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Preliminary Plan of Subdivision PPS-2023-026

Iglesia de Jesucristo Palabra Miel

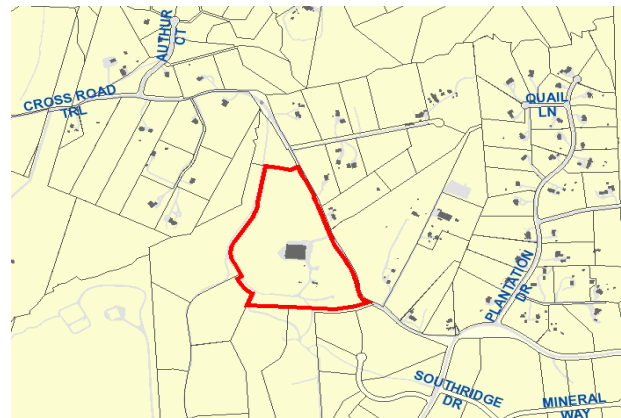
REQUEST	STAFF RECOMMENDATION
A conservation subdivision for one parcel for 10,247 square feet of institutional development.	With the conditions recommended herein: <ul style="list-style-type: none">• Approval of Preliminary Plan of Subdivision PPS-2023-026• Approval of Type 1 Tree Conservation Plan TCP1-001-2024

Location: On the west side of Cross Road Trail, approximately 2.7 miles south of its intersection with US 301 (Robert Crain Highway).

Gross Acreage:	43.38
Zone:	AG
Gross Floor Area:	10,247 sq. ft.
Dwelling Units:	0
Lots:	0
Parcels:	1
Planning Area:	86A
Council District:	09
Municipality:	N/A

Applicant/Address:
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Planning Board Date:	05/02/2024
Planning Board Action Limit:	05/24/2024
Mandatory Action Timeframe:	140 days
Staff Report Date:	04/23/2024
Date Accepted:	01/04/2024
Informational Mailing:	12/04/2023
Acceptance Mailing:	01/08/2024
Sign Posting Deadline:	04/02/2024

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mnccppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision PPS-2023-026
Type 1 Tree Conservation Plan TCP1-001-2024
Iglesia de Jesucristo Palabra Miel

OVERVIEW

The property is known as Parcel 4, a legal acreage parcel, that has never been the subject of a preliminary plan of subdivision (PPS) or record plat. The property is 43.38 acres and zoned Agriculture and Preservation (AG). The property is subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (master plan), Subtitles 24 and 27 of the Prince George's County Code, and other applicable plans, as outlined herein. The subject property is currently improved with a barn and several ancillary structures, of which the barn and one accessory structure will remain for new development.

A conservation subdivision is required for the proposed development in accordance with Section 24-4702(a)(1)(A) of the Subdivision Regulations. The property is in Sustainable Growth Tier IV, and a single parcel is anticipated; however, the subject property has been the result of a previous inter-family conveyance, in accordance with Section 24-1404(c) of the Subdivision Regulations. The applicant proposes to preserve the environmental features of the site, within a conservation subdivision easement, to meet the requirement for a conservation subdivision. In accordance with Section 24-4704(c)(4)(I) of the Subdivision Regulations, a conservation subdivision easement will be recorded, with a not-for-profit land conservation organization being party to the easement.

The Sketch Plan SKH-2023-001, which was completed for this project, described the environmental features that exist on the site, and which were recommended for conservation. The environmental features existing on-site include existing woodlands, specimen trees, and steep slopes, as shown on the conservation and development areas map. These features total 30.37 acres, cover 70 percent of the gross tract area, and are contiguous both internally to the site and with environmental features on surrounding properties. The woodland recommended to be preserved along Cross Road Trail will also help conserve the scenic and historic qualities of the roadway. The submitted PPS shows all of the previously identified features on the site for conservation. Analysis of the site's environmental features, and analysis of the requirements of a conservation subdivision, are given in the Environmental finding and Conservation Subdivision Criteria for Approval finding of this technical staff report.

Staff recommend **APPROVAL** of the PPS, with conditions, based on the findings contained in this technical staff report.

SETTING

The subject property is located on Tax Map 136 in Grids E-4 and F-4, and on Tax Map 146 in Grids E-1, and F-1. The subject site is within Planning Area 81A. The property is located on the west side of Cross Road Trail, approximately 2,100 feet north of its intersection with Keys Road and approximately 2.7 miles south of its intersection with US 301 (Robert Crain Highway). The property is surrounded by properties which are similarly zoned AG. The properties to the north, west, and south are wooded, while the properties to the east, across Cross Road Trail, are improved with agricultural and single-family detached residential uses. Cross Road Trail is classified as a scenic and historic road in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT).

The subject property is currently improved with a 41,400-square-foot metal frame barn, two ancillary storage structures (898 square feet), a pavilion (433 square feet), a guard house (1,047 square feet), and a cell tower. The barn, the guard house, and the cell tower are proposed to remain; however, the other existing structures are proposed to be razed.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	EVALUATED
Zones	AG	AG
Use(s)	Residential	Institutional (Conservation Subdivision)
Acreage	43.38	43.38
Parcels	1	1
Lots	0	0
Dwelling Units	0	0
Gross Floor Area	43,778 sq. ft.	10,247 sq. ft.*
Variance	No	No
Variation	No	No

Note: *Of the existing 41,400-square-foot barn structure, 9,200 square feet is proposed to be used as a place of worship, and the remaining area will only be used to provide parking for the proposed use. The area of the existing barn used for parking is not included in the evaluated gross floor area, although the entire 41,400-square-foot structure is to remain, as it is excluded by definition of gross floor area in the Zoning Ordinance. The existing 1,047-square-foot guard house will remain as an accessory structure.

The subject PPS was accepted for review on January 4, 2024. Pursuant to Section 24-3305(e) of the Prince George's County Subdivision Regulations, this case was referred to the Subdivision and Development Review Committee (SDRC), which held a meeting on January 19, 2024, where comments were provided to the applicant. Revised plans were received on March 28, 2024, which were used for the analysis contained herein.

2. **Previous Approvals**—Special Exception SE-3426 was approved by the Prince George’s County District Council in 1983 for an approximately 24.6-acre portion of the property for sand and gravel mining use. SE-3836 was approved by the District Council in 1989 for an approximately 2.54-acre portion of the property as part of a larger 30.53-acre tract of land, also for sand and gravel mining use. These operations, on the subject property, ceased around 1993, and the conditions of approval of the special exceptions are not applicable to the current PPS.

The property was subsequently used as an equestrian center between 2000 and 2018. The center is no longer in use. The southeastern corner of the property is used for a cell tower, which is to remain.

A conservation Sketch Plan, SKH-2023-001, was certified as complete by the Prince George’s County Planning Director on July 21, 2023, which is required as a prerequisite to the acceptance of this PPS for a conservation subdivision, in accordance with Section 24-4703(b).

3. **Community Planning**—Pursuant to Section 24-4101(b)(1) of the Subdivision Regulations, consistency with the 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and conformance with the master plan land use recommendations are evaluated as follows:

Plan 2035

Plan 2035 places this property in the Rural and Agricultural Growth Policy Area. “Rural Areas are home to low-density residential communities served by well and septic, significant natural resources, and important historic scenic roads and viewsheds. Plan 2035 recommends Rural Areas remain low-density residential or support park and open space land uses and focuses new investment on maintaining existing infrastructure and stabilizing small-scale neighborhood-oriented commercial activities that support the areas’ rural lifestyle and character. Plan 2035 defines Agricultural Areas as areas suitable for agricultural activities and forestry preservation. Plan 2035 recommends continuing to protect these areas in order to preserve the agricultural sector and the land base on which it depends” (page 20). This PPS is consistent with the vision, policies, and strategies of Plan 2035 because no new buildings or structures are proposed, and the existing forestry and open space will be maintained on the subject property.

Master Plan

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035 remain in full force and effect (except for the designation of tiers, corridors, and centers), until those plans are revised or superseded.

The master plan recommends rural land use on the subject property. The intended land uses for the rural tier are agricultural land (cropland, pasture, farm fields), forest, and very low-density residential. The County’s intent is for these areas to remain rural and to conserve the natural resources of these areas, primarily forest and forest resources, for future generations. New residential development is permitted at a maximum density of one dwelling unit per five acres.

Staff find that, pursuant to Section 24-4101(b)(1), the proposed conservation, as part of this PPS, conforms to the land conservation recommendation of the master plan. Regarding the land use, a place of worship is permitted in the Agriculture and Preservation (AG) Zone.

Section 24-4101(b)(3) provides that the Zoning Ordinance supersedes in the instance of conflict between the master plan and the Zoning Ordinance. In addition, the master plan recommends the following policies and strategies for the subject property, which remain applicable:

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

Strategy 5: Protect portions of the green infrastructure network outside of the primary and secondary corridors to restore and enhance environmental features, habitat, and important connections (page 69).

As provided in the applicant's statement of justification (SOJ), the applicant does not propose any additional development on existing open space on the property or removal of any existing trees or forestry on the property, thereby preserving and protecting the site's environmental features as recommended by the master plan.

Zoning

The master plan retained the subject property in the prior Open Space (O-S) Zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Map Amendment (CMA), which reclassified the subject property from the O-S Zone to AG Zone, effective April 1, 2022.

4. **Stormwater Management**—Pursuant to Section 24-4303(b) of the Subdivision Regulations, a PPS shall not be approved until evidence is submitted that a stormwater management (SWM) concept plan has been approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

A copy of the previously approved SWM Concept Plan (48199-2022-0) was provided; however, due to revisions to the proposed impervious area, a revised SWM concept plan is required. To meet the required net lot coverage requirements for a conservation subdivision, the applicant proposes to remove 39,305 square feet of existing gravel driveways and parking area. These revisions impact the limit of disturbance (LOD) shown on the SWM concept plan. The LOD is, however, not reflected on the Type 1 tree conservation plan (TCP1). Prior to signature approval of the PPS, the TCP1 shall be revised to show the LOD, and a revised and approved SWM concept plan shall be submitted and shall be in conformance with the PPS and TCP1 as approved by the Planning Board.

Staff find that development of the site, in conformance with SWM concept approval and any subsequent revisions, to ensure that no on-site or downstream flooding occurs, satisfies the requirements of Sections 24-4303 and 24-4403 of the Subdivision Regulations.

5. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the master plan, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space*, and the Subdivision Regulations (Subtitle 24), as they pertain to public parks and recreational facilities.

Subdivision Regulations Conformance

Section 24-4601 of the Subdivision Regulations, which relates to mandatory dedication of parkland, provides for the dedication of land, the payment of a fee in-lieu, and/or the provision of private recreational facilities to meet the park and recreation needs of the residents of the subdivision. This application is exempt from Section 24-4601 because it is a non-residential development.

Master Plan Conformance

The master plan contains goals and policies related to recreation centers (pages 176–187); however, these are not specific to the subject site, or applicable to the proposed development.

6. **Transportation (bicycle, pedestrian, and vehicular)**—This PPS was reviewed for conformance with the MPOT, the master plan, and the Subdivision Regulations, to provide the appropriate transportation recommendations.

Master Plan Right-of-Way

The subject property has frontage on Cross Road Trail (C-624) along the eastern bounds of the site. Per the MPOT and the master plan, the portion of Cross Road Trail fronting the subject property is designated as a two-lane collector roadway with an ultimate right-of-way (ROW) width of 80 feet. The PPS proposes public ROW dedication along the site's frontage of Cross Road Trail, to provide a 40-foot-wide ROW from the road centerline, specifically, 48,787 square feet or 1.12 acres. Staff find that the proposed dedication is sufficient to meet the master plan's recommended ROW width for Cross Road Trail along the property's frontage.

Master Plan Pedestrian and Bike Facilities

The MPOT recommends the following master-planned facilities along the property frontage:

- Planned Shared Roadway: Cross Road Trail

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, page 10):

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

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

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The master plan discusses strategies to promote and encourage cycling and walking, as an alternative for commuting and recreational purposes (pages 107–108). Strategy 1 is copied below:

Strategy 1: Incorporate bicycle-compatible road improvements with future frontage improvements or road construction projects.

Cross Road Trail is a planned shared roadway per the MPOT. The master plan supports frontage improvements designed for greater bicycle-compatible roadways. As a condition of approval, staff recommend the applicant provide shared road pavement marking and signage along the subject property's frontage of Cross Road Trail, unless modified with written correspondence from the operating agency. In addition, staff recommend the applicant provide bicycle parking at a location within 50 feet of the entrance of the building. Two bicycle racks (inverted U-style or a similar model that provides two points of contact for a parked bicycle), which provide parking for four bicycles, is sufficient.

Zoning Ordinance Development Standards – Access and Circulation

The applicant proposes one point of vehicle entry along Cross Road Trail, which was analyzed with the traffic impact study, and found to be sufficient for vehicle movement into and out of the site. An on-site driveway provides access to the building and parking area. This internal driveway is confined only to the site, thereby ensuring that no cut-through traffic will impact the site. Staff find vehicular access and circulation for the proposed development to be sufficient.

The SOJ indicates that the portion of the building not being converted to a church will be used for site parking. The applicant has noted that minor modifications to the building will be required to provide parking and sprinkler systems. The applicant has also included a ground-level site layout which demonstrates how the interior parking area will be accessed by vehicles. Parking will be further evaluated at the time of permit review. However, staff find the applicant's submission to be sufficient in terms of site circulation and access to the parking area.

Sections 27-6207(b) and 27-6208(b) of the Zoning Ordinance contain requirements for cross-access between adjoining developments' internal pedestrian and bicycle circulation systems (respectively), which apply to this site. The subject property is bound by public rights-of-way on the east side. The properties to the north, south, and west are zoned AG, and though these are vacant presently, they are owned by a corporate entity operating in industrial uses. These surrounding properties are unlikely to be developed in a manner that allows for cross-access, and any cross-access to these properties is impractical and undesirable. Conformance to the requirements of Section 27-6200 of the Zoning Ordinance will be further evaluated at the time of permit review.

Based on the preceding findings, staff find that the proposed access and circulation is sufficient. The vehicular, pedestrian, and bicycle transportation facilities will serve the proposed subdivision, meet the required findings of Subtitle 24, and conform to the MPOT and master plan, with the recommended conditions.

7. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-4104(b)(1) of the Subdivision Regulations. The master plan identifies the following goals for the provision of public facilities (pages 119–143):

1. **Provide residents of Subregion 6 needed public facilities in locations that serve existing and future populations.**

2. **Ensure that all new public facilities will be constructed to LEED standards and existing buildings will be retrofitted to make them as energy efficient and sustainable as possible.**
3. **Maintain the high level of service by providing essential equipment and professional training for personnel.**
4. **Priority will be given to funding public facilities to support development in the Developing Tier.**

The proposed development will not impede achievement of the above-referenced goals. This PPS is subject to Certificate of Adequacy, ADQ-2023-046, which established that pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property in the master plan.

The subject site is located in Planning Area 86A – “Croom-Naylor”. The 2024–2029 *Fiscal Year Approved Capital Improvement Program Budget* does not identify any new facilities proposed for construction in the planning area.

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

The subject property is located in Sustainable Growth Tier IV. Tier IV includes those properties served by permanent individual water supply and wastewater disposal systems (well and septic systems), as required by Section 24-4404 of the Subdivision Regulations. Pursuant to Section 24-4405 of the Subdivision Regulations, the 2018 *Water and Sewer Plan* placed this property in Water and Sewer Category 6, Individual Systems. Category 6 comprises all areas outside the limit of planned water and sewer service (Sewer Envelope), and of certain larger tracts of parkland and open space inside the Sewer Envelope.

8. **Public Utility Easement**—In accordance with Section 24-4401, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for public utility easements (PUE) is given in Section 24-4205. PUEs must be located outside of the sidewalk and must be contiguous to the ROW. The subject property has frontage on Cross Road Trail. The PPS shows a PUE along the entire frontage on Cross Road Trail, at a minimum of 10 feet wide.

9. **Historic**—The master plan contains goals and policies related to Historic Preservation (pages 161–174). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic, and historic maps, and locations of currently known archeological sites, indicates the probability of archeological sites within the LOD for the subject application is low. The subject property

does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources. This proposal will not impact any historic sites, historic resources, or significant archeological sites.

10. **Environmental**—Staff find that the application is in conformance with the environmental regulations of Sections 24-4101(b), 24-4300, and 24-4703 of the Subdivision Regulations, and Section 27-6800 of the Zoning Ordinance, as discussed herein. The following applications and associated plans were previously reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan or Natural Resources Inventory Number	Authority	Status	Action Date	Resolution Number
SE-3426	N/A	District Council	Approved	6/11/1984	Z.O. 25-1984
NRI-190-2022	N/A	Staff	Approved	1/26/2023	N/A
SKH-2023-001	N/A	Planning Director	Approved	7/21/2023	N/A
PPS-2023-026	TCP1-001-2024	Planning Board	Pending	Pending	Pending

Grandfathering

This project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 because the application is for a new preliminary plan for a conservation subdivision.

Site Description

The subject property is a 43.38-acre site in the AG Zone located on the west side of Cross Road Trail, approximately 2,100 feet north of its intersection with North Keys Road. Cross Trail Road is a scenic and historic road. The site is partially developed with an existing 41,400-square-foot building that was formerly used as an equestrian center. An existing cell tower with an access easement (recorded in Liber 33427 folio 001) is located in the southeast corner of the property and will remain with the addition of the proposed use. The site contains 27.49 acres of woodland within the Mataponi Creek and Patuxent River watersheds. The site contains regulated environmental features (REF) that include on-site streams, stream buffers, wetlands, wetland buffers, and steep slopes. The site is within the Croom-Naylor Planning Area 86A.

Prior Approvals

Section 24-4703(b) requires the completion of the sketch plan process before a PPS application for a conservation subdivision is accepted. It is further required that the Planning Director or designee certify the completion of the sketch plan process, prior to acceptance of the PPS. Staff reviewed Conservation Sketch Plan SKH-2023-001 to determine if the sketch plan fulfilled the intents listed in Section 24-4700. SKH-2023-001 was approved by the Planning Director on July 21, 2023, with no conditions of approval, and met the criteria for conservation sketch plan, pursuant to Section 24-4703(c)(1) of the Subdivision Regulations. The submitted TCP1 is in general conformance with SKH-2023-001.

CONFORMANCE TO APPLICABLE PLANS

Prince George's Plan 2035

The site is located within the Environmental Strategy Area 3 of the Regulated Environmental Protection Areas Map as designated by Plan 2035, and within the rural and agricultural areas of the General Plan Growth Policy.

Master Plan

The master plan contains environmental related policies and strategies that are applicable to this PPS. The text in **BOLD** is the text from the master plan and the plain text provides comments on the plan's conformance.

POLICY 1: Protect, preserve, and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities.

Strategies

2. **Protect primary corridors (Patuxent River, Charles Branch, Collington Branch, Piscataway Creek, Mattawoman Creek, and Swanson Creek) during the review of land development proposals to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements. Protect secondary corridors to restore and enhance environmental features, habitat, and important connections.**
3. **Preserve and connect habitat areas to the fullest extent possible during the land development process.**
4. **Preserve or restore regulated areas designated in the green infrastructure network through the development review process for new land development proposals.**

The site is located within the Mataponi Creek and Patuxent River watersheds. The project utilizes Strategies 2–4 through the full protection and preservation of the green infrastructure network on-site, which is comprised of woodland, streams, stream buffers, wetlands, wetland buffers, and steep slopes. The application proposes all 27.49 acres of woodland to be preserved, as shown on TCP1-001-2024. In addition, 30.37 acres, or 70 percent of the gross tract area, is proposed to be placed into a conservation subdivision easement.

POLICY 2: Restore and enhance water quality in degraded areas and preserve water quality in areas not degraded.

Strategies

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

3. **Require retrofitting of locations without stormwater management, or with poorly performing facilities, as they are identified during the development review process.**
7. **Require environmentally-sensitive site design which includes limiting impervious surfaces and implementing best practices in on-site stormwater management to reduce the impact of development on important water resources.**

The project utilizes Strategies 1 and 7 to address water quality. As mentioned, the on-site wetlands (groundwater recharge areas) will be protected as a result of this PPS. In conformance with Strategy 3, a SWM concept plan has been evaluated and approved by DPIE. A copy of the previously approved SWM Concept Plan (48199-2022-0) has been provided; however, due to revisions in net lot coverage area, a revised SWM concept plan is required.

POLICY 3: Increase planning and informational data collection efforts at the watershed level, raising the profile and awareness about the importance of shared aquifers and other resources to water quality and supply.

Strategies

7. **Require the use of low-nitrogen septic systems in the Rural Tier portion of the subregion within 1,000 feet of any stream or tributary.**

The existing septic system will be upgraded to meet the requirements of the proposed new use, in compliance with the current standards for septic systems. The site relies on a septic system and well, which will be reviewed and permitted through the Prince George's County Health Department. As mentioned, the on-site REF that provide water quality benefits are proposed to be preserved and protected.

POLICY 4: Protect, restore, and enhance the Chesapeake Bay Critical Area.

The site is not located within the Chesapeake Bay Critical Area.

POLICY 5: Promote compact, walkable development patterns in appropriate locations such as the Town of Upper Marlboro...

The site is not located within the Town of Upper Marlboro, nor is it an appropriate location for walkable development patterns.

POLICY 6: Increase awareness regarding air quality and greenhouse gas (GHG) emissions and the unique role that the Developing and Rural Tiers in Subregion 6 have to play in this effort.

Air quality is addressed regionally. As mentioned, the on-site REF, that provide air quality benefits, are proposed to be preserved and protected.

POLICY 7: Encourage the use of green building techniques and community designs that reduce resource and energy consumption.

Strategies

1. **Support this subregion’s policy of redevelopment and infill development in existing and planned development areas rather than “green field” development.**

The project utilizes Strategy 1 by proposing the repurposing of an existing building, rather than proposing a “green field development.”

POLICY 8: Reduce energy usage from lighting, as well as light pollution and intrusion into residential, rural, and environmentally sensitive areas.

POLICY 9: Reduce adverse noise impacts to meet acceptable state noise standards.

Policies 8 and 9 will be reviewed and addressed with a future application.

2017 Countywide Green Infrastructure Plan

According to the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George’s County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the site contains regulated areas and evaluation areas. This area is comprised of woodland, wetland, streams, and steep slopes.

The following policies and strategies are applicable to the subject application. The text in **BOLD** is the text from the Green Infrastructure Plan and the plain text provides comments on plan conformance.

POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George’s 2035.

Strategies

- 1.1 **Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:**
 - a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**

- c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. **Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these**
- 1.2 **Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**
 - a. **Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

- 2.4 **Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/ or planting of a new corridor with reforestation, landscaping and/or street trees.**
- 2.5 **Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**
- 2.6 **Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.**

The property is not located in a sensitive species project review area. A copy of the previously approved SWM Concept Plan (48199-2022-0) has been provided; however, due to revisions in the LOD and the total proposed impervious area on site, a revised SWM concept plan is required. As mentioned, the on-site green infrastructure network is proposed to be fully preserved and protected. No woodland clearing is proposed and no impacts to REF are proposed.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

- 3.3 **Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**

- a. **Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**
- b. **Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No proposed transportation systems or trail systems exist or are proposed with this PPS that will have an impact on the ecological function of the green infrastructure network on-site.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

A draft conservation subdivision easement document was submitted with the PPS and will be evaluated at the time of final plat. This document delineates 30.37 acres, or 70 percent of the gross tract area, as proposed to be placed into a conservation subdivision easement, protecting all on-site REF.

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

Strategies

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

Although a revised SWM concept plan is required, no impacts to REF for SWM facilities or other development are proposed, and the on-site streams, stream buffers, and wetlands are proposed to be preserved.

POLICY 6: Coordinate environmental efforts to ensure a sustainable water supply for residents and businesses.

6.2 Monitor available private well information to recognize and address trends in well water quality.

The site relies on a well, which will be reviewed and permitted through the Prince George's County Health Department.

POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

Forest Canopy Strategies

- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**
- 7.18 Ensure that new, more compact developments contain an appropriate percentage of green and open spaces that serve multiple functions such as reducing urban temperatures, providing open space, and stormwater management.**

The application proposes all of the woodland to be preserved, and the entirety of the development's woodland conservation requirement will be met on-site. The use of off-site tree banks and fee-in-lieu of providing the requirement on-site will not be utilized. The forest interior dwelling (FIDS) habitat will be protected with the 30.37 acres proposed to be placed into a conservation subdivision easement. Any plant materials proposed to fulfil the 2018 *Prince George's County Landscape Manual* (Landscape Manual) requirements shall be native plants.

POLICY 12: Provide adequate protection and screening from noise and vibration.

Strategies

- 12.2 Ensure new development is designed so that dwellings or other places where people sleep are located outside designated noise corridors. Alternatively, mitigation in the form of earthen berms, plant materials, fencing, or building construction methods and materials may be used.**

The site is not in proximity to any sources of adverse noise impacts which would need mitigation. No new development is proposed.

ENVIRONMENTAL REVIEW

Natural Resources Inventory Plan

Section 27-6802 of the Zoning Ordinance requires an approved natural resources inventory (NRI) plan with PPS applications. An approved NRI-190-2022 was submitted, showing that the site contains streams, stream buffers, wetlands, wetland buffers, and steep slopes that comprise the primary management area (PMA). Additionally, the site contains 27.49 acres of existing woodland and 10.64 acres of PMA. No additional information is required regarding the NRI.

Woodland Conservation

This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance because the application is for a new PPS and is subject to the requirements of the Environmental Technical Manual (ETM). The woodland conservation threshold (WCT) for this 43.38-acre property is 50 percent of the net tract area or 21.69 acres. The total woodland conservation requirement is 21.69 acres. This requirement is proposed to be met with the preservation of all 27.49 acres of woodland. No woodland clearing is proposed with this application.

Conservation and Development Plan

SKH-2023-001 included a conservation and development plan, which depicted proposed conservation areas, in accordance with Section 24-4704(c)(2) of the Subdivision Regulations. This plan proposed 30.37 acres of conservation area, or 70 percent of the gross tract area, which meets the minimum amount required for the site (Section 24-4704(a)(1)). The PPS depicts this proposed conservation area in conformance with SKH-2023-001.

As part of the PPS application, a draft conservation easement document was submitted in accordance with Section 24-3402(e)(1) of the Subdivision Regulations. The conservation easement will be further evaluated at the time of final plat.

Regulated Environmental Features

REF are required to be preserved and/or restored to the fullest extent possible under Section 24-4300 of the Environmental Standards of Subdivision Regulations. The on-site REF includes streams, stream buffers, wetlands, wetland buffers, and steep slopes. There are no proposed impacts to the PMA with this application.

Specimen Trees

No specimen trees are proposed to be removed with this application.

Soils

Section 24-4101(c)(1) of the Subdivision Regulations states that “The Planning Director or Planning Board, as appropriate, shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to a) natural conditions, including but not limited to flooding, erosive stream action, high water table, unstable soils, severe slopes or soils that are unstable either because they are highly erodible or prone to significant movement or deformation (Factor of Safety < 1.5), or b) man-made conditions on the land, including but not limited to unstable fills or slopes.”

According to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, soils present include Marr-Doden complex, Westphalia, and Doden soils, and Widewater-Issue soils. Marlboro and Christiana clays are not found to occur on this property.

Erosion and Sediment Control

Section 24-4303(d)(7) of the Subdivision Regulations requires an approved grading, erosion, and sediment control plan. Development shall comply with the requirements for sedimentation and erosion control in accordance with Subtitle 32, Division 2, Grading, Drainage and Erosion and Sedimentation Control, of the Prince George’s County Code.

A copy of the approved Erosion and Sediment Control Plan, STD-31-24, was submitted, which depicts a stockpile/staging area in the PMA. The Prince George’s County Soil Conservation District has been contacted, and the applicant has indicated that a revision to the erosion and sediment control plan is under review. The revised plan shall relocate the stockpile outside of the PMA and shall be in conformance with the PPS and TCP1, as approved by the Planning Board.

The Type 2 tree conservation plan (TCP2) must reflect the ultimate LOD, not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure, including erosion and sediment control measures. Prior to certification of the TCP2, a copy of the revised erosion and sediment control technical plan must be submitted, so that the ultimate LOD for the project can be verified and shown on the TCP2.

Based on the LOD shown on the TCP1 and the level of design information available at the present time, staff find that the REF on the subject property have been preserved and/or restored to the fullest extent possible.

- 11. Urban Design**—The review of the subject application is evaluated for conformance to the Prince George’s County Zoning Ordinance, as follows:

The proposed use as a place of worship is permitted in the AG Zone. Per Section 27-3605 of the Zoning Ordinance, this development will not require the approval of a detailed site plan (DET).

At the time of permit site plan review, conformance with the applicable regulations and development standards of the Zoning Ordinance is required for the proposed development, including, but not limited to, the following:

- Section 27-4201(c) requirements for the AG Zone as applicable.

- Section 27-5102(d)(2)(C) Place of Worship use specific standards.
- Section 27-6200 Roadway, Access, Mobility and Circulation.
- Section 27-6300, Off-Street Parking and Loading.
- Section 27-6400 Open Space Set-Asides.
- Section 27-6500 Landscaping.
- Section 27-61000 Nonresidential and Mixed-Use Form and Design Standards.
- Section 27-61500 Signage.
- Section 27-61600, Green Building Standards.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit or propose 5,000 square feet or greater of GFA or disturbance. Development in the AG Zone is exempt from the Tree Canopy Coverage Ordinance.

Conformance with Open Space Set-Aside Requirements

The proposed development is required to provide a 10 percent minimum open space set-aside, per Table 27-6403 of the Zoning Ordinance. For a site area of 43.38 acres, a minimum of 4.34 acres is required to be placed in an open space set-aside. An exhibit was submitted by the applicant, with the PPS, which demonstrates that this requirement will be met through the provision of a conservation subdivision easement area totaling 30.37 acres. Conformance with open space set-aside requirements will be confirmed at the time of permit review.

Conformance with the Requirements of the 2018 Prince George's County Landscape Manual

The proposed development is subject to the provisions of the Landscape Manual, specifically Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.6, Buffering Development from Streets; Section 4.9, Sustainable Landscaping Requirements; and Section 4.11, Requirements for Nonresidential and Mixed-Use Development. Conformance with the applicable landscaping requirements will be determined at the time of permit review.

Cross Road Trail is a scenic and historic roadway. Per Section 4.6 of the Landscape Manual, a minimum 40-foot-wide buffer is required to be provided. Within this buffer, the applicant should preserve existing trees to the extent practicable. Any proposed bufferyard should be planted randomly spaced, to mimic local forest communities within the entirety of the bufferyard.

- 12. Conservation Subdivision Criteria for Approval**—The plans have been reviewed for the purposes of a conservation subdivision. Specifically, Section 24-4700 of the Subdivision Regulations sets forth the following, in **BOLD**, followed by staff comments in plain text:

24-4701. Purpose

The purpose of this Section is to establish procedures and standards for conservation subdivision that:

- (a) **Protect the character of land in rural areas of the County to implement the General Plan and Countywide Green Infrastructure Plan.**
- (b) **Provide additional development flexibility to build on smaller lots in exchange for the establishment of conservation areas designed to protect the agricultural activities or natural and historic features on the site.**
- (c) **Support the conservation of important site features such as open space networks, tracts of productive farmland, unique characteristics of a site, and contiguous woodland habitats;**
- (d) **Prioritize site characteristics for conservation; and**
- (e) **Maintain or improve connections between scenic, historic, agricultural, and environmental characteristics on the site and adjacent land.**

The applicant proposes to conserve the environmental features located on the site, which include existing woodlands, specimen trees, and steep slopes, as shown on the conservation and development areas map. These features total 30.37 acres, cover 70 percent of the gross tract area, and are contiguous both internally to the site and with environmental features on surrounding properties. The woodland proposed to be preserved along Cross Road Trail will also help conserve the scenic and historic qualities of the roadway. As discussed in further detail in the findings below, the PPS meets the purposes of a conservation subdivision established in Section 24-4701 of the Subdivision Regulations.

Conservation Subdivision Criteria for Approval

The criteria that must be satisfied for the Planning Board to approve a conservation subdivision are set forth in Section 24-4703(d)(2). The criteria are listed below in **BOLD** text, while staff findings are provided in plain text.

- (2) **The Planning Director or Planning Board may only approve a preliminary plan for a conservation subdivision if the decision-maker makes the requisite findings in accordance with Section 24-3402(d)(1)(B), Preliminary Plan of Minor Subdivision Decision Standards or Section 24-3402(e)(1)(B), Preliminary Plan of Major Subdivision Decision Standards, and, in addition, if the decision-maker finds that the proposed conservation subdivision:**
 - (A) **Is in substantial conformity with the approved sketch plan (including the conservation and development plan); and**

As a prerequisite to the filing of a conservation subdivision, the applicant is required to file a sketch plan. Per Section 24-4703(b), the intent of the sketch plan is to clearly document the design process, and to prioritize the characteristics of the site to be preserved in a conservation parcel or lot. The sketch plan process was certified as having been completed for the proposed subdivision on July 21, 2023.

At the time of Sketch Plan SKH-2023-001, the following finding was made on the completion certificate signed by the Planning Director:

Staff find that the conservation sketch plan meets the conservation subdivision standards of Section 24-4704, meets the purposes of a conservation sketch plan given in Section 24-4701, and meets the criteria for approval of a conservation sketch plan pursuant to Section 24-4703(c)(1) of the Subdivision Regulations.

This conservation subdivision conforms with the findings of SKH-2023-001, and also substantially conforms with the conservation and development plan certified on July 21, 2023. The entire area shown as “to be conserved” on the conservation and development plan (30.37 acres), is proposed to be conserved on the PPS.

(B) Complies with Section 24-4704, Conservation Subdivision Standards.

Compliance with the conservation subdivision standards is evaluated below.

Conservation Subdivision Standards

Several relevant standards for conservation subdivisions are set forth in Section 24-4704 of the Subdivision Regulations. These standards are listed below in **BOLD** text, while staff findings are provided in plain text.

24-4704. Conservation Subdivision Standards

(a) Minimum Conservation Area Required

A conservation subdivision shall set-aside as conservation area the following minimum amount of the gross tract area of the development:

(1) In the AG zone: 70 percent;

The subject property is within the AG Zone, which requires that a minimum of 70 percent of the gross tract area be designated as conservation area. According to the conservation and development areas map, the property has a gross tract area of 43.38 acres, and 30.37 acres are proposed for conservation. This amounts to 70 percent of the gross tract area, meeting the requirement.

(b) Bulk Regulations for Conservation Subdivisions

(2) Density, Net Lot Area, Lot Width, Required Yards, and Maximum Net Lot Coverage

The density, net lot area, net lot width, required yards, and maximum net lot coverage in a conservation subdivision shall comply with the standards in Table 24-4704(b)(2): Conservation Subdivision Density, Net Lot Area, Lot Width, and Required Yards.

The PPS shows that the single nonresidential parcel proposed with this development, and the structures thereon, will meet the required bulk

standards of Table 24-4704(b)(2) of the Subdivision Regulations. However, the yard widths and lot coverage will be confirmed at the time of permit review. Therefore, a note needs to be added to the final plat, stating that the required yards and maximum net lot coverage shall conform to these standards.

The following are required standards in the AG Zone, which are applicable to the subject PPS:

	Required	Provided
Density (maximum) (du/ac of net tract area)	0.2	N/A
Net lot area (minimum) (sq ft)	40,000	31.62 acres**
Lot width (minimum) at front building line and front street line (ft)	80	300
Lot width (minimum) at building line and street line adjacent to a scenic or historic road (ft)	200	299
Front yard (ft)	25	299
Side yard (ft)	15	620/1,047
Rear yard (ft)	20	559
Yard abutting scenic or historic road (ft)	150	299
Maximum net lot coverage (as a percentage of lot area) Lot area of 5 ac or more	5	4.97**

Note: **Note 1 in Table 24-4704(b)(2), states that “the contiguous net lot area counted toward the minimum lot area must be located outside of the 100-year floodplain and environmentally regulated areas, including primary management areas as defined by Section 24-2300, Definitions. Lot area greater than the minimum net lot area may include these features.” Also, “[m]inimum lot area is measured in square feet, not in acres, which is the unit of measurement for minimum lot area used in Subtitle 27: Zoning Ordinance, of the County Code.”

(c) Conservation Area Standards

(1) Areas and Features to be Preserved

The areas and features identified below shall be credited toward compliance with the conservation area standards in this Section. To the maximum extent practicable, conservation areas shall be located and organized to include, protect, and enhance as many of the following areas and features as possible, in the following general order of priority:

(A) Lands with active agricultural uses and activities;

Although the site was previously an agricultural use, these agricultural uses are no longer active. Therefore, there are no agricultural uses on-site to preserve.

(B) Priority woodland conservation areas and features, as identified and prioritized in the Woodland and Wildlife Habitat Conservation requirements of Subtitle 25, Division 2, Woodland and Wildlife Habitat Conservation Ordinance, of the County Code;

According to the NRI and TCP1, the site contains 27.49 acres of woodlands, which are a priority for preservation under Subtitle 25 of the Prince George's County Code. These woodlands are generally located on the north and south sides of the subject site, but there are also areas of woodland on the east and west sides, which connect the two larger areas to the north and south. The PPS includes all the woodland on-site within the conservation area.

(C) Regulated environmental features;

According to the approved NRI-190-2022 for the site, the site contains streams, stream buffers, wetlands, wetland buffers, and steep slopes that comprise the 10.64-acre PMA. Additional steep slopes (not within the PMA) are also located throughout the site. The PPS includes all of the PMA on-site within the conservation area, except for two areas near the south side of the site, which overlap with existing easements, and one area near the existing site entrance. The PPS also includes all the steep slopes on-site within the conservation area, except an area near the site entrance, an area north of the existing barn, and an area northwest of the septic field. The areas of REF which are excluded from the conservation area are minor in scope, and may need to be graded or otherwise used by the property owner for purposes other than conservation. There are no impacts proposed to REFs with this PPS.

(D) Scenic resources;

The site is located along Cross Road Trail, a designated scenic and historic road, and a 40-foot-wide buffer from the roadway should therefore be conserved as a scenic resource. The PPS shows all of this buffer area within the proposed conservation area, except for where the conservation area is interrupted by needed crossings for the site entrance and an existing utility easement. The 40-foot-wide buffer is required by Section 4.6(c)(2)(A)(III)(i) of the Landscape Manual. Conformance to the requirements of the Landscape Manual for the buffer will be evaluated at the time of permit review.

(E) Historic resources;

A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicated extensive ground disturbance on the subject property, due to prior use of the property for sand and gravel mining. This use of the property ceased before it was improved as an equestrian center. It was determined that the probability of archeological sites within the subject property is low. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources. However, the site is located along Cross Road Trail, a designated scenic and historic road, and a 40-foot-wide buffer from the roadway should therefore be conserved, as discussed above.

(F) Other unique characteristics on the site; and

No other unique characteristics were found on the site which were determined to be a priority for conservation.

(G) Any areas or features not listed in Sections 24-4704(c)(1)(A) through 24-4704(c)(1)(F) above, that are identified in Section 27-6400, Open Space Set-Asides, of Subtitle 27: Zoning Ordinance, of the County Code as counting toward open space set-aside requirements.

The proposed development is required to provide a 10 percent minimum open space set-aside, per Table 27-6403 of the Zoning Ordinance. For a site area of 43.38 acres, a minimum of 4.34 acres is required to be placed in an open space set-aside. An exhibit was submitted by the applicant with the PPS, which demonstrates that this requirement will be met through the provision of conservation subdivision easement area totaling 30.37 acres. Conformance with open space set-aside requirements will be confirmed at the time of permit review.

Based on the foregoing, staff find that to the maximum extent practicable, the proposed conservation area is located and organized to include, protect, and enhance as many of the site's priority features for conservation as possible. The highest priority area for conservation is located along Cross Road Trail, where the environmental, scenic, and historic features of the site overlap. This area is proposed for conservation, along with most of the environmental features throughout the site, in order to provide a minimum of 70 percent of the gross site area within the conservation area.

(2) Conservation Area Delineation

(A) The area of the site required for a conservation area shall be determined based on the priorities established in the review of the conservation and development plan and may include areas

of the site not otherwise more specifically regulated by these Regulations. It should be contiguous and not divided among parcels, to the extent possible.

The extents of the conservation area have been determined based on the priorities established in the review of the conservation and development plan at the time of SKH-2023-001. The conservation area is contiguous, except for where it is crossed by existing grass and gravel driveways and utility easements, and these features do not disrupt the cohesion of the conservation area. The conservation area is located on one parcel.

- (B) Conservation areas shall connect with existing and potential conservation areas on abutting sites, to the extent possible, to encourage corridors of compatible site characteristics, unless it is found to be impractical due to topography, spacing, existing natural barriers, or the prioritization of the lands indicated in the conservation area.**

The conservation area connects with existing woodlands on abutting sites, which are not currently protected, but could constitute future conservation areas.

- (C) Naturally contiguous conservation areas shall not be divided for the sole purposes of obtaining allowable density.**

This criterion is inapplicable because the project consists of nonresidential development.

- (D) Fragmentation of the conservation area into small, irregularly shaped pieces shall be avoided.**

Fragmentation of the conservation area into small, irregularly shaped pieces has been avoided. The conservation area is contiguous, except for where it is crossed by existing grass and gravel driveways and utility easements, and these features do not disrupt the cohesion of the conservation area.

- (E) Farm structures and rural vistas shall be retained, whenever possible.**

The existing on-site barn is proposed to be retained and will be converted into a place of worship.

- (F) The layout and location of lots shall be designed to minimize potential adverse impacts on existing farm operations.**

The site is proposed to be arranged in a way that will minimize potential adverse impacts on the existing farm east of the site, across Cross Road Trail. Conservation area is proposed along the Cross

Road Trail frontage, which will provide a wooded buffer between the institutional use on-site and the roadway.

- (G) Woodland and wildlife habitat conservation required for the conservation area may be provided at an off-site location, only if it is necessary to preserve the rural and agricultural landscape.**

According to the TCP1, all required woodland conservation under Subtitle 25 will be provided on-site.

- (H) A single dwelling unit may be located on the same parcel as a conservation area.**

No dwelling units are proposed.

- (I) Septic recovery areas and stormwater management facilities may be located on the same parcel as a conservation area that shall be maintained by a homeowners' association if there is no adverse impact to the character of that area of land, and it is demonstrated that the development area cannot support these facilities. Stormwater management facilities on the same parcel as conservation areas should not include typical dry ponds with associated steep slopes, dams, mowed areas, fencing, or unsightly overflow structures. Farm ponds, bioretention ponds, naturally contoured ponds, and wet ponds with wetland edges and no visible structures are permitted on the parcel which is to be maintained by the homeowners' association. A septic recovery area on the same parcel as a conservation area, that is to be maintained by the homeowners' association should be designed to appear to be part of the existing landscape.**

The PPS includes one parcel, which will be owned and maintained by the current property owner/applicant. The proposed conservation area is therefore located on the same parcel as the existing septic recovery area. The septic recovery area is located in a grassy area, southwest of the barn, which, based on staff's site inspection, appears as part of the existing rural landscape. The septic recovery area will therefore have no adverse impact on the character of the conservation area. Per the applicant's approved SWM concept plan, no SWM facilities are proposed.

(3) Allowable Uses Within Conservation Areas

Uses allowed in conservation areas shall be limited to:

- (A) Agriculture/Forestry uses, equestrian centers, farm-based alcohol production, and riding stables;**
- (B) Unpaved trails, walkways, and boardwalks;**

(C) Docks and other water-dependent features, as allowed in these Regulations and Subtitle 27: Zoning Ordinance;

None of the uses in subsections (A), (B), or (C) above are proposed on-site.

(D) Above-ground and below-ground public utilities and associated easements, provided no feasible alternative exists; and

Existing and proposed utilities, and their associated easements, will be located on-site. These include an existing utility easement connecting the cell tower with the Cross Road Trail frontage, and a proposed public utility easement located along the entire Cross Road Trail frontage. These utility easements are excluded from the conservation area because there are feasible alternatives for conserving other areas of the site in lieu of the utility easement areas.

(E) Street or driveway crossings, provided such crossings do not violate these Regulations, Subtitle 27: Zoning Ordinance, other applicable provisions of the County Code of Ordinances, and applicable State or Federal laws.

The southern area of the site includes grass and gravel driveways, which provide access to the cell tower and cross-access with adjoining properties. The PPS shows the driveways excluded from the conservation area. The cross-access with adjoining properties is proposed to be removed, thus leaving a gap in the continuity of the conservation area. Prior to signature approval, the PPS should be revised to include this gap area into the conservation area and update the area calculations accordingly. There is a discrepancy in the information shown on the PPS, wherein the cross-access with adjoining properties is not shown. This cross-access is, however, shown on the TCP1 and the approved SWM concept plan. The PPS will need to be revised, prior to signature approval, to show this cross-access and label it to be removed.

(d) Development Area Standards

(1) General

All individual residential lots, recreational facilities, streets, utilities, and community or individual septic recovery areas, stormwater management facilities, easements, and streets serving these lots shall be located in the development areas.

No residential lots, recreational facilities, new streets, or SWM facilities are proposed. Existing and proposed utilities, septic recovery areas, and easements are all proposed in the development area of the site, outside of the conservation area.

(2) Layout Design Standards

- (A) Internal streets shall be sited to maintain the existing grade, to the maximum extent practicable.**

No internal streets are proposed.

- (B) Lots and the siting of dwellings shall be arranged and sufficiently set back to preserve views of the site characteristics from streets and abutting lands.**

No dwellings are proposed, and a single parcel is proposed for the development. Views of the site characteristics will be preserved from Cross Road Trail and the abutting properties.

- (C) Existing farm roads and driveways shall be incorporated into the internal street or trail design, where possible.**

The PPS shows the existing driveways on-site, incorporated into the internal site layout. Portions of the existing gravel driveway around the building, located near the southern property line, are to be removed thus further reducing the impervious area.

- (D) Access to all lots shall be from interior streets and easements.**

The intent of this section is to minimize the number of access points to streets outside of the subdivision. The property has a single existing access point to Cross Road Trail, which is to be retained, and no new access points are proposed. Staff find that the intent of this section is met, and that it is unnecessary to require a new interior street for the purpose of serving a single parcel. There is an existing access easement on-site, but its purpose is to serve the cell tower rather than the principal use of the property.

- (E) Trees on steep slopes shall be preserved, and the woodland conservation threshold shall be met on-site, to the maximum extent practicable.**

Trees on steep slopes will be preserved throughout the property, within the conservation area. According to the TCP1, the woodland conservation threshold will be met on-site.

- (F) Dwellings shall be located a minimum of 40 feet from any environmentally-regulated area, including woodland conservation areas.**

No dwellings are proposed.

(3) Lot Design Standards

- (A) Buildings and driveways shall be sited to maintain the existing grade as much as possible.**

The existing grade will be maintained because the development proposed repurposes the existing building and utilizes area of the site already graded. The existing building is located on the flattest portion of the site. The existing driveways are also sited in such a way as to minimize their impact on surrounding slopes. Almost all of the steep slopes on-site are located in the proposed conservation area, and, therefore, will not be subject to grading.

- (B) A variety of lot sizes and lot widths should be provided within groupings of dwellings in order to prevent visual monotony.**

This section is inapplicable because no dwellings are proposed and a single parcel is proposed.

- (C) Dwellings should be sited to avoid the rear of the dwelling being oriented toward the front of other dwellings and external streets. A landscape plan may be required to provide for the buffer of views of the rear and sides of dwellings from all streets and easements, and the fronts of other dwellings.**

No dwellings are proposed. The front of the existing building faces Cross Road Trail.

- (D) Direct driveway access for individual lots onto perimeter streets shall be avoided unless necessary for safety reasons or for some other benefit such as environmental preservation.**

Direct driveway access is proposed from the single parcel to Cross Road Trail. This method of access is beneficial because constructing a new interior street for the purpose of accessing a single parcel would create additional unnecessary environmental impacts.

- (E) Large expanses of driveways and parking areas shall not be visible from the external streets and abutting lands.**

The existing driveways and the parking area at the front of the building will be screened from Cross Road Trail and abutting properties by woodland within the conservation area.

(4) Streets

- (A) A conservation subdivision may be served by public and private streets, and access easements.**

The conservation subdivision will be served by Cross Road Trail, an existing public street.

- (B) Access authorized pursuant to Section 24-4204(b)(1)(A) or Section 24-4204(b)(1)(B) may be deemed adequate to serve lots of any net lot area. Access easements designed in accordance with Section 24-4204(b)(1)(A) may be deemed adequate to serve a maximum of eight lots. The access easement shall provide a passing area when determined appropriate.**

This section is inapplicable because private ROWs, in accordance with the referenced section, are not proposed to serve the development. The sole existing access easement is for access to the cell tower.

(5) Stormwater Management

Environmental Site Design (ESD) techniques, including but not limited to porous pavement or other pervious surfacing, shall be used, unless otherwise authorized by the DPIE.

A review of the approved SWM concept plan reveals that no SWM practices were required for the project. However, the applicant proposes to remove 39,305 square feet of existing gravel driveways and parking area, to meet the required net lot coverage requirements for a conservation subdivision. These revisions are not reflected on the approved SWM concept plan. A revised SWM concept plan is required to ensure that the LOD is consistent between the SWM concept plan and the TCP1, and that the SWM practices required by DPIE, with the revised SWM concept plan (if any), meet the above criterion.

(6) Lighting

Lighting techniques shall comply with Section 27-6700, Exterior Lighting, of Subtitle 27: Zoning Ordinance. In addition, lighting should be utilized to decrease adverse impacts on the adjoining and abutting lands.

In accordance with Section 27-6104 of the Zoning Ordinance, Section 27-6700, Exterior Lighting, of the Zoning Ordinance, will be applicable at the time of permit review. Lighting techniques will be evaluated at that time for compliance. It is anticipated that the proposed lighting will be located near the existing building and driveway areas central to the site, and thus, will have minimal impact on adjoining properties.

(e) Standards for Conservation Subdivision Along Designated Scenic and Historic Roads

In addition to the standards in Section 24-4704, Conservation Subdivision Standards, a conservation subdivision along a designated scenic or historic road shall also conform to the following standards:

- (1) There should be no views of the rears of dwellings from the road.**

No dwellings are proposed.

- (2) Engineered berms for screening purposes are prohibited unless they are constructed to mimic natural contours.**

No engineered berms are proposed.

- (3) Views from scenic and historic roads shall be preserved or may be created through the installation of landscaping that mimics natural conditions.**

The proposed conservation area over the existing woodlands, in between the barn and Cross Road Trail, will preserve existing views of the woodlands on-site from Cross Road Trail.

- (4) Trees and vegetation shall not be removed within the required setback unless it is in accordance with an approved tree conservation plan.**

The PPS and TCP1 do not show any tree or vegetation removal along Cross Road Trail. A Type 2 tree conservation plan (TCP2) will be required at the time of permit review. The need for tree and vegetation removal may be reevaluated when the TCP2 is submitted.

- (5) Existing slopes and tree tunnels along the street frontage should be retained, unless required to be removed by the Department of Public Works and Transportation (DPW&T) or the State Highway Administration (SHA) for frontage improvements.**

During the site inspection with SKH-2023-001, staff observed a tree tunnel (where the trees on each side of a road form a more or less continuous canopy overhead, giving the effect of a tunnel) and existing slopes along the property's Cross Road Trail frontage. The PPS and TCP1 show these features to be preserved to the maximum extent possible. The plans do not include frontage improvements to Cross Road Trail, except to improve the existing access driveway. Nevertheless, the Prince George's County Department of Public Works and Transportation may still require frontage improvements, which may necessitate removal of the tree tunnel and existing slopes.

- (6) Buildings that are located within 200 feet of the street should be sited such that the principal entrance is oriented toward the street.**

The existing barn and cell tower are over 200 feet from the property frontage. The existing guard house is approximately 120 feet from the frontage, and it is oriented so that its front and principal entrance face the

barn instead of the street. However, it is not necessary for the guard house to face the street because the conservation area and woodlands along Cross Road Trail screen the guard house from the street. In addition, the current orientation of the guard house may be necessary for it to serve its security function.

- (7) In general, access (public and private) to a scenic or historic road should be limited, to the extent possible, except for safety reasons or for some other benefit such as environmental preservation, or to implement the stated purposes of this Part.**

Access to Cross Road Trail is limited to the greatest extent possible. The site features a single entrance driveway, which is proposed to be retained. No additional access points are proposed.

- (8) Septic recovery areas shall not be permitted within the scenic easement, to the maximum extent practicable.**

The septic recovery area is not located adjacent to Cross Road Trail.

Staff find that the criteria for approval of a conservation subdivision have been met.

Draft Conservation Subdivision Easement Document

Section 24-4703(d)(1) of the Subdivision Regulations requires that the applicant provide a draft conservation subdivision easement document. The applicant included a draft of conservation easement document in the project submission. This document must meet the requirements for easement documents listed in Sections 24-4704(c)(4)(A) through (I). Section 24-4704(c)(4) also provides that the conservation subdivision easement shall be recorded in the Land Records of Prince George's County, prior to final plat approval. This section also requires that regardless of who the owner of a conservation area is, or will be, there shall be an additional party to the easement (in addition to the property owner). For this conservation subdivision, the applicant has identified a national land trust organization as the additional party to the proposed conservation easement. The easement document will be further reviewed at the time of final plat.

As per Section 24-4704(c)(5), the conservation area shall be owned and controlled by an individual, HOA, public or private organization, land trust, or corporation. The proposed conservation subdivision easement for this development will be owned and maintained by the property owner. The owner shall assume all responsibility for maintenance and continued protection of the conservation area. An ownership and maintenance agreement shall be part of the conservation easement, to ensure responsibility for the maintenance and continued protection of the conservation areas. Section 24-4704(c)(5) also provides that an ownership and maintenance agreement shall be recorded in the land records for each conservation area.

- 13. Citizen Feedback**—At the time of the writing of this technical staff report, staff have not received any written correspondence from members of the community regarding this project.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. On Sheet 1 of the PPS, Site Statistics Table, revise the Net Lot Area to 31.62 acres.
 - b. On Sheet 1 of the PPS, Property Data Table, revise the Net Lot Area to 31.62 acres.
 - c. On Sheet 1 of the PPS, Lot Coverage Summary Table, revise "Site Area" to "Net Lot Area".
 - d. Close the approximately 15-foot-wide gap between Conservation Area 1 and Conservation Area 3, to include this area within the conservation area. Revise the boundaries and area of the conservation area accordingly.
 - e. Add the hatch pattern used for green space adjacent to the existing barn to the legend.
 - f. Show the cross-access with adjoining properties and label it to be removed.
2. Prior to signature approval of the preliminary plan of subdivision, the applicant shall submit a copy of a revised and approved final stormwater management (SWM) concept plan. The limits of disturbance shall be consistent between the final SWM plan and the Type 1 tree conservation plan.
3. Development of this site shall be in conformance with Stormwater Management Concept Plan 48199-2022-0 and any subsequent revisions.
4. Prior to approval of a final plat, the final plat shall include:
 - a. The dedication of 10-foot-wide public utility easements along all abutting public rights of-way, as delineated on the approved preliminary plan of subdivision.
 - b. The dedication of all rights-of-way, consistent with the approved preliminary plan of subdivision.
 - c. A draft conservation subdivision easement shall be reviewed and approved by the Subdivision Section of the Prince George's County Planning Department, as designee of the Prince George's County Planning Board, and shall demonstrate conformance to Section 24-4704(c)(4) and Section 24-4704(c)(5) of the Subdivision Regulations.
 - d. Notation that the required yards and maximum net lot coverage in this conservation subdivision shall comply with the standards in Table 24-4704(b)(2): Conservation Subdivision Density, Net Lot Area, Lot Width, and Required Yards.
 - e. Notation that the uses allowed in conservation areas shall be limited to allowable uses, in accordance with Section 24-4704(b)(3) of the Subdivision Regulations.

5. The applicant and the applicant's heirs, successors and/or assignees shall provide the following facilities, and shall show these improvements on the permit site plan, at the time permit submission:
 - a. Shared road pavement markings and signage along the subject property's frontage of Cross Road Trail, unless modified with written correspondence from the operating agency.
 - b. Two bicycle racks (inverted U-style, or a similar model, that provides two points of contact for a parked bicycle) at a location within 50 feet of the entrance of the building.
6. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made on the Type 1 tree conservation plan (TCP1):
 - a. Depict the limits of disturbance consistent with the revised stormwater management concept plan.
 - b. Correct Note 10 of the Standard Type 1 Tree Conservation Plan Notes to reflect that this plan is not grandfathered by CB-27-2010, Section 25-119(G).
7. Development of this subdivision shall be in conformance with the approved Type 1 Tree Conservation Plan, TCP1-001-2024. The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan TCP1-001-2024, or most recent revision, or as modified by the Type 2 tree conservation plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."
8. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan (TCP2) shall be approved. The following note shall be placed on the final plat of subdivision:

"This plat is subject to the recordation of a woodland and wildlife habitat conservation easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved."
9. At the time of final plat of subdivision, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section of the Development Review Division of the Prince George's County Planning Department, prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

10. Prior to issuance of the first permit, a copy of the approved final erosion and sediment control plan shall be submitted. The limits of disturbance shall be consistent between the final erosion and sediment control plan and the Type 2 tree conservation plan.

STAFF RECOMMENDS:

- Approval of Preliminary Plan of Subdivision PPS-2023-026
- Approval of Type 1 Tree Conservation Plan TCP1-001-2024