



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

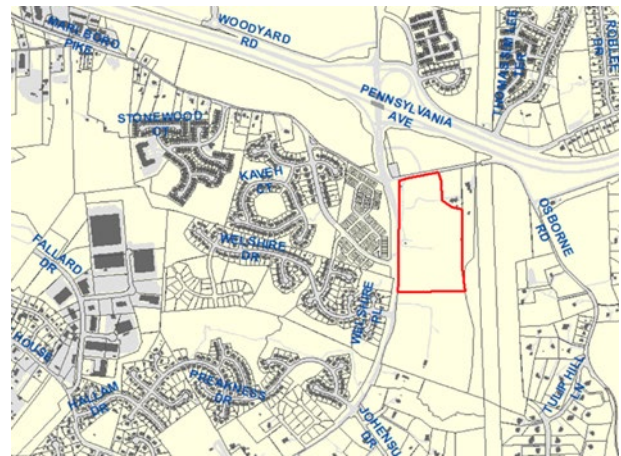
Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

Conceptual Site Plan Hope Village – Phase 2

CSP-18007-01

REQUEST	STAFF RECOMMENDATION
Development of approximately 250–270 front-loaded and rear-loaded single-family attached residential units.	With conditions recommended herein: <ul style="list-style-type: none">• APPROVAL of Conceptual Site Plan CSP-18007-01• APPROVAL of Type 1 Tree Conservation Plan TCP1-015-2019-02• APPROVAL of Variances from Section 25-119(d)

Location: In the southeast quadrant of the intersection of MD 223 (Woodyard Road) and Marlboro Pike.	
Gross Acreage:	37.47
Zone:	RMF-48/MIO
Prior Zone:	M-X-T/M-I-O
Reviewed per prior Zoning Ordinance:	Section 27-1704(e)
Dwelling Units:	250–270
Gross Floor Area:	±598,560 sq. ft.
Planning Area:	82A
Council District:	09
Municipality:	None
Applicant/Address: CBR Woodyard, LLC 7 Hillchase Court Pikesville, MD 21208	
Staff Reviewer: Te-Sheng (Emery) Huang Phone Number: 301-952-4534 Email: tesheng.Huang@ppd.mncppc.org	



Planning Board Date:	10/12/2023
Planning Board Action Limit:	11/09/2023
Staff Report Date:	09/28/2023
Date Accepted:	08/01/2023
Informational Mailing:	03/30/2023
Acceptance Mailing:	07/27/2023
Sign Posting Deadline:	09/12/2023

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

http://www.mncppcapps.org/planning/Person_of_Record/.

Please call 301-952-3530 for additional information.

Table of Contents

EVALUATION.....	3
FINDINGS	3
1. Request	4
2. Development Data Summary	4
3. Location	5
4. Surrounding Uses	5
5. Previous Approvals.....	5
6. Design Features	6
COMPLIANCE WITH EVALUATION CRITERIA	6
7. Prince George's County Zoning Ordinance.....	6
8. Conceptual Site Plan CSP-18007	19
9. 2010 Prince George's County Landscape Manual	22
10. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.....	22
11. Prince George's County Tree Canopy Coverage Ordinance.....	22
12. Referral Comments	23
13. Community Feedback	32
RECOMMENDATION	32

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-18007-01
Type 1 Tree Conservation Plan TCP1-015-2019-02
Variances from Section 25-119(d)
Hope Village – Phase 2

The Urban Design staff has completed the review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this report.

EVALUATION

The property is within the Residential, Multifamily-48 (RMF-48) Zone, formerly the Mixed Use - Transportation Oriented (M-X-T) Zone. The entire property is also subject to the Military Installation Overlay (MIO) Zone for height, formerly labelled as the M-I-O Zone. However, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1704(e) of the Zoning Ordinance, which allows a conceptual site plan application to be reviewed under the prior Zoning Ordinance. This conceptual site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the prior Prince George's County Zoning Ordinance in the Mixed Use - Transportation Oriented (M-X-T) and Military Installation Overlay (M-I-O) Zones and the site design guidelines;
- b. The requirements of Conceptual Site Plan CSP-18007;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of 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 application, the Urban Design staff recommend the following findings:

1. **Request:** This conceptual site plan (CSP) requests an amendment to CSP-18007 for development of approximately 250–270 front-loaded and rear-loaded single-family attached (townhouse) residential units in Phase 2.

2. **Development Data Summary:**

	EXISTING	APPROVED	EVALUATED
Zone(s)	RMF-48/MIO (prior M-X-T/M-I-O)	RMF-48/MIO (prior M-X-T/M-I-O)	RMF-48/MIO (prior M-X-T/M-I-O)
Use(s)	Vacant/Farmland	One-family attached residential; Commercial/Retail; Gas Station; Hotel; Assisted Living; Institutional (church)	Phase 1: Approved Gas Station (PGCPB Resolution No. 2021-24) Phase 2: Proposed single-family attached residential (townhouse)
Gross Acreage	37.59	37.59	37.47* (Note: Outparcel 1 is approximately 35.29) **
Net Acreage	37.17	37.17	37.08* (Note: Outparcel 1 is approximately 34.87 for the future dedication of C-605) **
Total Gross Floor Area (sq. ft.)	-	276,950	±598,560
Commercial/Institutional GFA	-	181,950	4,650
Residential GFA	-	95,000	±594,000
One-Family Attached Dwelling Units	-	38	250–270
Hotel	-	42,000 (150 Rooms)	-
Senior Assisted Living	-	80,000 (210 Beds)	-
Institutional (church)	-	45,000	-

Notes: *Total project area has been adjusted per a civil engineering firm, Charles P. Johnson & Associates, Inc., verified boundary dated May 2023.

**Outparcel 1 is the site for development of 250–270 single-family attached (townhouse) residential units in Phase 2.

Floor Area Ratio (FAR) in the M-X-T Zone

Base Density Allowed:	0.40 FAR
Residential Optional	1.00 FAR
Total FAR Permitted:	1.40*
Total FAR Approved:	0.17
Total FAR Proposed:	0.36**

Notes: *Pursuant to Section 27-545(a)(1) of the prior Zoning Ordinance, under the optional method of development, greater densities shall be granted, in increments of up to a maximum floor area ratio (FAR) of 8.0, for each of the uses, improvements, and

amenities (listed in Subsection (b)) which are provided by the developer and are available for public use. Section 27-545(b)(4) states that an additional gross floor area equal to a FAR of 1.0 shall be permitted where 20 or more dwelling units are provided. The subject application proposes 250–270 single-family attached dwelling units. Utilizing the residential optional method, the total FAR permitted is 1.40.

******The total proposed gross floor area of the project is ±598,560 square feet, which results in a total FAR of 0.36.

3. **Location:** The subject property is located in the southeast quadrant of the intersection of MD 223 (Woodyard Road) and Marlboro Pike, in Planning Area 82A, Council District 9.
4. **Surrounding Uses:** To the north of the subject property, beyond Marlboro Pike, is vacant property in the Local Activity Center (L-A-C) Zone. To the east and south of the subject property are residential properties in the Residential-Agricultural (R-A) Zone. To the west of the subject property, beyond MD 223, is the Norbourne townhouse development in the Townhouse (R-T) Zone.
5. **Previous Approvals:** Prior to 1981, Parcel 6 was one parcel; together with what is now known as Parcel 46 abutting to the northeast and Parcel 78 abutting to the south. Parcel 46 was legally subdivided by deed from Parcel 6, in 1981 (Liber 5478 Folio 975). Parcel 78 was created by an illegal division of Parcel 6, in 2003 (Liber 17537 Folio 646). The remainder of Parcel 6 was conveyed, in 2005, by deed (Liber 21377 Folio 394). On September 29, 2016, the Prince George's County Planning Board approved Preliminary Plan of Subdivision (PPS) 4-16008 for Parcel 78, which validated the division of land. PPS 4-16008 has since expired, before any final plats were filed for Parcel 78. However, in the interim, Preliminary Plan of Subdivision PPS 4-20003 was approved for the subject property, in 2021. Although only a portion of the land subject to 4-20003 has not yet been platted, the Planning Board's approval of 4-20003, which remains valid until February 11, 2024, creates a de facto subdivision of Parcel 6, which is included in this application.

The 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan and SMA) (Prince George's County Council Resolution CR-83-2013, Revision 3) rezoned the subject property from the Rural Residential (R-R) Zone to the Mixed Use - Transportation Oriented (M-X-T) Zone.

CSP-18007 was approved by the Planning Board on February 6, 2020 (PGCPB Resolution No. 2020-19), for a mixed-use development with 38 single-family attached residential units and 181,950 square feet of commercial and institutional uses (including a hotel, a gas station, an assisted living facility, and a church), subject to four conditions.

PPS 4-20003 was approved by the Planning Board on January 21, 2021 (PGCPB Resolution No. 2021-11), to create two parcels: Parcel 1 for commercial development and Parcel A, which is a private street parcel. There is also one outparcel for future development.

Detailed Site Plan DSP-20008 was reviewed by the Planning Board on February 11, 2021 (PGCPB Resolution No. 2021-24), for development of Parcel 1 (Phase 1) with a 4,650-square-foot food and beverage store and a gas station, with eight multi-product dispensers. On May 17, 2021, the Prince George's County District Council reviewed and

approved DSP-20008. This DSP had an approved Stormwater Management (SWM) Concept Plan, 21659-2019-00.

6. **Design Features:** The applicant proposes a mixed-use development with residential and commercial/retail/gas station uses. The CSP includes two phases of development: Phase 1, on Parcel 1 (Pod 5), is for DSP-20008 to develop a 4,650-square-foot food and beverage store and a gas station. DSP-20008 has been approved and is currently under permit review. Phase 2, on Outparcel 1 (Pods 1–4), is for development of 250–270 front-loaded and rear-loaded single-family attached residential units. A proposed master-planned collector road (C-605) will bisect the property from east to west, at the southern end. As a result, the property will have a total of two access points from MD 223 and one access point from Old Marlboro Pike.

Open space with environmental features is located in the center of the property, to align with an existing stream that runs across the property from the northwest to the southeast. As a result, four Pods are created for the proposed residential units. Each pod will have one potential outdoor recreational site. Through the proposed private streets and C-605, residential units in Phase 2 will have access to Marlboro Pike and MD 223, which flank the subject property to the north and west (Figure 1).

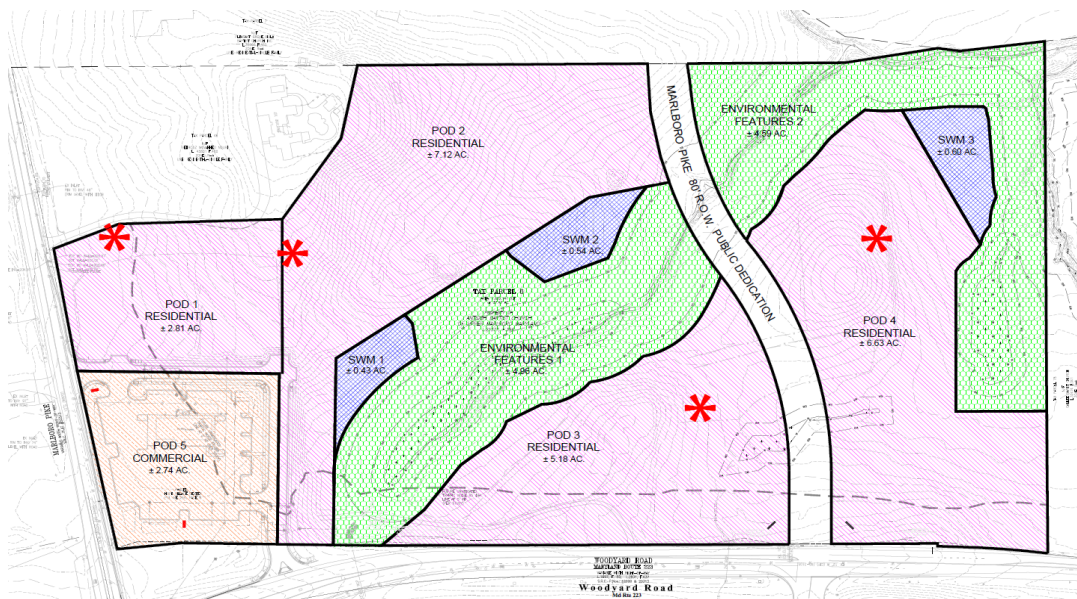


Figure 1: Conceptual Site Plan

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T and Military Installation Overlay (M-I-O) Zones and the site plan design guidelines of the prior Zoning Ordinance.
- a. The subject CSP is in conformance with the requirements of Section 27-547, Uses Permitted, of the prior Zoning Ordinance, which governs permitted uses in the

M-X-T Zone. The applicant proposes 4,650 square feet of commercial/retail space with a gas station (Phase 1) and 250–270 single-family attached dwelling units (Phase 2). Both commercial/retail/gas station and single-family attached dwelling uses are permitted in the M-X-T Zone.

Section 27-547(d) of the prior Zoning Ordinance requires at least two out of the following three categories of uses be present in every development in the M-X-T Zone:

Section 27-547(d)

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

CSP 18007-01 seeks to amend the previous development scheme by removing the previously approved hotel, assisted living facility, and church; reducing the size of commercial/retail space to 4,650 square feet; and increasing the proposed number of residential units to 250–270. As a result, the subject CSP proposes two types of uses, as required, including commercial/retail space with a gas station (Phase 1), as well as 250–270 single-family attached dwelling units (Phase 2). These proposed uses conform to Section 27-547(d). Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined, at the time of CSP approval. Therefore, development of this property would be limited to 250–270 single-family attached units, as proposed in this CSP.

- b. Section 27-548 of the prior Zoning Ordinance, M-X-T Zone Regulations, establishes additional standards for development in this zone. The CSP's conformance with the applicable provisions is discussed, as follows:

Section 27-548. – M-X-T Zone.

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development—0.40 FAR; and**
- (2) With the use of the optional method of development—8.0 FAR.**

A floor area ratio (FAR) of 0.36 is proposed in this CSP. However, this project can be developed up to the maximum allowed 1.40 FAR, in accordance with Section 27-545(b)(4), Optional Method of Development, of the prior Zoning Ordinance, which allows an additional FAR of 1.0 on top of the base 0.4 FAR to be permitted, where 20 or more dwelling units are proposed. In this CSP, a total of 250–270 dwelling units are proposed and the proposed FAR is in conformance.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The applicant proposes a mix of uses to include commercial/retail/gas station and residential uses on the M-X-T-zoned property, in multiple buildings, on more than one parcel and lot, as permitted.

- (c) **Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

This requirement is not applicable, since this application is for a CSP. Subsequent DSP approvals will provide regulations for development on this property.

- (d) **Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land use.**

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone, and to protect the character of the M-X-T Zone from adjoining and interior incompatible land uses, at the time of DSP.

- (e) **In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR for the proposed development, up to ±598,560 square feet on the 37.47-acre property, is 0.36. This will be refined further, at the time of DSP, relative to the final proposed gross floor area of the buildings, in conformance with this requirement.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, the ground below, or in public rights-of-way, as part of this project. Therefore, this requirement is not applicable to the subject CSP.

- (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.**

While the overall development is accessed by public streets, including the approved commercial/retail/gas station uses on Parcel 1 (Phase 1), the individual single-family attached (townhouse) residential lots will be served by private streets and alleys. The proposed rights-of-way appear to be sufficient to provide all internal sidewalks and streetscape amenities. At the time of PPS, appropriate frontage and vehicular access for all lots and parcels must be properly addressed.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing**

more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

This CSP proposes 250–270 single-family attached (townhouse) residential units for development of Phase 2. Conformance with these specific townhouse requirements will be reviewed, at the time of PPS and DSP, when detailed lot and building information is available.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

This requirement is not applicable because this CSP does not propose any multifamily buildings.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map**

Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).

The subject property was placed in the M-X-T Zone through the SMA for Subregion 6, approved after October 1, 2006. However, no specific design guidelines were approved with the master plan for this property.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the prior Zoning Ordinance, which requires additional findings for the Planning Board to approve a CSP in the M-X-T Zone, as follows:

(1) The proposed development is in conformance with the purposes and other provisions of this Division:

The applicant provided a statement of justification, dated September 6, 2023, which included an analysis of the application's conformance to the purposes of the M-X-T Zone. Staff find that the proposed development is in conformance with this requirement, as it satisfies several purposes of the M-X-T Zone, pursuant to Section 27-542 of the prior Zoning Ordinance, and contributes to the orderly implementation of the 2014 *Plan Prince Georges 2035 Approved General Plan* (Plan 2035). For example, one purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections and major interchanges, to enhance the economic status of Prince George's County and provide an expanding source of desirable employment and living opportunities for its citizens. In addition, the proposed development, consisting of commercial/retail/gas station and residential uses in proximity to each other, and in proximity to a major interchange (MD 223 and MD 4) and an intersection (MD 223 and Marlboro Pike), will provide increased economic activity proximate to the said interchange and intersection. Subsequently, this allows for a reduction of the number and distance of automobile trips, as the construction of residential and nonresidential uses are in close proximity to each other.

The subject CSP seeks to create compact, mixed-use, walkable communities enhanced by a mix of residential, commercial/retail/gas station, recreational, and open space uses. The proposed single-family attached (townhouse) dwelling and commercial uses will allow more density on the site. Given the approved DSP-20008 on Parcel 1 (Phase 1), which includes a food or beverage store with made-to-order food and other daily essentials, in combination with a gas station and the existing residential uses in the immediate area, the CSP could promote the effective and optimum use of creating a walkable community. Pedestrian circulation and activation will be further evaluated, at the time of the PPS and DSP applications. If the approved convenience store in Phase 1 would operate 24 hours a day, seven days a week, the CSP could also facilitate and encourage a 24-hour environment in the area and the interaction between the uses and those who live, work in, or visit the area.

The other relevant provisions of the division are addressed throughout this staff report.

- (2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development 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 or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;**

The Subregion 6 Master Plan and SMA, which placed the property in the M-X-T Zone, recommends residential low land use for the site. The proposed mixed-use development substantially conforms to the SMA zoning change.

- (3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed development, in both phases, will be oriented outward. In Phase 1, the approved DSP-20008 for a 4,650-square-foot food and beverage store and a gas station front MD 223 and Marlboro Pike. This development will soon be constructed. Phase 2 consists of 250–270 single-family attached (townhouse) residential units, some of which will front MD 223 and Marlboro Pike. Those units with an outward orientation will be designed to be consistent with the residential units on the west side of MD 223, in the Norbourne Community. The development of both phases addresses the major public rights-of-way and the proposed private streets, internal to the site. How residential buildings relate to the streets and other urban design considerations will be addressed, at the time of DSP.

- (4) The proposed development is compatible with existing and proposed development in the vicinity;**

The approved commercial/retail building with a gas station, which is the most intensive use, is located in the northwest corner of the site, fronting MD 223 and Marlboro Pike, in Phase 1. This further integrates with the future development of the L-A-C-zoned property to the north. The 250–270 single-family attached (townhouse) dwelling units, occupying the rest of the site, help transition to the lower-density residential uses to the east and south in the R-A Zone, as well as the recently completed Norbourne development of 165 single-family attached (townhouse) residential units in the former R-T Zone to the west.

- (5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The subject CSP consists of commercial/retail/gas station and residential uses in Phases 1 and 2, respectively. The former has been approved, and was purposely situated at the intersection of MD 223 and Marlboro Pike, with the intent of attracting both local and pass-by customers and to serve as the focal point for the residential development in Phase 2. Sidewalks will connect both phases of development to Marlboro Pike, MD 223, and C-605. The proposed uses support one another and provide needed services to the surrounding development. The specifics of the arrangement and design of the buildings will be further examined, at the time of DSP.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

The previously approved CSP-18007 was divided into seven phases. The subject CSP-18007-01 reduces seven phases to two. The first phase is for DSP-20008, which has been approved for a 4,650-square-foot food and beverage store and a gas station. The second phase consists of 250–270 single-family attached (townhouse) residential units. Each phase will be self-sufficient and effectively integrated with each other by connecting roads and sidewalks.

- (7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

This requirement will be evaluated in detail, at the time of PPS and DSP. An illustrative plan submitted with this CSP shows sidewalks along all public and private roads, forming a pedestrian network throughout the site. The submitted plan also shows two vehicle access points along MD 223 and one at Marlboro Pike. Staff find the conceptual circulation to be sufficient and meets the required findings per Section 27-546(b)(7) of the prior Zoning Ordinance, which examines “physical and functional relationship of the project uses and components” within the M-X-T Zone.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The above finding is not applicable because the subject application is a CSP. Further attention should be paid to the design of pedestrian spaces and public spaces, at the time of DSP.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated**

Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The subject property was rezoned to the M-X-T Zone from the R-A Zone under Council Resolution CR-83-2013, as part of the SMA for Subregion 6. The Council resolution only rezones the subject site; it carries no additional conditions.

It should be noted that this site will need to go through the PPS process and transportation adequacy will be further reviewed, at that time. The TIS has utilized a reasonable mix of uses, which will be further tested at the time of PPS, with the adequacy test based on the actual mix of uses that the applicant proposes. The Transportation Planning Section will not establish a trip cap condition on this application, but will do so for the PPS. Multiple trip caps on different applications, governing the same property, create a potential for conflicting findings during later stages of review. Adequacy is fully tested and determined, at the time of PPS, through the application of Section 24-124 of the prior Prince George's County Subdivision Regulations, and a traffic study may be submitted with a slightly different mix of uses than was tested at the time of CSP. The trip cap for the site will be based on the PPS entitlement.

A full traffic impact study (TIS) was submitted for this DSP on July 28, 2023. The traffic study was referred to the Prince George's County Department of Public Works and Transportation (DPW&T) and the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), as well as the Maryland State Highway Administration (SHA).

The subject property is located within Transportation Service Area 2 (TSA 2), as defined in Plan 2035. As such, the subject property is evaluated, according to the following standards:

Links and Signalized Intersections

Level-of-Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized 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 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.

The applicant's trip generation summary considers 270 townhouse dwelling units. The table below summarizes trip generation, in each peak-hour, that will be used in reviewing traffic and developing a trip cap for the site:

Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Townhouses (Prince George's County Rates)	270	Units	38	151	189	140	76	216
Total Proposed Trips			38	151	189	140	76	216
Total New Trips (Trip Cap)					189			216

The traffic generated by the proposed CSP would impact the following intersections and links in the transportation system and were analyzed in the TIS that was submitted with this package:

- MD 223 and Old Marlboro Pike (signalized)
- MD 223 and MD 4 NB Ramps (unsignalized)
- MD 223 and MD 4 SB Ramps (signalized)
- MD 223 and Marlboro Pike (signalized)
- MD 223 and C-605/Site Access (unsignalized)
- MD 223 and Dower House Road (signalized)
- MD 223 and Rosaryville Road (signalized)
- MD 223 and Site Access (unsignalized)
- Marlboro Pike and Site Access (unsignalized)

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
MD 223 and Old Marlboro Pike	N/A***	N/A***	N/A***	N/A***
MD 223 and MD 4 NB Ramps	<50 s*	<50 s*	Pass	Pass
MD 223 and MD 4 SB Ramps	N/A***	N/A***	N/A***	N/A***
MD 223 and Marlboro Pike	970	1181	A	C
MD 223 and C-605/Site Access	57.8 s*	35.2 s*	Fail	Pass
	< 100 veh**		Pass	
MD 223 and Dower House Road	1174	951	C	A
MD 223 and Rosaryville Road	721	837	A	A

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.

**In analyzing two-way stop-controlled unsignalized intersections, if the greatest average delay for any movement within the intersection exceeds 50.0 seconds, the maximum approach volume on the minor streets is checked. According to the Guidelines, the volume exceeding 100 indicates inadequate traffic operations.

***Under construction.

The traffic study identified one background development whose impact would affect study intersections. In addition, annual growths of 0.5 percent over six years were applied to the existing traffic volumes. The analysis revealed the following results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
MD 223 and Old Marlboro Pike	947	903	A	A
MD 223 and MD 4 NB Ramps	<50 s*	<50 s*	Pass	Pass
MD 223 and MD 4 SB Ramps	1150	1297	B	C
MD 223 and Marlboro Pike	1058	1320	B	D
MD 223 and C-605/Site Access	121.6 s*	77.3 s*	Fail	Fail
	< 100 veh**	< 100 veh**	Pass	Pass
MD 223 and Dower House Road	1341	1123	C	B
MD 223 and Rosaryville Road	776	890	A	A
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.</p> <p>**In analyzing two-way stop-controlled unsignalized intersections, if the greatest average delay for any movement within the intersection exceeds 50.0 seconds, the maximum approach volume on the minor streets is checked. According to the Guidelines, the volume exceeding 100 indicates inadequate traffic operations.</p>				

In the developed future condition, the following lane configuration changes are proposed:

- Add a northbound MD 223 right-turn lane at C-605/site access.
- Add a southbound MD 223 left-turn lane at C-605/site access.

- Convert eastbound left-turn lane along C-605 to a left through lane.
- Add a westbound left through lane at MD 223 at C-605/site access.
- Add a westbound right-turn lane at MD 223 at C-605/site access.
- Add a northbound MD 223 right-turn lane at site access north of C-605.
- Add a westbound right-turn lane along site access north of C-605.
- Convert eastbound Marlboro Pike through lane at site access to a through right lane.
- Convert westbound Marlboro Pike through lane at site access to a left through lane.
- Add a northbound shared left-right lane along site access at Marlboro Pike.

The study intersections, when analyzed with total developed future traffic, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
MD 223 and Old Marlboro Pike	950	903	A	A
MD 223 and MD 4 NB Ramps	<50 s*	<50 s*	Pass	Pass
MD 223 and MD 4 SB Ramps	1210	1382	C	D
MD 223 and Marlboro Pike	1140	1364	B	D
MD 223 and C-605/Site Access	439.7 s*	231.9 s*	Fail	Fail
	< 100 veh**	< 100 veh**	Pass	Pass
MD 223 and Dower House Road	1381	1151	D	C
MD 223 and Rosaryville Road	799	892	A	A
MD 223 and Site Access	15.6 s*	12.5 s*	Pass	Pass
Marlboro Pike and Site Access	31.7 s*	33.2 s*	Pass	Pass
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.</p> <p>**In analyzing two-way stop-controlled unsignalized intersections, if the greatest average delay for any movement within the intersection exceeds 50.0 seconds, the maximum approach volume on the minor streets is checked. According to the Guidelines, the volume exceeding 100 indicates inadequate traffic operations.</p>				

Based on the findings and conclusions of the TIS, the Transportation Planning Section concludes that existing transportation facilities, with additional improvements and analyses provided by the applicant, are sufficient to support the proposed development and meet the requirements of Section 27-546(d)(9). Multiple conditions have been included herein related to the required transportation improvements necessary to ensure adequacy. This issue may be readdressed at the time of PPS.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).**

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated, at the time of DSP, for this project.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The subject property measures 37.47 acres and does not meet the above acreage requirement. Furthermore, this CSP is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. This application is located within the M-I-O Zone for height. Pursuant to Section 27-548.54(e)(2)(D), Requirements for Height, of the prior Zoning Ordinance, the proposed development in this application must comply with the requirements for height for properties located in Surface E, Conical Surface (20:1) – Right Runway. This requirement will be further evaluated, at the time of DSP.
- e. The CSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the prior Zoning Ordinance, regarding parking, loading, and circulation; lighting; views; green area; site and streetscape amenities; grading; service areas; public spaces; architecture; and townhouses and three-family dwellings. The proposed development provides a mix of commercial/retail/gas station (Phase 1) and residential uses (Phase 2), designed to front on roadways. A connected circulation system for vehicles and pedestrians is proposed. To convey the individuality of each townhouse unit in Phase 2, the design of abutting units should avoid the use of repetitive architectural elements and should employ a

variety of architectural features and designs, such as roofline, window and door treatments, projections, colors, and materials. Detailed designs of all buildings, site infrastructure, features, and amenities will be further reviewed, at the time of DSP, when all required information is available.

- f. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval, at the time of DSP. Adequate visitors' parking for all residential units will need to be addressed, at the time of DSP. Detailed information regarding the methodology and procedures to be used, in determining the parking ratio, is outlined in Section 27-574(b) of the prior Zoning Ordinance. The methodology in Section 27-574(b) requires that parking be computed for each use in the M-X-T Zone. At the time of DSP review, demonstration of adequacy of proposed parking, including visitor parking and loading configurations, will be required for the development.

- 8. **Conceptual Site Plan CSP-18007:** CSP-18007 was approved by the Planning Board on February 6, 2020 (PGCPB Resolution No. 2020-19), for the mixed-use development of a 37.5-acre property, subject to four conditions. The conditions of CSP-18007 are listed in **bold** text, followed by staff comment, in plain text. Staff recommend that the conditions contained within this technical staff report supersede those contained in CSP-18007.

- 2. **Prior to acceptance of the applicable preliminary plan of subdivision, the following information shall be provided or shown on the plans:**

- a. **Submit a Phase 1 noise analysis for any development that includes residential or hotel uses.**

This condition required a Phase 1 noise analysis for the proposed residential uses on the property, due to the adjacent arterial MD 223. This condition is applicable and will be carried forward, since residential uses are still proposed. No outdoor recreation areas will be permitted within the area of 65+ dBA Ldn, as mitigated, and interior noise levels must be reduced to 45 dBA Ldn or less. A Phase 1 noise study, dated June 23, 2023, was submitted with this CSP. This noise study includes exhibits showing the conceptual layout of the townhouse dwelling units and the existing unmitigated noise levels. These exhibits demonstrate that dwellings and recreational areas proposed, adjacent to MD 223 and Marlboro Pike, will be impacted by noise levels exceeding 65 dBA. At the time of PPS, the lot layout and location of recreational facilities, and any proposed mitigation for noise, will be reviewed further. The Phase 1 noise study should also be submitted with the subsequent PPS application.

- b. **Submit an approved Phase I archeology report for the area proposed for development in the preliminary plan of subdivision.**

A 3-acre portion of the Hope Village development, in the northwest corner of the property, was surveyed for archaeological resources in April 2020. In PPS 4-20003, Hope Village Center – Phase I (Royal Farms), the applicant proposed a Royal Farms convenience store, gas station, and associated

parking. The archeological survey did not identify any significant resources on the 3-acre property, and no further work was recommended. Historic Preservation staff concurred that no further archeological investigations were necessary on the 3-acre parcel, in the northwest corner of the larger property. However, the remainder of the parcel was not surveyed and Condition 2b of PGCPB Resolution No. 2020-19 is still in effect for that portion of the site and has not been satisfied.

- c. **Submit an approved stormwater management concept plan and approval letter for the area proposed for development showing the stormwater facilities, master-planned roadway (if applicable), and proposed buildings, to allow for a full analysis of the proposed impacts (if any) to the regulated environmental features.**

This condition will be carried forward and is added to the Recommendation section of this report.

- d. **Provide continuous standard sidewalks along both sides of all internal roads, excluding alleys, unless modified with written correspondence by the Department of Public Works and Transportation and the Department of Permitting, Inspections and Enforcement.**
- e. **Provide an 8-foot-wide trail along the property frontage or within the right-of-way of MD 223 (Woodyard Road) consistent with the standards of the Maryland State Highway Administration (SHA), unless modified by SHA.**
- f. **Provide an additional pedestrian connection between the residential units and the retail/institutional uses, if feasible. If infeasible, documentation demonstrating why and how the trail cannot be built shall be submitted.**
- g. **A preliminary plan of subdivision that includes development along C-605 shall provide pedestrian crossing of MD 223 (Woodyard Road) and master plan roadway (C-605) to enable access to Windsor Park and the residential developments to the west subject to unless modified by the State Highway Administration.**

Conditions 2d through 2g will be carried forward with an update on Condition 2e to require the provision of a 10-foot-wide trail, instead of one that is 8 feet wide. These conditions are added to the Recommendation section of this report. Since this application is removing the institutional use, such use is removed from Condition 2f.

- 3. **Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:**
 - a. **The following 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 (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

MD 4 (Pennsylvania Avenue) at Dower House Road:

- (1) Provide two additional through lanes along both eastbound and westbound MD 4 to the east and west of Dower House Road.**
- (2) On the northbound approach, provide four approach lanes with two left-turn lanes, one through lane, and a right-turn lane.**

If the above-listed improvements are to be provided pursuant to the "MD 4 Pennsylvania Avenue" project in the current Prince George's County Capital Improvement Program, the applicant shall, in cooperation with the Prince George's County Department of Permitting, Inspections and Enforcement and/or the Prince George's County Department of Public Works and Transportation, demonstrate the construction and/or financial participation. This information shall be supplied to the Transportation Planning Section at the time of preliminary plan of subdivision.

- b. The following 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 (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):**

MD 223 (Woodyard Road) at Dower House Road:

- (1) On the eastbound Dower House Road approach, provide a dedicated right turn lane.**

MD 223 at Marlboro Pike:

- (1) Modify the traffic signal to provide east/west split-phased operations.**

These conditions will be updated, according to the new traffic analysis results, and included in the certificate of adequacy (ADQ) referral during the PPS application phase. New conditions replace these prior conditions and are added to the Recommendation section of this report.

- 4. Prior to approval of the initial detailed site plan proposing development within the site, unless modified at the time of preliminary plan of subdivision, pursuant to Section 27-546(d)(9) of the Prince George's County Zoning Ordinance:**

The applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration (SHA) for signalization at the intersection of MD 223 (Woodyard Road) at the MD 4 (Pennsylvania Avenue) southbound ramps. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of SHA. If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with SHA prior to release of any building permits within the site and complete installation at a time when directed by SHA.

This condition will be updated, according to the new traffic analysis results, and included in the ADQ referral during the PPS application phase, if needed. New conditions replace this prior condition and are added to the Recommendation section of this report.

9. **2010 Prince George's County Landscape Manual:** This development, located in the prior M-X-T Zone, will be subject to the requirements of the Landscape Manual, at the time of DSP. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.2, Requirements from Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets. The provided CSP shows the approximate locations of the various landscape buffers. If the rear yards of any proposed single-family attached (townhouse) residential units are oriented toward a street, Section 4.6 (shown on this CSP) will be further evaluated, at the time of DSP. At the time of DSP, the relationship of the proposed residential use in Pod 1, to the existing gas station in Pod 5, will have to be further examined to ensure compatibility. Pursuant to Section 27-548(d) of the prior Zoning Ordinance, additional buffering may be required to protect the residential use from this interior incompatible use. Conditions are included herein requiring the applicant to revise the conceptual circulation and landscape plan.
10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Type 1 Tree Conservation Plan (TCP1-015-2019-02) was submitted with this CSP application.

The site contains a total of 23.78 acres of woodlands, including 0.39 acre of wooded floodplain. The site has a woodland conservation threshold of 15 percent or 5.56 acres. The TCP1 proposes to clear 16.93 acres of woodland, resulting in a total woodland conservation requirement of 9.80 acres. The woodland conservation requirement is proposed to be met with 6.40 acres of on-site preservation, 2.54 acres of afforestation, and 0.86 acre of off-site credits. Conditions are included herein requiring technical revisions to the TCP1, prior to certification of the CSP.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The

subject site is 37.47 acres and the required TCC is 3.75 acres. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured, at the time of DSP.

12. Referral Comments: The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Historic Preservation**—In a memorandum dated August 17, 2023 (Stabler, Smith, and Chisholm to Huang), included herein by reference, the Historic Preservation Section provided comments on this application, as follows:

The subject property was once part of the large Woodyard plantation, patented to Henry Darnall in 1683. The property was later acquired by Stephen West, who was a Revolutionary War industrialist, providing weapons and clothing for the war effort. West held more than 100 enslaved people on his vast landholdings in Prince George's County. Two tobacco barns, on the subject property, were recorded on a Maryland Inventory of Historic Properties form in 1974.

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is high. A Phase I archeology survey was recommended with CSP-18007. Per the discussion of Condition 2b of CSP-18007, this condition will be carried forward.

The Subregion 6 Master Plan and SMA includes minimal goals and policies related to historic preservation, and these are not specific to the subject site.

There are no County historic sites or resources on, or adjacent to, the property.

- b. **Community Planning**—In a memorandum dated September 11, 2023 (Ruiz Rivera to Huang), the Community Planning Division noted that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 2 of the Prior Zoning Ordinance, master plan conformance is not required for this application.
- c. **Transportation Planning**—In a memorandum dated September 15, 2023 (Yang to Huang), incorporated herein by reference and in Finding 7 above, the Transportation Planning Section provided comment on this CSP, as follows:

This CSP is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Subregion 6 Master Plan and SMA. The subject property fronts MD 223, which is designated as an arterial right-of-way (ROW) (A-53), with an ultimate ROW of 120–150 feet along the property's western boundary in both plans. This CSP does not display any ROW dedication for A-53. The MPOT shows C-605 traversing the site to connect to MD 223. Both plans designate C-605 as an 80-foot-wide collector ROW with two or four lanes. This CSP displays the ultimate C-605 ROW throughout the subject property. However, the C-605 alignment is different than that in the MPOT. This new alignment was discussed, prior to acceptance of this application, and staff found that the revisions are acceptable and should be approved in this CSP. A condition is included herein requiring the applicant to provide additional information, at the time of PPS.

The MPOT provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. The Subregion 6 Master Plan and SMA also has similar recommendations. This CSP indicates that a 10-foot-wide shared-use path will be provided along the east side of MD 223, consistent with SHA standards.

On September 15, 2023, DPIE provided comments. Staff concur with these comments. DPIE recommends bicycle lanes along C-605 and Marlboro Pike, instead of shared lanes, and staff agrees as there are no negative impacts to other facilities, and bicycle lanes are acceptable along those two roads. A condition is included herein requiring the provision of bicycle lanes along C-605 and Marlboro Pike.

- d. **Subdivision Review**—In a memorandum dated September 7, 2023 (Gupta to Huang), the Subdivision Review Section noted that the entire property will require a new PPS and an ADQ in accordance with Section 24-1900 of the current Subdivision Regulations, following approval of a CSP. Also, new final record plats of the subdivision of Outparcel 1 will be required, subsequent to approval of a CSP, following the approval of a new PPS, before any building permits may be approved for development of this site. Additional comments include the following:
- (1) Per Section 24-121(a)(4) of the prior Subdivision Regulations, residential lots proposed abutting MD 223, an arterial street, shall have a lot depth of at least 150 feet, as measured from the ultimate ROW line.
 - (2) The CSP shows the driveway for a house on neighboring Parcel 46, which partially crosses into the subject property. The approved PPS 4-20003 shows an easement covering the extent of this driveway. This easement should continue to be shown on the development plans, unless the driveway is to be razed and relocated off-site.
 - (3) Master plan dedication for both the C-605 and A-53 ROW will be evaluated, at the time of PPS. Appropriate dedication for the roadways within the development, including their width and whether they will be public or private, will be determined, at the time of PPS. The location of required 10-foot-wide public utility easements will be determined, once the disposition of the streets is known.
 - (4) Outparcel 1 is located within water and sewer Category 4. An administrative amendment to the 2008 *Water and Sewer Plan* must be approved, to advance the water and sewer category from 4 to 3, prior to approval of final plats.
- e. **Environmental Planning**—In a memorandum dated September 15, 2023 (Kirchhof to Huang), incorporated herein by reference, the Environmental Planning Section provided comments on the subject application, as follows:

Natural Resources Inventory Plan/Existing Features

An approved Natural Resources Inventory (NRI-164-06) was submitted with the application. The site is partially wooded and contains regulated environmental

features (REF), steep slopes, streams, wetlands, and their associated buffers, which comprise the primary management area (PMA). The site statistics table on the NRI shows 7.81 acres of PMA, with 1,129 linear feet of regulated streams. The Type 2 tree conservation plan (TCP2) incorrectly includes the isolated wetlands area as part of the PMA. Isolated wetlands are not included in the PMA total calculations. The TCP2 site statistics table shall be revised to not include the isolated wetlands area in the PMA total. The site also contains specimen trees.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.” The Prince George’s County Code, however, is not inflexible.

The authorizing legislation of the WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16, of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in the WCO are set forth in Section 25-119(d). Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

A Subtitle 25 variance application, dated May 12, 2023 and revised September 11, 2023, was submitted for review with this application. The approved NRI identifies a total of 26 specimen trees on-site and 1 off-site. The following analysis is the review of the request to remove 13 specimen trees.

The letter of justification (LOJ) requests the removal of 13 specimen trees identified as ST-2, ST-4, ST-8, ST-9, ST-10, ST-11, ST-21, ST-22, ST-23, ST-24, ST-25, ST-26, and ST-27. The condition of trees proposed for removal ranges from poor to excellent. The TCP1 shows the location of the specimen trees proposed for removal, for development of the site and associated infrastructure.

Staff support removal of the 13 specimen trees, as requested by the applicant. Section 25-119(d) contains six required findings, listed in **bold** below, to be made before a variance from the WCO can be granted. An evaluation of this variance request, with respect to the required findings, is provided below.

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

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship if the applicant were required to retain all 26 specimen trees. Those “special conditions”

relate to the specimen trees themselves, such as their size, condition, species, and on-site location.

The property is 37.60 acres, and the NRI shows approximately 7.81 acres of PMA comprised of streams, floodplain, wetlands, and associated buffers. This represents approximately 21 percent of the overall site area. The applicant is proposing four impacts to the site's PMA, minimized to the extent practicable, and is proposing woodland conservation and afforestation to further protect the PMA.

The specimen trees are located across the entire site, many within the PMA. The specimen trees proposed for removal are generally located in the areas of the site most suited for development. This site contains steep slopes, wetlands, streams, and floodplains, which restrict development potential. Complete retention of these trees would severely limit the developable area of the site. A summary of each development section follows.

RESIDENTIAL AREA CONSTRUCTION IMPACTS

Single-family attached residential units are proposed throughout the upland portions of the site. Within this area, 11 trees are proposed for removal. These trees are identified as ST-2, ST-8, ST-9, ST-10, and ST-21 through ST-27. Specimen trees ST-2 and ST-10 are within the PMA, and the critical root zone (CRZ) impact outside the PMA is greater than 30 percent which, per Section 3.1.1 of the State Forest Conservation Act Technical Manual, should be requested for removal. The remaining specimen trees proposed for removal, in association with the residential construction and associated granting of ROW, are outside of the PMA. The specimen trees are a mix of poplars, maples, sycamore, and sweetgum, with condition ratings varying from poor to excellent. Sweetgums have good construction tolerances, with sycamores showing medium tolerance, and poplars and maples having a poor construction tolerance. Requiring the applicant to retain these trees, along with their CRZ, could result in additional PMA impacts. Several of these trees could become hazardous, due to stress, as a result of the construction.

MASTER-PLANNED ROADWAY CONSTRUCTION IMPACTS

The master-planned realignment of Marlboro Pike bisects this property. One specimen tree is proposed for removal with the construction of C-605. This tree is identified as ST-11 and is a poplar, in poor condition. Poplars are known to have poor construction tolerances and may become hazardous when exposed to stress from grading. The alignment of this roadway is in conformance with the MPOT. The angle and location of this road was determined to be the area of least environmental impact and still provide the required ROW width to meet the MPOT. Requiring the applicant to retain this tree and the CRZ could result in additional PMA impacts and specimen tree removals, along with a complete realignment of C-605.

UTILITY AND STORMWATER CONSTRUCTION IMPACTS

Several stormwater facilities are proposed on the site. The majority of these facilities are in areas without specimen trees; however, one tree is requested for removal in association with a stormwater management (SWM) facility and a proposed sewer connection (ST-4, a sycamore in good condition). Sycamores are noted for medium construction tolerances. Requiring the applicant to retain this tree and the CRZ would result in relocating the stormwater facility and utility line, which could result in additional specimen tree removals and PMA impacts.

SUMMARY OF AREAS

The application proposes mixed-use development consisting of commercial use in Phase 1 and residential use in Phase 2, as well as construction of the master-planned roadway, Marlboro Pike realignment. These are reasonable uses for an M-X-T-zoned property. Development is limited to areas outside of the PMA, and only two of the trees proposed for removal are within the PMA. The remaining trees vary in tolerance, from poor to excellent, and are located within the central upland portion of the site. Requiring the applicant to retain the 13 specimen trees on-site, by designing the development to avoid impacts to the CRZs, would further limit the area of the site available for orderly development, that is consistent with the existing zoning, to the extent that it would cause the applicant an unwarranted hardship.

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

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their CRZ, would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for the removal of specimen trees are evaluated, in accordance with the requirements of Subtitle 25 and the Environmental Technical Manual (ETM), for site specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen trees proposed for removal, retaining the trees and avoiding disturbance to the CRZ would have a considerable impact on the development potential of the property, and result in additional PMA impacts. If similar trees were encountered on other sites, they would be evaluated under the same criteria. The proposed residential development is a use that aligns with the uses permitted in the M-X-T Zone. The specimen trees requested for removal are located within the developable parts of the site.

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

Not granting the variance would prevent the project from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar developments featured REF and specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application.

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

The existing site conditions or circumstances, including the location of the specimen trees, are not the result of actions by the applicant. Removal of the 13 specimen trees would be the result of the infrastructure and grading required for the development. As poplars have poor tolerances, construction activities while retaining these trees could lead to hazardous conditions. Other species present on-site vary between poor and good tolerances and are mostly in the upland areas of the site. Retaining these trees could result in a shift of the development envelope, resulting in additional PMA impacts and less woodland conservation on-site. The request to remove the trees is solely based on the location of the trees on the site, their species, and their condition.

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

There are no existing conditions relating to land or building uses on the site, or on neighboring properties, which have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size, based on natural conditions, and have not been impacted by any neighboring land or building uses.

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

Granting this variance request will not violate state water quality standards, nor cause measurable degradation in water quality. Requirements regarding SWM will be reviewed and approved by DPIE. Erosion and sediment control requirements are reviewed and approved by the Prince George's County Soil Conservation District. Both SWM and sediment and erosion control requirements are to be met, in conformance with state and local laws, to ensure that the quality of water leaving the site meets state standards. State standards are set to ensure that no degradation occurs.

The required findings of Section 25-119(d) have been adequately addressed for the removal of 13 specimen trees, identified as ST-2, ST-4, ST-8, ST-9, ST-10, ST-11, ST-21, ST-22, ST-23, ST-24, ST-25, ST-26, and ST-27. Staff recommend that the Planning Board approve the requested variance for the removal of 13 specimen trees, for the construction of a mixed-use development.

Preservation of Regulated Environmental Features/Primary Management Area (PMA)

The site contains REF, including streams, stream buffers, wetlands, wetland buffers, and steep slopes which comprise the PMA.

Section 27-273(e)(15) of the prior Zoning Ordinance requires that CSP applications include: "A statement of justification describing how the proposed design preserves and restores the regulated environmental features to the fullest extent possible." Section 27-276(b)(4) of the prior Zoning Ordinance states that for all CSP applications: "The plan shall demonstrate 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)."

Section 24-130(b)(5) of the prior Zoning Ordinance states: "Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat."

Impacts to REF should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property, or are those that are required by the County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate, if placed at the location of an existing crossing, or at the point of least impact to the REF. SWM outfalls may also be considered necessary impacts, if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings, where reasonable alternatives exist. The cumulative impacts for development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code. Impacts to REF must first be avoided and then minimized.

An LOJ and exhibit for PMA impacts were submitted with this application. The LOJ proposes a total of four impacts to the PMA, and includes a brief description of each impact. The Environmental Planning Section supports Impacts 1, 2, and 3. Staff recommend that Impact 4 be deferred to the next phase of review.

Impact 1 Sewer Main

Impact 1 proposes 7,275 square feet (0.17 acre) of PMA impacts for construction of a sewer main. This development proposes a sewer line to connect to the existing sewer line through the neighboring Galilee property, to the south. While impacts for

utilities are generally supported, if they have been minimized to the extent practicable, this development is reliant on the adjacent property to allow for an additional sewer line, along the eastern portion of their site. The Galilee property has had a series of separate approvals, including TCP1-003-2016, associated with 4-16008. This plan shows both woodland preservation and natural regeneration in the area where this sewer main is proposed to connect from the Hope Village site. The approved NRI-104-2016 also does not show the deeded easement alignment for the proposed sewer connection. The project proposes a sewer connection to the existing sewer trunk line, located along the Galilee property's southernmost point. This impact is supported, as proposed.

For the development proposed with CSP-18007-01, this sewer utility is considered necessary for adequate public facilities; however, this connection is reliant on the Galilee property providing a sewer connection for this property by increasing that property's woodland clearing and PMA impacts. Depending on the timing of each development application, adequate facilities may not be available to serve the property. In a meeting on August 29, 2023, the applicant stated that the off-site connection would be addressed with a separate standalone TCP2 for utilities. Impacts to the PMA, for the extension on the Galilee property, will be evaluated separately, when an application is submitted.

Impact 2 Master-Planned Collector Road C-605

Impact 2 proposes 38,750 square feet (0.89 acres) of PMA impacts for the master-planned C-605 ROW. This impact proposes a culvert to maintain stream flow and is designed with the intent to minimize impacts, to the extent practicable. Realignment or relocation of this roadway would still result in a sizable impact to the PMA. This impact is proposed as the main site access point and is supported, as proposed.

Impact 3 Master-Planned Collector Road C-605

Impact 3 proposes 22,781 square feet (0.52 acre) of PMA impacts for master-planned collector road C-605. The current master-planned alignment of C-605 was previously reviewed in meetings with the Transportation Planning Section for further minimization, and it was determined that the wetland impact was unavoidable. Realignment or relocation of this roadway would still result in a sizable impact to the PMA, due to the grading required for this type of roadway. This impact is proposed as the main site access point and is supported, as proposed.

Impact 4 Stormwater Outfall

Impact 4 proposes 185 square feet (0.004 acre) of PMA impacts for construction of a stormwater outfall, in association with a micro-bioretenention facility, which serves the townhouse units along the eastern property edge. Impacts for outfalls are considered allowable impacts and are generally supported, in association with an approved SWM concept plan. At this time, the SWM concept plan is still in review; thus, the location and total square footage of this impact has not been determined by DPIE. This impact is not supported, at this time, and will be evaluated with a subsequent application.

PMA Impact Summary

This site features multiple areas of PMA (7.81 acres total) consisting of steep slopes,

wetlands, 100-year floodplain, streams, and wetlands. Four impacts are proposed to the PMA area with this application. Impacts 1, 2, and 3 are supported, as proposed. Impact 4 is not supported, as the location and total square footage of the impact is reliant on the SWM concept plan, which has not been approved. Impact 4 shall be further evaluated with a subsequent application.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include, Dodon fine sandy loam, Marr-Dodon complex, and Widewater and Issue soils. According to available mapping information, unsafe soils containing Marlboro clay or Christiana clay do not occur on this property. This information is provided for the applicant's benefit.

Stormwater Management

An unapproved Site Development Concept Plan (05557-2023-SDC) was submitted with the current application. The unapproved plan shows the use of submerged gravel wetlands, micro-bioretenion devices, bioswales, and the existing facility from Phase 1. This plan is reflective of the proposed layout and will be further reviewed by DPIE. Submittal of an approved SWM concept letter and plan will be required for subsequent development review applications. No further information pertaining to SWM is required, at this time.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated September 11, 2023 (Thompson to Huang), DPR supports the applicant's proposal to provide on-site recreation facilities, including increased green areas, outdoor active and passive amenities, a safe pedestrian crossing (across Woodyard Road to Windsor Park), and the master-planned trail, to fulfill the dedication of parkland requirement.
- g. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 15, 2023 (Giles to Huang), DPIE offered numerous comments and recommendations on the subject application that have been provided to the applicant. These comments and recommendations will be addressed through DPIE's separate permitting process.
- h. **Prince George's County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George's County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on this application.
- j. **Prince George's County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on the subject application.
- k. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, SHA did not offer comments on the subject application.

13. **Community Feedback:** On September 26, 2023, staff received an inquiry from Ms. Karen Allen, regarding the subject CSP. She raised concerns about overdevelopment of the area and lack of infrastructure to support the proposed development. She also asked about how to sign up to speak at the October 12, 2023 Planning Board hearing.
14. Based on the foregoing, and as required by Section 27-276(b)(1) of the prior Zoning Ordinance, the CSP, if approved with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. Since Sections 27-276(b)(2) and 27-276(b)(3) are not relevant to this CSP, findings for its approval are not required.
15. Section 27-276(b)(4) of the prior Zoning Ordinance requires that, for approval of a CSP, the REF on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the prior Subdivision Regulations. Based on the level of design information submitted with this application, four impacts are proposed to the REF. Impacts 1, 2, and 3 are supported, as proposed. Impact 4 is not supported, as the final location and total square footage of the impact is reliant on the SWM concept plan, which has not been approved. Impact 4 shall be further evaluated with a subsequent application.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Prince George's County Planning Board adopt the findings of this report and APPROVE Conceptual Site Plan CSP-18007-01, Type 1 Tree Conservation Plan TCP1-015-2019-02, and Variances from Section 25-119(d) for Hope Village – Phase 2, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
 - a. Update the gross acreage of the subject property, based on the final verified boundary, and keep this number consistent throughout the plans.
 - b. Note on the conceptual circulation and landscape plan that, if applicable, the requirements of Sections 4.3 and 4.4 of the 2010 *Prince George's County Landscape Manual* were approved in Detailed Site Plan DSP-20008.
 - c. Remove "Landscape Buffer 4.3" from the legend on the conceptual circulation and landscape plan.
 - d. Update the number of the conceptual stormwater management plan in General Note 16.
 - e. Correct "PODS" to "POD 5" in the phase table.
 - f. Remove the approval block from all sheets.

- g. Remove the limits of disturbance from the primary management area where it is shown as Impact 4 for the stormwater outfall.
 - h. The Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - (1) Remove "C. Schneider" from the Environmental Planning Section approval block along the -02-approval line.
 - (2) Revise the TCP1 site statistics table to indicate 7.81 acres of PMA.
 - (3) Revise line 19 of the woodland conservation worksheet to remove the TCP1 number and place PENDING for the TCP2 number.
 - (4) Revise line 20 of the woodland conservation worksheet to remove N/A and place PENDING for the revision number.
 - (5) Revise the soils table for conformance with the approved natural resources inventory plan.
 - (6) Revise the site statistics table for conformance with the approved natural resources inventory plan.
2. Prior to acceptance of the preliminary plan of subdivision, the following information shall be provided or shown on the plans:
- a. Submit a Phase 1 noise analysis for any development that includes residential uses.
 - b. Submit an approved Phase I archeology report.
 - c. Submit an approved stormwater management concept plan and approval letter for the area proposed for development showing the stormwater facilities, master-planned roadway (if applicable), and proposed buildings, to allow for a full analysis of the proposed impacts (if any) to the regulated environmental features.
 - d. Provide continuous standard sidewalks along both sides of all internal roads, excluding alleys, unless modified with written correspondence, by the Prince George's County Department of Public Works and Transportation and the Prince George's County Department of Permitting, Inspections and Enforcement.
 - e. Provide a 10-foot-wide trail along the property frontage or within the right-of-way of MD 223 (Woodyard Road), consistent with the standards of the Maryland State Highway Administration (SHA), unless modified by SHA.
 - f. Provide bicycle lanes along the property frontages of Marlboro Pike and master-planned collector road C-605.
 - g. Provide an additional pedestrian connection between the residential units and the retail use, if feasible. If infeasible, documentation demonstrating why and how the trail cannot be built shall be submitted.

- h. If development is proposed along a proposed master-planned collector road, the plan shall provide a pedestrian crossing of MD 223 (Woodyard Road) and C-605, to enable access to Windsor Park and the residential developments to the west of MD 223, unless modified by the Maryland State Highway Administration.
 - i. The applicant, and the applicant's heirs, successors, and/or assignees shall show the extent and limits of the ultimate right-of-way along the subject property's frontage of MD 223 (Woodyard Road) and C-605, and necessary right-of-way dedication to facilitate the master-planned roadway.
 - j. The applicant shall make an effort to meet the remaining 0.86 acre of woodland conservation credit on-site.
 - k. The relationship of any proposed residential lots in Pod 1 to the existing gas station in Pod 5 will have to be examined, to determine if additional buffering may be required, to ensure compatibility.
3. The applicant, and the applicant's heirs, successors, and/or assignees shall provide the following roadway improvements to meet adequacy and said improvements shall be concurred by the appropriate operating agencies.
- a. Add a northbound MD 223 (Woodyard Road) right-turn lane at master-planned collector road C-605/site access.
 - b. Add a southbound MD 223 left-turn lane at C-605/site access.
 - c. Convert eastbound left-turn lane along C-605, to a left through lane.
 - d. Add a westbound left through lane at MD 223 and C-605/site access intersection.
 - e. Add a westbound right-turn lane at MD 223 and C-605/site access intersection.
 - f. Add a northbound MD 223 right-turn lane, at site access, north of C-605.
 - g. Add a westbound right-turn lane along site access, north of C-605.
 - h. Convert eastbound Marlboro Pike through lane, at site access, to a through right lane.
 - i. Convert westbound Marlboro Pike through lane, at site access, to a left through lane.
 - j. Add a northbound shared left-right lane along site access at Marlboro Pike.
4. Prior to issuance of any permits which impact wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.