	F / 1,956
Leeland Road / Safeway (Unsignalized)	A / 377	A / 576
Leeland Road / Moores Plains Boulevard (Unsignalized)	A / 787	A / 710
Oak Grove Road / Church Road (Future Signal)	A / 683	A / 671
Oak Grove Road / Whistling Duck Drive (Unsignalized)	A / 993	A / 935
Oak Grove Road / MD 193 (Roundabout - Sidra Results) With WB right turn lane (Per Res. 07-28) With two lane approaches on all 3 legs	F / 1,301	F / 1,172
MD 202 / MD 193 With additional eastbound left turn lane With additional southbound left turn lane	D / 1,450	C / 1,267
Leeland Road / Locust Hill (East Entrance) (Unsignalized)	n/a	n/a
Leeland Road / Locust Hill (West Entrance) (Unsignalized)	n/a	n/a
Leeland Road / Locust Hill (West Entrance #2) (Unsignalized)	n/a	n/a
<ul style="list-style-type: none"> <li>• Unsignalized intersections. In analyzing two-way, stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the "Guidelines", all three tests must fail in order to require a signal warrant study.</li> <li>• In analyzing roundabouts, intersections must operate with volume-to-capacity (v/c) ratios less than or equal to 0.850.</li> </ul>		

Using the trip rates from the "Guidelines", the study has indicated that the subject application represents the following trip generation:

Trip Generation Summary								
			AM Peak-Hour			PM Peak-Hour		
4-06075(prior approval)								
Land Use	Quantity	Metric	In	Out	Total	In	Out	Total
Residential	554	Units	83	330	413	322	173	495
Trip Cap Recommendation			413			495		
CDP-0506-01(current application)								
single-family detached	495	Units	74	297	371	290	156	446
Single-family attached	211	Units	30	118	148	110	59	169
Trip Cap Recommendation			519			615		
Net Increase of Trip Cap			106			120		

The table above displays the increase of the applicant's proposed development and what was approved under PPS 4-06075. Approximately 106 AM peak-hour trips and 120 PM peak-hour trips are expected to be added to the network with the proposed increase.

A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV) delay	(LOS/CLV) delay
US 301 / Trade Zone Avenue (Signalized)	E / 1,534	F / 1,754
With CIP Fees and/or improvements by applicant	B / 1,053	C / 1,271
US 301 / Leeland Road (Signalized)	C / 1,226	E / 1,538
With CIP Fees and/or improvements by applicant	C / 1,164	C / 1,173
US 301 / Beech Tree Parkway (Signalized)	E / 1,592	F / 2,188
With CIP Fees and/or improvements by applicant	B / 1,137	D / 1,408
US 301 / Village Drive (Signalized)	C / 1,292	F / 1,655
With CIP Fees and/or improvements by applicant	A / 913	B / 1,144
US 301 / MD 725 (Signalized)	E / 1,568	F / 1,975
With CIP Fees and/or improvements by applicant	B / 1,093	C / 1,230
Leeland Road / Safeway (Unsignalized)	A / 394	A / 638
Leeland Road / Moores Plains Boulevard (Unsignalized)	A / 855	A / 768
Oak Grove Road / Church Road (Future Signal)	A / 697	A / 680
Oak Grove Road / Whistling Duck Drive (Unsignalized)	B / 1,006	A / 947
Oak Grove Road / MD 193 (Roundabout - Sidra Results)	F / 1.320	F / 1.176
With WB right turn lane (Per Res. 07-28)	F / 1.119	F / 1.176
With two-lane approaches on all 3 legs	C / 0.704	B / 0.554
MD 202 / MD 193	D / 1,454	C / 1,283
With additional eastbound left turn lane	C / 1,249	B / 1,050
With additional southbound left turn lane	D / 1,360	B / 1,124
Leeland Road / Locust Hill (East Entrance) (Unsignalized)	26.4 Sec.	37.1 Sec.
Leeland Road / Locust Hill (West Entrance) (Unsignalized)	29.9 Sec.	35.1 Sec.

Leeland Road / Locust Hill (West Entrance #2) (Unsignalized)	20.4 Sec.	21.8 Sec.
<ul style="list-style-type: none"> <li>•Unsignalized intersections. In analyzing two-way, stop-controlled intersections, a three-step procedure is undertaken in which the greatest average delay (in seconds) for any movement within the intersection, the maximum approach volume on a minor approach, and the critical lane volume (CLV) is computed and compared to the approved standard. According to the “Guidelines”, all three tests must fail in order to require a signal warrant study.</li> <li>•In analyzing roundabouts, intersections must operate with volume-to-capacity (v/c) ratios less than or equal to 0.850.</li> </ul>		

The results under total traffic conditions show that several intersections along US 301 do not meet the adequacy requirements. The applicant’s traffic study notes that the applicant proffers payment into the Prince George’s County Approved Capital Improvement Program and Budget (CIP) Project Number 4.66.0047, US 301 Improvements, to achieve transportation adequacy. Project Number 4.66.0047 consists of improving US 301 by providing a third through lane north and southbound between MD 214 (Central Avenue) and MD 4 (Pennsylvania Avenue), to accommodate lane transition and further widening as needed, at Trade Zone Avenue, MD 214 and MD 725 (Marlboro Pike). The CIP notes that this project is necessary to provide satisfactory levels of service during peak-periods at the intersections along US 301 should the Maryland Department of Transportation (MDOT), State Highway Administration (SHA) planned improvements be delayed.

It is recommended that the applicant contributes to CIP Project Number 4.66.0047 in lieu of constructing off-site improvements at these intersections. PPS 4-06075 directed a per unit dwelling fee of \$1,550 (Federal Highway Administration (FHWA) Construction Cost Index at time of payment) / (FHWA Construction Cost Index for 2nd Quarter, 1989) as its share of the costs for improvements along US 301, which is recommended to be carried over as a condition of approval for the first 554 units. The applicant recommends a per unit dwelling fee of \$3,211 (Engineering News-Record (ENR) Construction Cost Index at time of payment) / (ENR Construction Cost Index for 2nd quarter, 1989) for each building permit in excess of 554, to be paid towards achieving transportation adequacy. Staff concur with this recommendation.

In analyzing roundabouts, intersections must operate with volume-to-capacity (v/c) ratios less than or equal to 0.850. Under total conditions, the intersection of MD 193 (Watkins Park Drive) and Oak Grove Road is projected to operate with a v/c of 1.320 during the AM peak-hour and 1.176 during the PM peak-hour, both of which are greater than 0.85 under future conditions. Condition 5b of PPS 4-06075 requires the applicant to provide an exclusive right turn lane at the westbound approach of MD 193 and Oak Grove Road. However, with this improvement, the v/c at this intersection is still anticipated to be higher than 0.85. The applicant proposes to mitigate this failing intersection by providing a two-lane roundabout, with two approaches on all three legs. The applicant notes that this improvement shall only be required for building permits that generate more than 413 AM and 495 PM peak-hour trips, which was the final trip cap established under PPS 4-06075. As such, staff will condition this improvement to be completed prior to approval of the 555th residential building permit. The applicant notes that with a two-lane

roundabout, with two approach lanes on all three legs, this roundabout will operate with a v/c of 0.704 during the AM peak-hour and 0.554 during the PM peak-hour, which meets adequacy requirements for roundabouts.

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

The subject property has frontage on Oak Grove Road/Leeland Road (MC-600) along the northern bounds of the site. Per the MPOT and the master plan, the portion of MC-600 that fronts the subject property is designated as a four-lane master plan collector roadway with an ultimate ROW of 100 feet. The SDP submission accurately displays the recommended ROW of 100 feet, which is consistent with MPOT and sector plan recommendations. This portion of MC-600 currently operates as a two-lane roadway. The full build-out of MC-600 to its master-planned recommendations is anticipated with this project.

The subject property also has frontage on Church Road (MC-300) along its western bounds. Per the MPOT, the portion of Church Road that fronts the subject property is designated as a four-lane master plan collector roadway with an ultimate ROW of 90 feet. The SDP submission accurately displays the recommended ROW of 90 feet, which is consistent with MPOT recommendations. Currently, this portion of Church Road that fronts the property begins as a two-lane roadway at its intersection with Oak Grove Road and transitions into a four-lane roadway further north. The applicant's submission displays the portion of Church Road at its intersection with Oak Grove Road with a full 90 feet of ROW, including a southbound left turn lane onto Oak Grove Road, a dedicated right turn lane onto Oak Grove Road, and a through lane leading to the church located at 14705 Oak Grove Road.

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

This development case is subject to the MPOT's multimodal recommendations and includes the following facilities:

- Planned Side Path: Leeland Road, Church Road
- Planned Hard Surface Trail: Collington Branch Trail

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

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

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

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

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

Bicycle and pedestrian adequacy will be further evaluated at the PPS stage of development. As part of this evaluation, the applicant shall submit a bicycle and pedestrian impact statement which shall provide for additional off-site improvements, along with all required on-site improvements.

- e. **Environmental Planning**—In a memorandum dated August 5, 2024 (Nickle to Huang), the Environmental Planning Section provided a comprehensive analysis of the CDP's conformance with all applicable environmental-related conditions attached to previous approvals, which have been included in above findings. Additional comments are, as follows:

#### **Specimen Trees**

Natural Resources Inventory NRI-047-06-05 identifies 416.45 acres of woodland and 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 TCP2 was approved under the 1993 WCO and was grandfathered from the variance requirements established in the WCO.

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-site. No additional specimen trees are requested for removal with this application.

#### **Stormwater Management**

An approved SWM concept plan and approval letter (42211-2014-02) was submitted, which shows the use of bioretention facilities and submerged gravel wetlands. 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 SCD. Any changes to the stormwater or erosion and sediment control plans must be reflected on the TCPII prior to permit. All future SDP reviews shall include the current SWM concept plan.

#### **Soils**

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., with the last revised date of June 3, 2021, has been submitted for review. The report has verified Marlboro clay is present on-site.

The slope stability analysis has indicated the slope stability for the existing and proposed conditions to meet the minimum required factor of safety of 1.5. Grading in Marlboro Clay areas must not exceed 5H:1V without specific slope analyses. The geotechnical report shall be provided to DPIE for review and approval at the time of grading permit submission.

### **Erosion and Sediment Control**

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, or 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, or endangered species. Additional information, as determined by DPIE and the 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 (LOD), not only for the installation of permanent site infrastructure but also for the installation of all temporary infrastructure, including erosion and sediment control measures. All future SDP reviews shall include the associated erosion and sediment control plans.

### **Rare, threatened and endangered species habitat management program.**

During the review of the 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, or endangered species. In a letter dated September 6, 2006, the Maryland Department of Natural Resources, Natural Heritage Program, noted that rare, threatened, or 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, or endangered plant species was identified, Coville's phacelia (*Phacelia covillei*), which is listed as endangered by the State of Maryland and is globally rare. These, along with several other rare, threatened, or endangered plant species, have been identified in the Collington Branch of the Western Branch watershed in the Patuxent River basin, which runs north-south along the eastern portion of the subject site. Of note, the Stripeback darter's distribution in Maryland is limited to Western Branch, a waterway ranked eighth out of 84 watersheds in Maryland with respect to aquatic biological diversity and priority for conservation. Preservation and protection of the biological integrity of the Western Branch is critical to the continued sustainability of this diverse and sensitive community of fish and plant species.



Conditions of approval regarding preservation and protection of the on-site habitat are contained in PGCPB Resolution No. 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 rare, threatened, or endangered species habitat, and monitoring of the rare, threatened, or endangered 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. (WSSI) and approved by the Planning Board, fulfilling all prior conditions.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated August 13, 2024 (Quattrocchi and Thompson to Huang), DPR provided an evaluation of applicable conditions of Basic Plan A-9975-01-C and CDP-0506 that are related to DPR’s review. The relevant comments have been included in the above findings of this report.
- g. **Special Projects**—In a memorandum dated August 16, 2024 (Ray to Huang), the Special Projects Section found that the subject application will not be an unreasonable burden on available public facilities, including water and sewer, police, school, and fire and rescue. Further, adequate public facilities tests for the proposed development will be conducted at the time of PPS review.

The Special Projects Section also discussed school surcharges, in accordance with the general location of the project, which will be paid to DPIE, at the time of issuance of each building permit.

- h. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated August 23, 2024 (De Guzman to Huang), DPIE provided comments on the major roadways included in this

application: Leeland Road and Oak Grove Road. DPIE also indicated that the subject CDP application is not consistent with the SWM Concept Plan 42211-2014-02, approved by DPIE on March 25, 2022.

- i. **Prince George's County Fire/EMS Department**—At the time of writing this technical staff report, the Fire/EMS Department did not offer comments on this application.
  - i. **Prince George's County Police Department**—At the time of writing this technical staff report, the Police Department did not offer comments on this application.
  - j. **Prince George's County Health Department**—In a memorandum dated August 1, 2024 (Adepoju to Huang), the Health Department provided several comments relating to availability of healthy foods, the benefits of recreational amenities, and a permit requirement for the construction of the pool and the pool facility as well as comments addressing potential construction activity impacts (noise and dust) extending into adjacent properties during construction.
  - k. **City of Bowie**—A portion of the subject property is located within one mile of the geographical boundary of the City of Bowie. The CDP application was referred to the City for review and comments on July 26, 2024. At the time of writing this technical staff report, the City did not offer comments on the subject application.
- 12. Community Feedback:** On June 24, 2024, staff received a phone call from Ms. Arance Morton who raised two issues related to new developments in the area: constant power outage and wildlife. Her written statement was sent to staff and Mr. Robert Antonetti, Attorney for the subject CDP application, on July 3, 2024. Mr. Antonetti responded to Ms. Morton's email, with detailed information about her concerns on July 3, 2024.

## RECOMMENDATION

Based upon the preceding evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and **approve** Comprehensive Design Plan CDP-0506-01 and Type 1 Tree Conservation Plan TCPI-024-06-02 for Locust Hill, subject to the following conditions:

- 1. Prior to certification, the applicant's heirs, successors and/or assignees shall revise the comprehensive design plan (CDP) as follows:
  - a. Include a footnote, which is associated with the lot standards for the permitted encroachments (extensions and projects) of bay windows, decks, porches, chimneys, stoops, foundations, cantilevers, and sheds into the proposed setbacks.
  - b. Add a green building section to the proposed Locust Hill Design Guidelines.
  - c. Add green space to the proposed Locust Hill Design Guidelines.

- d. Add additional design standards regarding townhouse units, derived from Section 27-433(d) of the prior Prince George's County Zoning Ordinance, to the plan in coordination with Urban Design Section of the Development Review Division of the Prince George's Planning Department.
  - e. Label the 40-foot-wide scenic easements on the plan.
  - f. Add and note two pickleball courts as an additional feature to the park, subject to the review and approval of the Urban Design Section of the Development Revision Division of the Prince George's County Planning Department and the Prince George's County Department of Parks and Recreation staff.
  - g. Add a note indicating that a minimum of 7 percent of carriage homes is included in the entire Locust Hill Development.
  - h. Revise the Density Increment Factors sheet to remove the required 65-acre private open space buffer, by Basic Plan A-9975-01-C, and revise the total acreage for open space in the Public Benefit Features and Bonus Increment Factors Schedule.
  - i. Revise the Recreation Facility Staging Table on the plans, as follows:
    - (1) The triggers in the Bonding column shall be revised to be prior to the first building permit.
    - (2) Remove the triggers/line items for the master plan trails and public park facilities.
    - (3) Provide a trigger for the facility provided within Phase 3.
    - (4) Revise the construction trigger for the Central Park in Phase 1 to the 251st permit.
    - (5) Revise the notes as necessary, relative to the changes to bonding and construction triggers.
2. Prior to certification, the Type I tree conservation plan (TCPI) shall be revised as follows:
- a. Correct the standard TCPI Note 10, to reflect that this development is grandfathered by Prince George's County Council Bill CB-27-2010, Section 24-119(G) of the prior Prince George's County Subdivision Regulations.
  - b. Remove the duplicate set of proposed contours from Sheets 6 and 7.
  - c. Revise the plan and worksheet to remove the street tree credits as a method for meeting the woodland conservation requirement.
  - d. Add the prior development review case numbers on the 00 and 01 column of the Environmental Planning approval block.
  - e. Show the proposed lot dimensions as black text, not gray.

- f. Add the following note below the TCPI worksheet: "The acreage of all clearing within the 100-floodplain is reflected in the worksheet column for PMA clearing and off-site impacts. PMA clearing for the master planned roadways is included in the site clearing calculations."
  - g. Add the following note to the TCPI: "All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."
  - h. Obtain signature from the qualified professional preparing the plan and date.
- 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 as part of the PPS application.
- 4. Prior to approval of the 555th residential building permit within the subject property, the applicant shall provide a two-lane roundabout with two approaches on all three legs of the intersection of MD 193 (Watkins Park Drive) and Oak Grove Road, as detailed within Exhibit 14 of the applicant's traffic study, and that these road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency.
- 5. Prior to the final plat of subdivision for Phase 2, the applicant and the applicant's heirs, successors, and/or assignees shall revise the first amendment to the Public Recreational Facilities Agreement (RFA), recorded in Liber 49800 folio 39, to provide an additional two pickleball courts for the park development.
- 6. At the time of submission of a specific design plan (SDP) for Phase 2 development, the applicant shall provide detailed design drawings of the 10-acre parkland, showing an additional two pickleball courts, with details, and submit them to the Prince George's County Department of Parks and Recreation for their review and approval.
- 7. Prior to issuance of any building permits for the subject project 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.
  - b. Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Church Road.
  - 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.

8. A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails shall be completed at the time of specific design plan. Trail locations may be contingent upon the location of environmentally sensitive features and other constraints. Connector trails to the master plan trails to other park and recreation facilities, and between neighborhoods should be provided.
9. All private recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
10. Prior to approval of each residential building permit in excess of 554 total residential dwellings, for each dwelling unit, the applicant and the applicant's heirs, successors, and/or assignees shall provide a fee calculated at \$3,211 for each dwelling unit (Engineering News-Record (ENR) Construction Cost Index at time of payment) / (ENR Construction Cost Index for 2nd quarter 1989). All fees shall be paid to Prince George's County (or its designee) and can be indexed by any appropriate cost indices determined by the Prince George's County Department of Permitting, Inspections and Enforcement (DPiE) or Prince George's County Department of Public Works and Transportation (DPW&T).
11. Prior to approval of each residential building permit up to 554 total residential dwellings, the applicant and the applicant's heirs, successors and/or assignees shall pay to Prince George's County a fee calculated as \$1,550/DU x (Federal Highway Administration (FHWA) Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989) as its share of costs for improvements to US 301 (Robert S Crain Highway) between MD 725 (Marlboro Pike) and MD 214 (Central Avenue).
12. In lieu of the payment of fees which otherwise would be required in Conditions 10 and 11 above, and subject to approval by the Prince George's County Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant and the applicant's heirs, successors and/or assignees may be required to construct a third northbound through lane on US 301 (Robert S Crain Highway) from a point just north of Leeland Road to a point just north of Trade Zone Avenue. In addition, the improvement may include a third eastbound left turn lane along Leeland Road at its intersection with US 301. The total cost of these improvements, or other variation determined by SHA, shall not exceed an amount calculated as \$2,170,000.00 x (Federal Highway Administration (FHWA) Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989).
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.
14. Prior to issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a Capital Improvement Program (CIP)/ Consolidated Transportation Program (CTP), or otherwise provided by the applicant, the applicant's heirs, successors and/or assignees:

- a. Leeland Road
    - Construct Leeland Road-Oak Grove Road to provide a minimum of two lanes of the ultimate four-lane master plan alignment between US 301 (Robert S Crain Highway) and MD 193 (Watkins Park Drive), in accordance with Prince George's County Department of Public Works and Transportation standards.
  - b. MD 193 (Watkins Park Drive)/Oak Grove Road Intersection (roundabout)
    - The applicant shall provide an exclusive right turn lane at the westbound approach.
  - c. MD 202 (Largo Road)/MD 193 (Watkins Park Drive) Intersection
    - Provide a left turn, a shared left/through lane, and a right turn lane on the southbound MD 193 approach
    - Provide a second left turn on the eastbound MD 202 (towards Upper Marlboro) approach
15. Prior to issuance of any building permit, the applicant shall conduct signal warrant studies at the following intersections, and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by the Prince George's County Department of Public Works and Transportation.
    - Leeland Road/Safeway Access
    - Leeland Road/ Site Access B
    - Leeland Road/ Site Access A
    - Oak Grove Road/ Church Road
    - Oak Grove Road/Whistling Duck Drive.
  16. At the time of specific design plan (SDP), the applicant shall submit a list of sustainable site and green building techniques at the site, building and appliance levels that will be used in this development.
  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."
  18. Prior to certification of the comprehensive design plan (CDP), the Type I tree conservation plan (TCPI) shall be revised to add the following note below the TCPI worksheet: "The acreage of all clearing within the 100-year floodplain is reflected in the worksheet column for primary management area (PMA) clearing and off-site impacts. PMA clearing for the master planned roadways is included in the site clearing calculations."

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.
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.
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.
22. Prior to signature approval of the preliminary plan of subdivision, a copy of the stormwater management (SWM) concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other SWM techniques.
23. As part of the submission package for the first specific design plan (SDP), a plan and text shall be submitted addressing a sediment and erosion control protocol, which is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms, such as sediment basins, stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section of the Development Review Division of the Prince George's County Planning Board, in coordination with the staff of the Prince George's County Soil Conservation District.
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.

26. At the time of specific design plan, all planting within the scenic easement shall be native plant material.
27. At time of final plat, a 40-foot-wide scenic easement shall be established adjacent to Oak Grove Road, and a note shall be placed on the final plat as follows:

“Oak Grove Road is a designated Historic Road. The scenic easement described on this plat is an area 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.”
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.
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.
30. The applicant shall construct recreational facilities on dedicated parkland typical for the neighborhood park. The applicant shall develop the park development concept plan and incorporate it into the preliminary plan of subdivision. The concept plan shall be reviewed and approved by Prince George’s County Department of Parks and Recreation staff.
31. The applicant shall construct a 10-foot-wide hiker/biker trail (extension from Oak Creek) along Black Branch stream valley and 6-foot-wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to ensure dry passage. All details shall be discussed with Prince George’s County Department of Parks and Recreation staff with review of the revised Public Recreation Facilities Agreement (RFA). The applicant shall also revise Exhibit A in the RFA, recorded in Liber 47326 folio 397, to show the connecting segment of the Black Branch trail.
32. At the time of submission of the specific design plan (SDP), the applicant shall develop detailed construction drawings for park facilities and submit them to the Prince George’s County Department of Parks and Recreation for their review and approval, prior to submission of the specific design plan.
33. All trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by the Prince George’s County Department of Parks and Recreation.
34. The Americans with Disabilities Act accessibility of all trails shall be determined during specific design plan review.
35. The applicant shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. The private recreational



facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department for adequacy and property siting. The private recreation facilities package shall be approved by the Prince George's County Planning Board at the time of specific design plan.

36. The applicant shall provide suitable vehicular access to the parkland from realigned Oak Grove Road at the location approved by the staff of the Prince George's County Department of Parks and Recreation and/or the appropriate operating agency.
37. All additional accesses to the parkland from development pods shall be at least 30 feet wide.