



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 <http://mncppc.iqm2.com/Citizens/Default.aspx>

Conceptual Site Plan

Clay Property

CSP-20007

REQUEST	STAFF RECOMMENDATION
Rezone property from the One-Family Detached Residential Zone (R-80) Zone to the One-Family Triple-Attached Residential (R-20) Zone.	DISAPPROVAL

Location: At the intersection of Rosemary Lane and Hitching Post Lane.

Gross Acreage: 12.87 acres

Zone: R-80

Gross Floor Area: N/A

Lots: 1

Parcels: 1

Planning Area: 68

Council District: 02

Election District: 17

Municipality: Hyattsville

200-Scale Base Map: 209NE03 and 208NE03

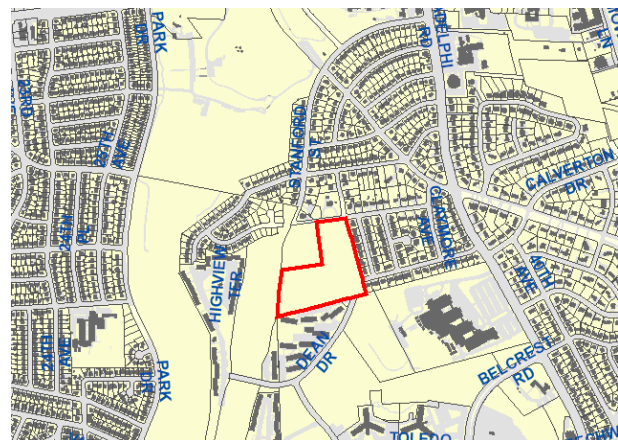
Applicant/Address:

Marvin R. Blumberg Company
402 King Farm Boulevard, Suite 125-211
Rockville, MD 20850

Staff Reviewer: DeAndrae Spradley

Phone Number: 301-952-4976

Email: Deandrae.Spradley@ppd.mncppc.org



Planning Board Date: 07/15/2021

Planning Board Action Limit: 09/13/2021

Staff Report Date: 06/30/2021

Date Accepted: 04/16/2021

Informational Mailing: 02/05/2021

Acceptance Mailing: 04/09/2021

Sign Posting Deadline: 05/25/2021

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 CRITERIA.....	3
FINDINGS	3
1. Request.....	4
2. Development Data Summary.....	4
3. Location	4
4. Surrounding Uses	4
5. Previous Approvals.....	4
6. Design Features	4
COMPLIANCE WITH EVALUATION CRITERIA.....	5
7. General and Master Plan Recommendations.....	5
8. Prince George’s County Zoning Ordinance.....	8
9. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance	13
10. 2010 Prince George’s County Landscape.....	14
11. Prince George’s County Tree Canopy Coverage Ordinance.....	15
12. Referral Comments	15
RECOMMENDATION	18

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-20007
Type 1 Tree Conservation Plan TCP1-007-2007
Clay Property

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

EVALUATION CRITERIA

This conceptual site plan application was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the *Plan Prince George's 2035 Approved General Map Plan*, and the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68*;
- b. The requirements of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment*;
- c. The requirements of the Prince George's County Zoning Ordinance in the One-Family Triple-Attached Residential (R-20) Zone and the site design guidelines;
- d. The requirements of Section 27-548.03, Purposes of the Transit District Overlay Zone, of the Prince George's County Zoning Ordinance;
- e. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- f. The requirements of other site-related regulations; and
- g. Referral comments.

FINDINGS

Based upon the evaluation and analysis of this conceptual site plan (CSP), the Zoning staff recommends the following findings:

1. **Request:** The property owner is requesting to rezone the property from the One-Family Detached Residential Zone (R-80) to the One-Family Triple-Attached Residential (R-20) Zone to accommodate development of 137 townhouses.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	R-80	R-20
Use(s)	Vacant	Townhouses
Acreage	12.87	12.87
Total Gross Floor Area (GFA) (sq. ft.)	-	332,772
Of which Office GFA	-	0
Residential GFA	-	332,772
Total One-Family Triple Attached Dwelling Units	-	137
Of which live/work 4 units	-	0

3. **Location:** The site plan identifies the 12.87 acres of property as undeveloped land that is located at the terminus of Dean Drive and Calverton Drive within the municipal boundaries of the City of Hyattsville, Maryland. The historic Hitching Post Hill is located directly to the north of the property, across Rosemary Lane.
4. **Surrounding Uses:** The following uses and roadways immediately surround the property:
- North—** Single-family detached dwelling units in the R-80 and One-Family Detached Residential (R-55) Zones.
- South—** Multifamily residential dwelling units in the R-20 Zone, and commercial uses in the Mixed Use-Infill Zone.
- East—** Single-family detached dwelling units in the R-80 and R-55 Zones.
- West—** Rosemary Terrace Park and parkland within the Anacostia Trails Heritage area and single-family detached dwelling units in the R-55 Zone.
5. **Previous Approvals:** The property was retained in the Established Communities area and Residential Low Land Uses in the 2014 *Plan Prince George's 2035 Approved General Map Plan* (Plan 2035). The property is within the boundaries of the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* (Prince George's Plaza TDDP/TDOZ). There are no previous special exception or zoning cases associated with the property.
6. **Design Features:** The property is rectangular shaped with frontage along Rosemary Lane, and abuts the rear of single-family residential dwelling units along Bridle Path Lane and Dean Drive. This CSP has included a 50-foot-wide landscape buffer along the property boundary, adjacent to the single-family dwelling units, to serve as a buffer between the uses.

Hitching Post Hill is located directly to the north of the property, across Rosemary Lane. The CSP has included a 150-foot-wide landscape buffer along the property that fronts Hitching Post Hill to serve as a buffer between the uses.

The CSP shows access from the south via Dean Drive and from the east via Calvert Road extended. The internal street networking will create a central block on the western portion of the property, with rear alleys. Townhouses on the western property line will not have alleys. Dean Road will extend north, with a stormwater management (SWM) feature and townhouses on both sides, with alleys.

Vehicular access will be provided to the property from Calverton Drive and Dean Drive.

There were no architectural elevations or plans included in this CSP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **General and Master Plan Recommendations:** This CSP has been reviewed for compliance with the recommendations of Plan 2035, the 1994 *Approved Master Plan and Sectional Map Amendment for Planning Area 68* (master plan), and the Prince George's Plaza TDDP/TDOZ.

- a. This CSP does not conform with the recommendations of Plan 2035, as follows:

LAND USE

Plan Prince George's 2035 Approved General Plan

The property is in the Established Communities area and Residential Low policy area, as defined by Plan 2035. The vision for the Established Communities area is context-sensitive infill and low- to medium-density development. Plan 2035 defines Residential Low land use as primarily single-family detached residential areas up to 3.5 dwelling units per acre.

Plan 2035 places the property within the Prince George's Plaza Metro Regional Transit District and TDOZ. Plan 2035 defines regional transit districts as areas with moderate- to high-density and intensity regional-serving centers. The regional transit districts serve as destinations for regional workers and residents that contain a mix of office, retail, entertainment, public and quasi-public, flex, and medical uses; the balance of uses will vary depending on the center's predominant character and function. Development within a regional transit district should incorporate design strategies that are walkable, bikeable, and well-connected to a regional transportation network via a range of transit options. The TDOZ is intended to ensure that the development of land in the vicinity of Metro stations maximizes transit ridership, serves the economic and social goals of the area, and takes advantage of the unique development opportunities that mass transit provides. Density within the regional transit district is recommended at a maximum residential density of 40+ dwelling units per acre, predominantly high-rise and mid-rise apartments and condos, and townhouses. However, the TDDP specifically recommends residential low land uses on the property. A more detailed analysis of the TDDP is featured later in this report.

Plan 2035 established the following policies and strategies that are relevant to this case:

Policy LU 1: Direct a majority of projected new residential and employment growth to the Regional Transit Districts, in accordance with the Growth Policy Map (Map 11, pages 107-108) and the Growth Management Goals (Table 17, page 110) as set forth in Table 17 (Land Use, page 110).

Policy LU 8: Strengthen and enhance the existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Plan 2035 places the property in the Established Communities Growth Policy area and Residential Low area. Established Communities are most appropriate for context-sensitive infill and low- to medium-density development. Residential Low land use is primarily single-family detached residential areas up to 3.5 dwelling units per acre.

The rezoning request for the property is from the R-80 Zone to the R-20 Zone. The R-80 Zone exclusively permits one-family detached dwellings with a maximum density of 3.0–4.5 dwelling units per acre. The requested R-20 Zone permits a residential density of up to 6.70 dwelling units per acre for one-family detached dwellings, up to 12.44 dwelling units per acre for one-family semidetached dwellings, and up to 16.33 dwelling units per acre for one-family triple-attached dwellings or townhouses. The zoning request for the R-20 Zone does not conform to the Residential Low land use recommendation from Plan 2035.

- b. This CSP does not conform with the recommendations of the master plan and the Prince George's Plaza TDDP and TDOZ, as follows:

Area Master Plan

The property falls within the master plan and the Prince George's Plaza TDDP/TDOZ.

There are no design considerations or land use recommendations in the master plan specific to the property.

The TDDP creates two distinct, but interconnected, character areas (Downtown Core and Neighborhood Edge) that capitalize on the transit district's existing transit network, recreational amenities, and retail appeal. The Downtown Core is the central activity hub, featuring a mix of residential, retail, and office development within the framework of lively, walkable streets. The property falls within the Neighborhood Edge character area. The TDDP defines the Neighborhood Edge character area as a residential area that transitions the intensity and vibrancy of the Downtown Core to the surrounding established residential neighborhoods. A mix of housing types, including townhouses and single-family detached homes, broadens the Transit District's appeal to current and future residents.

The TDDP recommends a residential low future land use designation (Map 15, page 74) for the property. The TDDP describes residential low as primarily

single-family detached residential areas with up to 3.5 dwelling units per acre (page 358). The requested R-20 Zone will permit a townhouse development of up to 16.33 dwelling units per acre with an approved detailed site plan (DSP), and this exceeds the density recommendation for residential low land uses.

The TDDP established the following policies and strategies that are relevant to this case:

POLICY LU2: Create sufficient residential capacity to help meet the County's Growth Management Goal of 50 percent of new dwelling units within Regional Transit Districts.

Strategy LU2.1: Preserve the Neighborhood Edge as an exclusively residential area.

Policy LU6: Create a residential neighborhood north of Toledo Terrace east of Belcrest Road.

Policy LU6.1: Incorporate a mix of housing types, including multifamily units, townhouses, two over twos, and single-family houses, attractive to a range of homebuyers and renters, including families, young-professionals, empty-nesters, and seniors.

POLICY LU7: Limit nonresidential development in the Neighborhood Edge.

Strategy LU7.2: Prohibit incompatible or inappropriate uses in the Neighborhood Edge.

Strategy TM1.3: Ensure that all streets and paths provide continuous nonmotorized access even where auto access may not be provided.

Policy TM7: Provide off-street bicycle and pedestrian connections between neighboring developments and surrounding communities wherever feasible.

POLICY HD3: Redevelop the Transit District to the urban scale appropriate for a designated Regional Transit District.

Strategy HD3.1: Permit and encourage residential densities in excess of 40 units per acre.

POLICY HD10: Minimize and mitigate potential impacts to the undeveloped land surrounding Hitching Post Hill (Historic Site 68-001).

Strategy HD10.1: Incorporate a wide landscaped buffer or park along the edge of the northernmost property in the Transit District—commonly referred to as the Clay Property—across the street from Hitching Post Hill.

The maximum residential density permitted for the R-20 Zone is up to 6.70–16.33 dwelling units per acre. The maximum density of 6.70–16.33 dwelling units per acre does not conform to the recommended maximum density of up to 3.5 dwelling units per acre, as depicted in the TDDP. The site plan includes plans to extend Dean Drive east to connect with the western terminus of Calverton Drive. This connection would be a nonmotorized, multi-use path designed to conform with the TDDP's design standards. The nonmotorized path will provide additional connectivity for pedestrians and cyclists in the Neighborhood Edge character area and promote multimodal accessibility throughout the Prince George's Plaza Transit District. Moreover, this nonmotorized path achieves Transportation and Mobility Strategy 7.3 of the TDDP, that indicates for all streets and paths to provide continuous nonmotorized access even where auto access may not be provided on the property.

8. **Prince George's County Zoning Ordinance:** This CSP has been reviewed for compliance with the requirements of the R-20 Zone, and the T-D-O Zones of the Zoning Ordinance.

Section 27-548.09.01. - Amendment of Approved Transit District Overlay Zone.

(b) Property Owner.

- (1) **A property owner may ask the District Council, but not the Planning Board, to change the boundaries of the T-D-O Zone, a property's underlying zone, the list of allowed uses, building height restrictions, or parking standards in the Transit District Development Plan. The Planning Board may amend parking provisions concerning the dimensions, layout, or design of parking spaces or parking lots.**

The applicant has requested a change in the underlying zone from R-80 to R-20 for development of 137 townhouse dwellings. Plan 2035's principles look to direct future growth toward transit-oriented, mixed-use centers to expand the commercial tax base, capitalize on existing and planned infrastructure investments, and preserve agricultural and environmental resources. The Prince George's Plaza TDDP/TDOZ creates two distinct, but interconnected character areas, the Downtown Core and Neighborhood Edge, that capitalize on the Transit District's existing transit network, recreational amenities, and retail appeal. The property falls within the Neighborhood Edge character area, defined as a residential area that transitions the intensity and vibrancy of the Downtown Core to surrounding established residential neighborhoods. A mix of housing types, including townhouses and single-family detached homes, broadens the Transit District's appeal to current and future residents. The TDDP recommends a Residential Low future land use designation (Map 15, page 74) for the property and a residential density of up to 3.5 dwelling units per acre since the property is within the TDOZ. Under the R-20 Zone, the maximum number of residential units permitted on the property is between 86–210 dwelling units. Based on the density recommendation of up to

3.5 dwelling units per acre for the TDOZ, the maximum number of residential units permitted on the property is 45 dwelling units. The CSP's incorporation of 137 townhouses on the 12.87-acre property does not conform to the principles and guidelines described in the TDDP. The plan zoned the property and recommended the future land use to ensure a low density transition to the existing neighborhood.

Section 27-432 – R-20 Zone (One-Family Triple-Attached Residential).

(a) Purpose

(1) The purposes of the R-20 Zone are:

- (A) To provide for and encourage variation in the size, shape, and width of one-family triple-attached residential subdivision lots, in order to better utilize the natural terrain;**

The CSP incorporates 137 residential townhouses on the property. The size, shape, and width of the residential subdivision lots for the townhouses will be examined more closely during the DSP or preliminary plan of subdivision (PPS) stage of the development.

- (B) To facilitate the planning of higher density one-family developments with small lots and dwellings of various sizes and styles;**

The property owner is requesting the rezoning of the property from the R-80 Zone to the R-20 Zone. The R-80 Zone exclusively permits one-family detached dwellings with a maximum density of 3.0–4.5 dwelling units per acre. The R-20 Zone permits a residential density up to 6.70 dwelling units per acre for one-family detached dwellings, up to 12.44 dwelling units per acre for one-family semidetached dwellings, and up to 16.33 dwelling units per acre for one-family triple-attached dwellings or townhouses. The rezoning from the R-80 to the R-20 Zone creates a higher density of one-family development on the property. The lot and townhouse sizes and styles will be addressed during the DSP or PPS stage of the development.

- (C) To provide for a greater variety of housing types;**

There are single-family detached residential and multifamily residential housing immediately adjacent to the property. The provision of 137 townhouses on the property would contribute to the variety of housing types neighboring the property. However, townhouses are already provided in other areas of the TDDP.

(D) To encourage the preservation of trees and open spaces;

The CSP has incorporated open space areas and passive and active recreational facilities and trails that creates opportunities for an active environment for residents and eases the impact on the public park system.

(E) To prevent soil erosion and stream valley flooding.

The CSP has incorporated a site design that prevents soil erosion, and the property is located outside of the 100-year floodplain.

- c. This CSP conforms with the requirements of Section 27-548.03, Purposes of the Transit District Overlay Zone, of the Zoning Ordinance, as follows:

Section 27-548.03. – Purposes.

(a) The specific purposes of the Transit District Overlay Zone are:

(1) To enhance the development opportunities in the vicinity of transit stations;

The Prince George's Plaza Metro Station is located about 0.75 mile south of the property, and the Adelphi Road-UMD Purple Line Station is proposed about 0.55 mile to the northeast of the property.

(2) To promote the use of transit facilities;

The property owner is requesting to rezone the property from the R-80 Zone to the R-20 Zone to accommodate development of 137 townhouses. The development of townhouses on the property would broaden the scope of existing and future housing types in the neighboring area that aligns with the transit oriented development (TOD) best management practices to maximize potential ridership and utilization of existing and future transit facilities.

(3) To increase the return on investment in a transit system and improve local tax revenues;

The property's proximity to the existing Metro Green and Yellow Lines and the future Maryland Department of Transportation Purple Line encourages ridership and utilization of the County's largest transit systems. Per the statement of justification (SOJ), the property is situated between major employment centers in Washington, DC and within the County, and future residents of the townhouse development will frequently utilize Metro and the Purple Line for commuting purposes. Moreover, the development of townhouses on the property will further activate the TDDP and generate greater tax revenues for the County.

- (4) To create a process which coordinates public policy decisions, supports regional and local growth and development strategies, and creates conditions which make joint development possible;**

The property owner's request to rezone the property from the R-80 Zone to the R-20 Zone within the TDDP requires approval from the Prince George's County District Council. This process coordinates public policy decisions with the local growth and development strategies that are outlined in the TDDP.

- (5) To create a process which overcomes deficiencies in ordinary planning processes and removes obstacles not addressed in those processes;**

The TDOZ allows flexibility in the development process with amendments to the TDDP. Per the SOJ, the rezoning request will overcome deficiencies in the TDOZ that detrimentally restrict housing types and limit the residential capacity on the property.

- (6) To minimize the costs of extending or expanding public services and facilities, by encouraging appropriate development in the vicinity of transit stations;**

The property owner is requesting to rezone the property from the R-80 Zone to the R-20 Zone to accommodate up to 137 townhouses. Providing a variety housing types at an appropriate density within the TDDP aligns with the best management practices and foundational goals of TOD in the County. The rezoning of the property to include a townhouse development encourages efficient land use that utilizes existing public services and facilities within the transit district. As outlined in the TDDP, the residential options that cater to a broad spectrum of households and incomes contribute to sustaining and maintaining the existing infrastructure within the vicinity of the transit stations. However, the plan zoned the property R-80 and finds single-family detached dwellings to be the appropriate development on the property.

- (7) To provide mechanisms to assist in financing public and private costs associated with development;**

Per the SOJ, this case does not utilize any public financing mechanisms, and the mechanisms for financing public and private costs associated with this development will be determined at the DSP stage of the development.

- (8) To provide for convenient and efficient pedestrian and vehicular access to Metro stations;**

Per the SOJ, the property owner is requesting to extend the eastern terminus of Dean Drive to connect with the western terminus of

Calverton Drive. This extension would include a vehicular roadway and multi-use path, designed in accordance with the design standards outlined in the TDDP. The requested connection would provide more opportunities for pedestrians and bicyclists within the transit district by linking the existing and future residential communities in the Neighborhood Edge to Metro character areas in the Downtown Core.

(9) To attract an appropriate mix of land uses;

While there are no commercial uses included on the site plan for this case, the development of townhouses on the property is an appropriate level of residential development in the Neighborhood Edge character area that complements and further activates commercial and mixed-use land uses in the Downtown Core.

(10) To encourage uses which complement and enhance the character of the area;

The TDDP recommends a residential low future land use designation for the property. The property owner's request to develop 137 townhouses does not complement and enhance the character of the Prince George's Plaza Transit District. Providing a variety of housing options for the Neighborhood Edge character area could contribute to the vibrancy of the overall transit district by further activating the area and generating additional patrons for existing retail, amenities, and transit systems located in the Downtown Core, but this property was zoned to ensure a transition to the existing neighborhood. The development of townhouses on the property is not compatible with the existing residential development for the Neighborhood Edge character area and historic property to the north. Maintaining the R-80 Zone advances the TDDP's vision for a transition in intensity that emanates from the Prince George's Plaza Metro Station.

(11) To insure that developments within the Transit District possess a desirable urban design relationship with one another, the Metro Station, and adjoining areas; and

The housing types allowed by right within the R-20 Zone and TDOZ on the property facilitates a desirable and compatible urban design relationship with the recent residential development in the Neighborhood Edge character area, but not with the surrounding residential communities that are immediately adjacent to the property.

(12) To provide flexibility in the design and layout of buildings and structures, and to promote a coordinated and integrated development scheme.

The TDDP recommends a residential low future land use designation for the property. Residential low areas are primarily single-family detached dwellings with up to 3.5 dwelling units per acre. Development within the Prince George's Plaza Transit District are typically developed in a manner that provides flexibility in the design and layout of the buildings and structures and promotes a coordinated and integrated development scheme through the inclusion of TOD design standards. The CSP has included the general layout of the requested townhouses with open space areas and pedestrian pathways; however, the design and layout of the buildings will be examined in more detail during the DSP stage of the development.

9. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:

This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the gross tract area exceeds 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site.

According to the Type 1 tree conservation plan (TCP1) worksheet, the site contains a total of 12.61 acres of woodlands. The site has a woodland conservation threshold of 20 percent or 2.59 acres. The TCP1 proposes to clear 10.57 acres of woodland, resulting in a total woodland conservation requirement of 6.20 acres. The TCP1 proposes to meet the requirement with 2.04 acres of on-site preservation and 4.16 acres of off-site mitigation.

The CSP does not propose to meet the woodland conservation threshold of 2.59-acres on-site. Only 2.04 acres of woodland conservation is proposed on-site with the current design layout. With the exception of the southwestern corner of the site, most of the woodlands proposed for on-site preservation are in lower priority areas of early successional woodlands. Landscape buffering is required to be placed along the Rosemary Lane frontage across the street from an historic site, and with an incompatibility use buffer between the rear yards of existing single-family residential homes to the east and the proposed site (mostly paved) to the west. The proposed prioritization of preservation on-site does not adequately follow the prioritization of woodland preservation per Section 25-121(b), Woodland and Wildlife Habitat Conservation Priorities and Section 25-121(c), Woodland Conservation Requirements. There are opportunities to preserve additional woodland on-site to satisfy at a minimum the woodland conservation threshold, particularly along the boundaries of Rosemary Terrace Park within areas of older successional woodlands associated with unsafe soils.

Because this is strictly a zoning application, the Environmental Planning Section recommended deferring approval of the layout shown on the TCP1 until review of the PPS. The Environmental Planning Section will then evaluate the conformance of the TCP1 with the objectives of Plan 2035, the area master plan, the 2017 *Countywide Green Infrastructure Plan of the Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan* and subdivision requirements. After a discussion with staff, the applicant

agreed to defer approval of the layout at this time and placed a note (General Note 12) that states the layout shown on the TCP1 is conceptual and is not being approved at this time.

Technical revisions to be addressed on the TCP1 prior to signature approval are specified in the Recommendation section at the end of this report.

Specimen, Champion, or Historic Trees

Section 25-122(b)(1)(G) of the WCO 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 Environmental Technical Manual."

An SOJ for a Subtitle 25 variance statement of justification, dated March 4, 2021, was received for review, requesting the removal of 16 of the 28 specimen trees identified on the site. Ten of the specimen trees were rated in good condition. In a response to SDRC comments, a revised TCP1 plan was submitted that showed four of these trees as being saved; however, the variance request was not updated accordingly. Staff recommended a deferment of this assessment until review of the PPS, when more detail regarding the necessary infrastructure to develop the site, such as the ultimate rights-of-way, building locations, and location of SWM facilities will be available. The applicant agreed to this deferment and placed a note under the specimen tree table stating that "the variance request for the removal of specimen trees will be reviewed at the time of the Preliminary Plan of Subdivision."

A revised Subtitle 25 variance request must be submitted to reflect the TCP1 at the time of PPS.

10. **2010 Prince George's County Landscape Manual:** Per page 194 of the TDDP, the TDDP standards replace the comparable standards in the 2010 *Prince George's County Landscape Manual* (Landscape Manual). For standards not covered in the TDDP, the Landscape Manual shall serve as the requirement, unless explicitly stated otherwise. The application will be reviewed for conformance with the applicable Landscape Manual requirements and the landscape requirements of the TDDP at the time of DSP.

The applicant has shown 50-foot bufferyard between the existing single-family to the east that is not required by the TDOZ. The CSP has included a 150-foot buffer adjacent to Hitching Post Hill, along the north side of the property on Rosemary Lane. This buffer also has the potential to be used as a future Maryland-National Capital Park and Planning Commission (M-NCPPC) resource park. The Landscape Manual requires that:

If a developing lot adjoins a designated historic site... located within the Developed Tier... the developing lot shall provide a Type "D" buffer along the entire shared property line (page 93).

A Type D buffer requires a 50-foot minimum building setback, 40-foot minimum landscaped yard, and 160 plant units per 100 linear feet of property line. In this case, the TDDP exempts the development from this requirement at the same time as it encourages mitigation of the impacts to the undeveloped land surrounding Hitching Post Hill, specifically by

incorporating a wide landscaped buffer or park along the edge of the Clay Property. This CSP does not include any access to the developing property from Rosemary Lane.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-127(b)(1)(I) of the Prince George's County Code states that "properties subject to tree canopy coverage requirements contained in an approved T-D-O Zone or a Development District Overlay Zone are exempt from the tree canopy coverage requirements contained in this Division." Pursuant to this section, the tree canopy coverage (TCC) requirements for the TDOZ shall be met through the provision of street, on-site, and other trees preserved by a property owner or provided to comply with other transit district standards and guidelines. Per Section 25-128(b) of the Tree Canopy Coverage Ordinance, properties within the R-20 Zone are required to provide a minimum of 15 percent of the gross tract area to be covered by tree canopy. This property is 12.87 acres and the required TCC for the property is 1.93 acres or 84,093 square feet.
12. **Referral Comments:** This CSP was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**—In a memorandum dated June 17, 2021 (Stabler to Spradley), incorporated herein by reference, the Historic Preservation Commission (HPC) indicated that it reviewed the CSP at its June 15, 2021 meeting. The property is adjacent to and south of Hitching Post Hill (68-001), a County Designated Historic Site. Hitching Post Hill is a large, two-story brick mansion with square plan and dentilled cornice, bracketed cupola, and Greek Revival trim. The house is a unique example of its type in the County. Hitching Post Hill was built by Robert Clark, an Englishman who acquired the land from George Calvert in 1836. The HPC recommended approval of CSP-20007, with the conditions provided in the Recommendation section of this report.
 - b. **Community Planning**—In a memorandum dated June 16, 2021 (Hartsfield to Spradley), incorporated herein by reference, the Community Planning Section stated that, pursuant to Section 27-548.09.01(b)(5) Amendment of Approved Transit District Overlay Zone, the requested amendment to the TDOZ does not conform with the purposes and recommendations for the Transit District, as stated in the TDDP because the TDDP recommends Residential Low land uses on the property. The TDDP describes Residential Low as residential areas up to 3.5 dwelling units per acre, primarily single-family detached dwellings (page 358). The requested R-20 Zone will allow townhouse development up to 16.33 dwelling units per acre with an approved DSP. Potential townhouse densities of this magnitude do not align with the vision of the character area to have lower-density residential uses that transition from the higher-density core to the existing neighborhood.
 - c. **Transportation Planning**—In a memorandum dated June 14, 2021 (Smith and Hancock to Spradley), incorporated herein by reference, the Transportation Planning Section stated that, from the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a CSP, as described in the Zoning Ordinance. There are no transportation-related findings related to traffic or adequacy associated with this CSP, as transportation adequacy will be tested with a future PPS.

The Transportation Section concluded that the conceptual site access and circulation of this plan is acceptable, consistent with the site design guidelines pursuant to Section 27-283 of the Zoning Ordinance and meets the findings required by Section 27-285(b) of the Zoning Ordinance for a CSP for transportation purposes and the TDDP, with recommended conditions included in this staff report.

Details regarding pedestrian, bicyclist, and transit improvements will also be reviewed and addressed at the time of PPS and DSP review, when more details are available.

- d. **Environmental Planning**—In a memorandum dated June 15, 2021 (Juba to Spradley), incorporated herein by reference, the Environmental Planning Section provided a review of the CSP's conformance with the approved Natural Resources Inventory Plan (NRI-044-2020), the woodland conservation threshold, the specimen, champion, or historic trees, soils, and SWM features that are on the property, and have been incorporated by reference or within this report.
- e. **Subdivision**—In a memorandum dated May 24, 2021 (Gupta to Spradley), incorporated herein by reference, staff noted that there are no prior approvals for the property. This development will require a PPS, in accordance with Section 24-107 of the Prince George's County Subdivision Regulations. PPS 4-20037 has been filed for this development and is currently in the pre-acceptance review stage. A CSP must be approved prior to approval of a PPS for the property. The Subdivision Section also provided the following comments:
 - (1) A PPS is required. The CSP must be approved before the PPS is approved on the property.
 - (2) Appropriate width for dedication of right-of-way along Rosemary Lane abutting the site, and right-of-way widths for streets internal to the development will be determined at the time of PPS. The location of a required 10-foot public utility easement will be determined with the PPS and once the disposition of the ultimate public and private rights-of-way are known.
 - (3) The CSP identifies one location near the stormwater pond for provision of on-site recreational facilities. Adequacy of mandatory parkland dedication for the provision for on-site recreational facilities will be analyzed with the PPS.
 - (4) Recordation of a final plat of subdivision is required following approval of a PPS and a detailed site plan (DSP), prior to the approval of building permits for the property.
- f. **Prince George's County Department of Parks and Recreation**—In a memorandum dated June 2, 2021 (Burke to Spradley), incorporated herein by reference, the Department of Parks and Recreation (DPR) noted that the property adjoins M-NCPPC parkland to the west and at the northwestern corner, known as Rosemary Terrace Park, and the property is currently undeveloped. Because this development will be a residential subdivision, the mandatory dedication of parkland

will be required at the time of PPS. DPR staff recommended for the development to consider and provide additional details on connections to M-NCPPC parkland.

- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this report, the Fire/EMS Department did not offer comments on this CSP.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement**—At the time of the writing of this report, the Department of Permitting, Inspections and Enforcement did not offer comments on this CSP.
- i. **Prince George's County Police Department**—At the time of the writing of this report, the Police Department did not offer comments on this CSP.
- j. **Prince George's County Health Department**—In a memorandum dated April 12, 2021 (Adepoju to Spradley), incorporated herein by reference, the Health Department provided the following comments on this CSP:
 - (1) There are no existing carry-out/convenience store food facilities or grocery stores/markets within a 0.5 mile radius of this property. The nearest food facilities are located within 1 mile of the property. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity.
 - (2) The property is located in the recharge area for the Patuxent aquifer, a groundwater supply that serves Patuxent Wildlife Research Center. Conversion of green space to impervious surface in this recharge area could have long term impacts on the sustainability of this important groundwater resource.
 - (3) Indicate how the development will provide for pedestrian access to the property by residents of the surrounding community and connections for safe pedestrian access to the site via the existing pedestrian network. Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how the development of the property will provide for safe pedestrian access to amenities in the adjacent communities.
 - (4) The public health value of access to active recreational facilities has been well documented. Indicate the location of active recreational facilities within 0.25 mile of the property.
 - (5) As a water conservation measure, the developer should consider design for and implementation of water reuse practices for the buildings and/or landscaping on the property.
 - (6) The plans should include open spaces and pet friendly amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and

water sources are strongly recommended at strategic locations in the designated outdoor play/recreational areas.

- (7) During the construction phases of this development, no dust should be allowed to cross over property lines and impact the adjacent properties. Indicate the intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
- (8) During the construction phases of this development, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate the intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.

k. **Maryland State Highway Administration**—At the time of the writing of this report, the Maryland State Highway Administration did not have comments on this CSP.

- 13. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP, if approved, represents a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the requested development for its intended use.
- 14. Section 27-276(b)(4) for approval of a CSP, requires that the regulated environmental features 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 Subdivision Regulations. The layout shown on the TCP1 is conceptual and is not being approved at this time. The Subtitle 25 variance request for the removal of specimen trees is deferred for review at the time of the PPS.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Zoning staff recommends that the Planning Board adopt the findings of this report and DISAPPROVE Conceptual Site Plan CSP-20007 and Type 1 Tree Conservation Plan TCP1-007-2007 for Clay Property.

If the Planning Board chooses to approve the conceptual site plan, staff recommends the following conditions:

- 1. Provide a note on the site plan that states “No access shall be permitted from Rosemary Lane.” Conceptual Site Plan CSP-20007 does not include any access (roads, sidewalks, or trails) from Rosemary Lane to the developing property. Accordingly, in order to preserve the character of the adjacent historic site, Hitching Post Hill (68-001), the property owner, their heirs, successors and/or assignees shall not provide access to the property from Rosemary Lane, and shall maintain the 150-foot-wide buffer along Rosemary Lane with all subsequent associated applications, pursuant to this CSP.
- 2. Prior to approval of any grading permit, according to the Prince George's County Planning Board's 2005 Guidelines for Archeological Review, archeological investigations shall be required to determine if any cultural resources are present. The property owner shall

submit a Phase I research plan for approval by the staff archeologist, prior to commencing Phase I work. Evidence of Maryland-National Capital Park and Planning Commission concurrence with the final Phase I report and any other required archeological studies is required, prior to issuance of the grading permit.

3. Upon receipt of the Phase I archeological report by the Prince George's County Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to any ground disturbance or approval of any grading permits, the property owner shall provide a plan for:
 - a. Evaluating the resource at the Phase II level, or
 - b. Avoiding and preserving the resource in place.
4. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the property owner shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland, prior to any ground disturbance or approval of any grading permits.
5. Depending upon the significance of the findings (at the Phase I, II, or III level), the property owner shall provide interpretive signage. The location and wording shall be subject to approval by the staff archeologist, prior to issuance of any building permits.
6. Prior to the acceptance of the detailed site plan, the applicant, and the applicant's heirs, successors, and/or assignees shall revise the plans to provide:
 - a. A minimum 5-foot-wide sidewalk along both sides of all internal roadways and along the property frontage of Rosemary Lane;
 - b. A pedestrian connection between Dean Drive and Calverton Drive;
 - c. Pedestrian-scale lighting throughout the site;
 - d. A minimum of two inverted U-style bicycle racks, or a style similar bicycle rack that allows for two points of secure contact needs to be provided at all future recreational areas. Provide a detailed exhibit of the bicycle racks;
 - e. All internal streets shall conform to the 2016 *Approved Prince George's Plaza Transit District Development Plan and Transit District Overlay Zoning Map Amendment* standards and future rights-of-way shall accommodate the necessary facilities from the standards;
 - f. Emergency vehicle access from Calverton Drive. Prior to the certificate approval of the conceptual site plan (CSP), the CSP, the natural resources inventory, and the Type 1 tree conservation plan shall be revised to reconcile the acreage for the net tract area.
7. Prior to the certificate approval of the conceptual site plan, a revised natural resources inventory (NRI) shall be approved that:

- a. Resolves the inconsistency between the forest stand acreage in the NRI Site Statistics Table and the Forest Stand Descriptions Table.
 - b. Revises the Specimen Tree Table to correctly identify trees that are on- and off-site, consistent with the NRI plan.
- 8. Prior to certificate approval of the conceptual site plan, the Type 1 tree conservation plan (TCP1) shall be revised as follows: Clay Property; CSP-20007 and TCP1-007-2021
June 15, 2021, Page 5
 - a. Remove the Woodland Preservation Sign symbol from the legend.
 - b. Revise the TCP1 worksheet, as needed, to correctly reflect woodland conservation requirements for the site.