1	THE PRINCE GEORGE'S COUNTY PLANNING BOARD OF
2	THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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5	CSP-23002 SIGNATURE CLUB EAST
6	Evidentiary Hearing, Item 5
7	TRANSCRIPT
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9	PROCEEDINGS
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11	LARGO HEADQUARTERS
12	Largo, Maryland
13	July 10, 2025
14	VOLUME 1 of 1
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1	BEFORE:
2	DARRYL BARNES, Chairman
3	DOROTHY BAILEY, Vice-Chair
4	MANUEL R. GERALDO, Commissioner
5	A. SHUANISE WASHINGTON, Commissioner
6	
7	OTHER:
8	EMERY HUANG, Staff
9	ED GIBBS, Attorney/Representative
10	ALEX VOTAW, Attorney/Representative
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PROCEEDINGS

MR. CHAIR: Regular agenda items. We will now move into the regular agenda items. The first item on the agenda is Item 5, Conceptual Site Plan CSP-23002 Signature Club East, evidentiary hearing.

UNIDENTIFIED SPEAKER: (indiscernible)

COMMISSIONER WASHINGTON: Hold it for three seconds.

UNIDENTIFIED SPEAKER: (indiscernible)

MR. CHAIR: It's on mute.

MR. HUANG: Good morning, Mr. Chair, and the member of Planning Board. For the record, my name is Emery Huang with Urban Design section. Item number 5 is the Conceptual Site Plan CSP-23002 for the Signature Club East. This Conceptual Site Plan is for the development of up to 300 multi-family dwelling units and 12,600 square feet of the commercial retail spaces.

As a matter of housekeeping, staff received one exhibit from the applicants, prior to the Tuesday deadline, which is titled Applicants Exhibit 1. Staff also received one inquiry from the owner of the property abutting the subject property, and filed opposition exhibit titled Opposition Exhibits 1 through 5. Concerns raised by the community members will be discussed later in the presentation.

Finally, staff provided one exhibit titled Staff Exhibit 1, outlining correction to the analysis of Type 1 Tree Conservation Plans on page 32 of the technical staff report that will make updates in the resolution reflecting these corrections.

Next slide, please. The subject property is located in the Planning Area 84 and Council District 9.

Next slide, please. The subject property is located in the northeast quadrant of the intersection MD 228 (Berry Road) and Manning Road E.

Next slide, please. The subject highlighted in red is currently located within the residential multifamily 48 zones, as shown in the image to the right. However, this application is reviewed under the prior zoning ordinance, and (indiscernible) prior zone is mixed-use transportation oriented, as shown in the image to the left.

Next slide, please. This map show the topography of the site. Specifically, the site slopes downward from the southwest of the site to the northeast side of the property. Next slide, please. The subject property is zoning by two (indiscernible) and rights-of-way, which are MD 228 (Berry Road) -- classifies as an expressway, and Manning Road E, classified as primary road. Next slide, please. The subject property is currently vacant, with tree coverage.

Next slide. So for this subject, development consists of Lot 12 and Outparcel B. It is worth noting that Lot 12 was formerly authorized in the Conceptual Site Plan CSP-99050, approved by the Planning Board in 2000. Lot 12 was approved for a total of 157,500 square feet of commercial space, including 10,000 square feet of office space. In addition, Condition (1)(G) of CSP-99050 notes that the maximum height of the office structures to be three to four stories.

Next slides. Outparcel B was not part of the CSP-99050. In 2006, the District Council approved the Zoning Map Amendment A-9960-C to rezone the Outparcel B to the M-X-T Zone on the Rural Residential zones. Subsequently, the applicants combined both Lot 12 and Outparcel B for the subject Conceptual Site Plan as a new application, rather than an amendment to CSP-99050. The subject application was accepted prior to April 1st, 2025. Therefore, the applicant's elected to have this application to be reviewed under the prior zoning ordinance. This image on screen also shows the relationship between the subject property and MD 228, MD 210, and MD 373.

Next slides, please. The Conceptual Site Plans propose multifamily dwellings -- commercial retail uses, which are incompatible with adjacent residential and commercial developments. The commercial pad sites are

conceptually shown to be located in the southern portion of the property, fronting MD 228, and the proposed multi-dwelling buildings to be located in the northern portion of the property.

The anticipated building heights of the commercial and residential structure proposed for the subjective development generally align with the maximum building heights previously approved for properties under CSP-99050. The proposed developments also offer additional housing options and the opportunity for existing and future residents to patronize locally.

Next slide, please. The location -- the Conceptual Site Plan showing the location and vehicular circulation within the development -- the proposed potential circulation is designed to support safe pedestrian access to the proposed buildings on-site and to off-site sidewalks.

Next slide, please. This slide shows the subject site outlined in red and demonstrates the Tree Conservation Plan, which is discussed on page 31 through page 32 of the technical staff report. Woodland clearing is consistent with the prior Tree Conservation Plan approval for the site, with woodland conservation to be made off-site. In addition, a variance to Section 25-122(b)(1)(G) is requested for the removal of four specimen trees, which is discussed on pages 35 through 38 of the technical staff report.

Next slides, please. As mentioned at the beginning of this presentation, one is SDC submitted by the applicants, including the applicants' proposed revisions to Condition (1)(C) and Condition (2)(D), along with supporting reasons. The applicants also acknowledge that no changes are proposed additions to (A), but the applicants identified two locations within the property where sidewalks are not being included, and this will be addressed at the time of the detailed site plans.

Staff are in agreement with the proposed revisions and the applicants' explanation because this revision will not alter the intent of the conditions and provide a flexibility in addressing them. In these exhibits, the applicants also provide an explanation of their disagreement with the transportation section analysis -- presented on the pages 18 through 21 of the technical staff report -- for record keeping purposes, and acknowledged that these issues will be further evaluated at the time of the preliminary plan of subdivisions (sic).

Concerns raised by the community members in one inquiry and five opposition exhibits can be grouped into several categories, including transportation and infrastructure, environment and school overcrowding, compatibility, and inconsistent with the prior approvals. Staff have provided responses to some of the concerns

throughout the presentation.

Staff also want to note that this Conceptual Site Plans provide the preliminary schematic plans, the development of the subject site per the Zoning Ordinance, subdivision's regulations, and detailed analysis of infrastructure impact such as, but not limited to, transportations, public safety responsive time, environmental impacts, and park facility will take place at the time of the Preliminary Plan of Subdivisions.

With respect to the transportations infrastructure, specifically, in approving this Conceptual Site Plan, the Planning Board is required to find the transportation facility that are existing, under construction, or fully funded are adequate to carry the anticipated traffic for the proposed development. This finding is analyzed on pages 18 through 21 of the technical staff report, based on the traffic impact study submitted by the applicant and dated May 23rd, 2025. Further analysis of transportations adequacy will occur throughout the certificate adequacy, which is required to be obtained at the time of the Preliminary Plan of Subdivision.

Based on the findings presented in the technical staff report, Urban Design staff recommended the Planning Board adopt the findings of this review and approve the Conceptual Site Plan CSP-23002 Type 1 Tree Preservation

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    TCP1-052-97-03 and the variance to the Section 25-
2
    122(b)(1)(G) for the Signature Club, subject to the
 3
    recommended conditions, approval within the technical staff
    report as modified by Staff Exhibit 1, and the revision
5
    proposed by applicants and agreed upon by the staff in the
 6
    Applicant's Exhibit 1. This concludes the presentation.
7
    Thank you so much.
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              MR. CHAIR: Thank you. Now, are there any
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    questions from the Planning Board?
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              UNIDENTIFIED SPEAKER: No.
11
              COMMISSIONER GERALDO: Not at this time, Mr.
12
    Chair.
13
              MR. CHAIR:
                          Sure.
                                 Unfortunately, the technology
14
    is not working on our side, so we're going to take a three-
15
    to-five-minute break so we can try to get the live stream
16
    back up and running.
17
              UNIDENTIFIED SPEAKER: Thank you.
18
              (Recess.)
19
              MR. CHAIR: David. You want to --
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              MR. MOORE: Sure.
                                 Thank you, Chair Barnes. Prior
21
    to proceeding with the testimony from the public, pursuant
22
    to 6.4(B) of the Planning Board's Rules of Procedure,
23
    persons that intend to provide oral testimony have to be
24
    sworn in. So if you're in the crowd and intend to speak on
25
    this matter, please stand, raise your right hand, and if you
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1
    are appearing virtually, please do so at home. And I like
2
    that we've got some young customers here today, that's
3
    something we need more of. Raise your right hand.
 4
              MR. GIBBS: Are we going to get verification that
5
    the folks are raising their right hand, because I don't
 6
    really see it. I understand you've requested attorneys to
7
    raise their hands too, so I'm going to.
8
              MR. MOORE: Please do.
9
              MR. CHAIR: Good.
10
              MR. MOORE: Do you swear to tell the truth, the
11
    whole truth, and nothing but the truth?
12
              MULTIPLE SPEAKERS: I do.
13
              MR. MOORE: Thank you.
14
                          Thank you all. We will now hear from
              MR. CHAIR:
15
    the applicant's attorney, Mr. Gibbs.
16
              MR. GIBBS: Thank you very much. Good morning,
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    Mr. Chairman, welcome.
18
              MR. CHAIR: Thank you.
19
              MR. GIBBS: I'm pleased that I have the
20
    opportunity to be the first presenter in your new role as
21
    Chairman of the Planning Board, welcome. I was at your work
22
    session introductory meeting in front of the County Council,
23
    and there were some pretty amazing things that were very,
24
    very positive in nature said about you, and so I'm very
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happy for you to be here as Chairman of the Planning Board.

25

MR. CHAIR: Thank you.

MR. GIBBS: My name is Edward Gibbs, and I am an attorney with offices right here in Largo, actually, directly down the street. I'm on Carraway Court -- 1300 Carraway Court. I am pleased to be here this morning representing the applicant WP Acquisitions, LLC, and that limited liability company is really comprised primarily of an entity known as Wood Partners. Wood Partners builds and owns multifamily developments really, across the United States.

I've had the good fortune to be able to represent them for over 20 years here in Prince George's County. They have -- I think it's six different projects that they have constructed, starting with my family's home that they bought adjacent to the Branch Avenue Metro Station where they built a multifamily project. They have built other projects as well, including in the heart of College Park on Route 1. They have recently had a multifamily project approved in Woodmore Town Center, so they are no strangers to Prince George's County. And they are, in my opinion, remarkable developers, stewards of the land, and of their projects, and very responsive to concerns that people may raise at any given time.

Mr. Scott Zimmerly is seated in the front row; he's really in charge of their east coast operations. He

has, pretty much -- I think with the exception of the very first project -- he has shepherded all of the other projects for Wood Partners here in Prince George's County. Another member of Wood Partners, Mr. Zachary Albert, is here sitting directly behind him. And so here's what I'm going to do; I'm going to orient you to what is going on here. I am going to adopt my statement of justification, my application, the studies that we have already put into the record, and, for the most part, the technical staff report in this case.

There are 15 people signed up in opposition. I cannot anticipate everything they're going to say. If I try to do that in the initial part of my case, I am going to be here a lot longer than you want me to. So what I'm going to do is do that initial presentation, and then I'm going to sit down and I'm going to listen to the issues that are raised, and then I will address them in my rebuttal to the case. And I did verify with Mr. Warner (phonetic sp.) just a minute ago that that would be an appropriate procedure, hopefully, it is, otherwise I'll have to go through everything right now.

So let me let me start out by saying that what we're dealing with today is 16.9 acres located in the northeast quadrant of the intersection of Berry Road and Manning Road E in the Accokeek area. We have two different

parcels. We have Lot 12, and then we have Outparcel B. Lot

12 is 13 -- and a little bit extra of -- acres, and

Outparcel B is 3.7 acres, so that's how we get to the 16.9.

The current zoning classification is RMF-48.

- As you all are familiar with in CB-13 of 2018 -- adopted a new zoning ordinance in Prince George's County, all new zoning classifications, but it could not become effective until all 300,000 properties in Prince George's County were placed in new zoning classifications, pursuant to the adoption of a countywide map amendment which occurred as a result of the adoption of CR136, and that put this property in the RMF-48 zone.
- The RMF-48 zone is really, like it says, residential multifamily; that's the zoning classification it's in today, at 48 units to the acre. That's what's permitted of right in that zoning classification. There are also commercial uses permitted in that zoning classification.

The prior zoning classification was M-X-T, mixed-use transportation oriented. It was probably the most popular zoning classification to use in Prince George's County, prior to the adoption of the new zoning ordinance. Its intent was to take properties at major intersections, put them in the zoning classification to encourage a diversity of uses, a diversity of densities, different types

of residential uses, different types of commercial uses, to create a synergistic atmosphere that would include a 24-hour environment. That is really the purpose of the old M-X-T Zoning Classification.

Now, Lot 12 -- and could you bring up slide 9? I thought that -- was going to ask for slide 3, but when I saw slide 9 in your presentation, I thought it was very helpful. There we go. Okay. So you'll see at the top left Maryland 210 Indian Head Highway and running between those two purple-colored landmasses, Maryland 228, which is Berry Road. Now, back in the day all of what you see in purple was part of a Conceptual Site Plan in the M-X-T zone -- and all of it was zoned M-X-T -- that rezoning occurred in 1993, I believe, at the adoption of the Subregion 5 Master Plan and Sectional Map Amendment.

The counsel made a decision in that comprehensive rezoning to put all that property in the M-X-T Zoning Classification, all that purple-colored land area. So in the M-X-T zone you had to go through a Conceptual Site Plan, a Preliminary Subdivision Plan, a Detailed Site Plan, and lastly, final plats of subdivision. Okay. That's because of the mix of uses and because it's a floating zoning classification, all those different layers of development approvals are required.

A Conceptual Site Plan was filed and approved by

the by the Planning Board and by the County Council for everything you see in purple on that map. Now, that occurred with a designation of Conceptual Site Plan 99050, which was considered, and which was approved in July of 2000, after the adoption of the SMA. And what you see is that in that Conceptual Site Plan, there were three pods — three development pods.

The curved area that's purple on the south side of Maryland 228 was Pod 1 that was approved for retail commercial uses. It is the site of the Manning Village Shopping Center (phonetic sp.), which is basically, fully developed; there's a couple of pad sites left in there.

The odd shaped parcel on the north side of 228, in the southeast quadrant of the intersection of 210 and 228, was Pod 2. When Pod 2 was approved by the County Council and by the Planning Board, it was approved for up to 800 senior residential units to be included in a mix of residential types, clearly embodying the recommendations of the M-X-T Zone. So they were to have single family detached town homes and multi-family buildings in Pod 2; those were approved up to 800.

And then Lot 12, what you see now sort of going southeast on the north side of 210 -- the triangular shaped piece -- that's Lot 12, and that was approved for retail commercial development. So that's what we had in the

original Conceptual Site Plan approval for the project known as Signature Club at Manning Village. Three pods, three sets of development, very diverse types of residential uses, and a real key function on retail commercial.

Because, as you'll recall, one of the criticisms of the M-X-T Zone was that people started using it primarily for residential development, with just a smattering of commercial. This clearly, clearly embodies the real, original intent of what the M-X-T Zone was all about. Now, later Pod 2 and Pod 3 went into foreclosure because the person who was the financial backer of the project unexpectedly passed away.

A client of mine purchased Pod 2 and Pod 3. He also purchased a parcel known as Parcel 25, and Parcel 25 on that map is the -- sort of the clear area outlined in red between Pod 2 and Pod 3, right there. And the reason that Parcel 25 had been acquired is that access was denied on Indian Head Highway and access was denied on Berry Road, and they had to figure out how they were going to access the property. So they purchased Parcel 25 in order to provide that access, and that's the way it works today.

There's a road called Caribbean Way, which provides access into the area known as Pod 2. Ultimately, Pod 2, after my client purchased it, was converted to fee simple uses -- instead of 800, 313 -- a smaller mix of

single family detached. The bulk of it was residential town homes, and that project has been built -- was not built by my client, it was built by someone who purchased it. My client, originally -- my original client, still owns Lot 12 and part of what was known as Parcel 25.

So as time progressed, and as the development was going to move forward -- as I said parcel 25, which was going to be used for access, was rezoned to the M-X-T Zone, but that was done pursuant to a zoning map amendment application that was all of Parcel 25. Prior to the rezoning, the small triangular piece of Parcel 25, which is labeled on that map as Outparcel B, as well as Lot 12, were joined together and made the subject of a preliminary subdivision plan. Okay. That preliminary subdivision plan was denoted as 4-01064, and when it was approved by this board, the approval was to develop 157,500 square feet of commercial development retail, which would also include 10,000 square feet of office. Okay.

At the time that -- and here's the nuance -- at the time that preliminary plan was approved and platted, with the record plat, Lot 12 was zoned M-X-T. But what you see is Outparcel B was not yet zoned M-X-T, it was still R-R, and that's why it was designated as an outparcel; it was in water and sewer Category 6, zoned R-R -- couldn't be developed with commercial and it needed a category change.

So it was platted as an outparcel, but it's part of the recorded subdivision for Lot 12 and Outparcel B. After that, Outparcel B and the balance of what was previously Parcel 25, in that area outlined in red, were all rezoned to the M-X-T Zone.

So what we have today is two pieces of property before you, both of which are zoned M-X-T and both of which are the subject of a new Conceptual Site Plan. Lot 12 had been part of the original Conceptual Site Plan, obviously, Outparcel B was not. We determined that for purposes of consistency and for purposes of bringing forward the intent of the M-X-T zone, we wanted to develop this property using the prior Zoning Ordinance, which is expressly permitted --expressly permitted in this instance by Section 27-1704 of the new Zoning Ordinance and 27-1901 and 1903 of the new Zoning Ordinance, and I'm sure I'm going to be getting into that at a later stage.

So what we did was we filed a new Conceptual Site Plan. The old Conceptual Site Plan had that Number 99050. This case that's before you today, even though this is part of the overall Signature Club development, it's a new Conceptual Site Plan CSP-23002 -- a new number and a new process. That's why we're going through the Conceptual Site Plan process here today to get that approval so that we can then file a new preliminary subdivision plan for just this

section of Signature Club. So that's pretty much what we're doing here.

Our proposal within this Conceptual Site Plan is to have up to 300 multifamily units. Now, the density that would be allowed is substantially higher than that. My client could say, I'm going to build a monumental six-story structure here and increase my density to what's allowed in the M-X-T Zone, pursuant to the floor area ratio, which is 1.4, which is an extremely high -- no M-X-T project in Prince George's County has ever reached a 1.4 FAR; it's very, very high -- very, very dense. But we could have gone vertical and put a lot more units in here. But we decided to use eight buildings, and we said in our filing up to five stories.

My proffer and my client's here ready to testify today should you need it -- but my proffer, as his counsel, is that those units are going to be a mix of three- and four-story units. We are not going to get to 300, we're going to be in the range of between 272 and 275 units total for the multifamily. No building will exceed four stories in height. There'll be a mix of three-story buildings and four-story buildings. Bear in mind we have townhouses over there that are three stories right now. So that is our proposal under the Conceptual Site Plan.

To maintain some mix of commercial, we're

proposing to retain out front, along the Maryland 228 frontage, three parcels for a total of 12,600 square feet of commercial development. We do not know what that might be at this point in time. It's going to have to go through the entitlement process, just like this property is going through the entitlement process today, but that will be —that will be a placeholder, it will be part of the preliminary subdivision plan that we file, we just don't have users for it right now.

Wood Partners is the user; they are going to buy and construct these multifamily units on this property that is before you today, and they're going to bring a very attractive product to the marketplace, just as they have done every other location in Prince George's County where they have built, and across the country.

So that is our Conceptual Site Plan submittal; that's what is before you today. We appreciate the staff's recommendation of approval with conditions. We appreciate the staff's understanding of the minor revisions that we made to three of the conditions -- well, we didn't really revise the first part of Condition 2, it was more saying, we don't want to put sidewalks certain places where they abut buffer areas.

And one of those is to the north, where we abut a ten-acre piece of property owned by a gentleman by the name

of Victor Christiansen, who's here to testify today, in opposition, unfortunately. But we didn't want to put a sidewalk up against his property because he's concerned about people wandering over into his land area. So that's why we didn't want to put a sidewalk up there, but there will be more about that.

At this point, I'm going to stop. This is an overview of where we are, that this is an overall -Signature Club is an overall mixed-use development approved for high intensity. What we're doing, we think is complementary and compatible with the M-X-T Zone with the other M-X-T projects that have been developed in the County. And I'm going to sit down and I'm going to see what I have to come up and rebut during my rebuttal case after everyone else testifies. So thank you very much, I do have witnesses that I'll call on rebuttal, and I'll be up here sometime in the future today. Thank you.

Gibbs. Are there any questions from the Planning Board?

COMMISSIONER GERALDO: I just have one. What's the reluctance to go higher than four or five? And the reason I ask for -- because in that sense, you can maintain

I appreciate your testimony, Mr.

MR. CHAIR:

more of the trees, et cetera.

MR. GIBBS: Well, I guess everything's always a balancing act. The testimony you're going to hear from most

of the folks in opposition -- because I've talked to a lot of them; we did our normal community outreach. I mean, we reached out to Accokeek Development Review District Commission, the HOA for Pod 2, many of whom are in opposition to this, and then some adjoining property owners, like Mr. Christensen, who -- all of them, I respect their opinions, but they would say that the higher the building,

I think they would say that because that's one of the concerns when we were at a highest level of five stories it was, oh my gosh, you're going to have five stories, that's what I'm going to have to look at? So my client's approach in proposing a development plan was to implement the intent of the M-X-T Zone, while at the same time making it compatible with other uses in the area, and that can be done with multifamily. And quite frankly, Wood Partners was just trying to do the best it could to bring its product to the marketplace, while at the same time not creating an imposing structure that folks would not want to look out at every day.

MR. CHAIR: Thank you.

MR. GIBBS: Uh-huh.

the worse the intrusion is for them.

MR. CHAIR: Any other questions?

COMMISSIONER WASHINGTON: None here.

MR. GIBBS: Thank you.

1 MR. CHAIR: I'm now going to ask for the public to 2 come up and speak, and I have a list of those that are --3 UNIDENTIFIED SPEAKER: Sorry, so those signed up 4 in advance, and they signed up in person today, so we can 5 start with those that signed up in advance. 6 MR. CHAIR: Those that are coming up to speak, I'm 7 asking you -- you have three minutes to speak, and we're 8 going to start with -- I apologize in advance if I mess up 9 your name. Mr. Hilliard, Jacquan Hilliard? 10 UNIDENTIFIED SPEAKER: Is he online? 11 UNIDENTIFIED SPEAKER: He's here. 12 UNIDENTIFIED SPEAKER: Is he virtual? 13 MR. CHAIR: We're going to go to Alex Votaw. 14 UNIDENTIFIED SPEAKER: She's online. 15 MS. VOTAW: Hi. Good afternoon. May I 16 respectfully request five minutes instead of three minutes, 17 Since I am an attorney representing citizens and the 18 applicant's attorney got, I think, roughly 18 to 20 minutes. 19 MR. CHAIR: Yes, ma'am. 20 MS. VOTAW: Thank you so much. I really 21 appreciate it, sir, and welcome to the Board. I'm excited 22 to have you --23 MR. GIBBS: As a point of order, I'd like to ask 24 Ms. Votaw if she took the oath. I did not see her hand come 25 up.

MS. VOTAW: My understanding is that if -- if Mr. Gibbs took the oath, my understanding is that attorneys are not supposed to take the oath, that that's not appropriate. I'm happy to do so, my testimony is truthful, but my understanding is common practice is attorneys do not take the oath. They present argument on the facts that they have to present via evidence.

MR. CHAIR: Ms. Votaw --

MS. VOTAW: But I'm happy to --

MR. CHAIR: -- Go ahead and proceed.

MS. VOTAW: Okay. Thank you, sir. So for the record, my name is Alex Votaw from The Law Office of G. Macy Nelson. Today I have the pleasure of representing Carolyn Keenan and Jordan Eberst. I believe they're also there and plan to speak briefly after me. We've submitted written arguments outlining some of our very serious concerns with this application. I hope the Board has opportunity -- or has already had the opportunity to review those, they're in the additional backup. So instead of going through each one of those, I think we've adequately covered them in our writing, and to respect the board's time, I just want to highlight some of the key issues.

So starting with the Conceptual Site Plan in this case, the transitional provisions describe that when you're relying on prior development approvals, and you're applying

for a Conceptual Site Plan, you can't combine two properties that were subject to separate approvals. And what we see in -- I believe it was slide 8, the one before the slide that's currently showing -- is that Lot -- thank you -- Lot 12 was subject to a separate CSP than Outparcel B, which is the northern lot. Those should not be combined, and if they are combined into a new application, as is being requested here, we believe that's not allowed.

But even if it is, then they should not be allowed to rely on a previous Tree Conservation Plan as well. So you either have new CSP and a new Tree Conservation Plan, or you can have reliance on a previous CSP with only the properties covered by that previous CSP, and you can rely on that previous Tree Conservation Plan. You can't have it both ways — is the issue here. So for that reason, we believe you should deny this application.

I want to touch briefly on two substantive points on the CSP. First and foremost, staff found that there's not adequate traffic capacity at least one intersection in this application, that's clearly stated in the traffic report. For that reason alone, this application must be denied. The requirements of the law require a finding of traffic adequacy at this stage, not at the preliminary plan stage. And we're going to have an expert, Larry Green, he has signed up to testify -- he will touch on this as well.

The other issue is the compatibility. Staff and the applicant have argued this is more compatible with the area, but the area does not have any structures that are five stories, especially structures that take up the entire site that are five stories. The evidence we've submitted on to the Board in our exhibits demonstrates that the area around this property is, at most, three stories. So we believe this application should either be denied on that grounds or limited to only three stories high to be compatible with the surrounding area.

And then I want to touch on the Tree Conservation Plan, because I think that's really important here. First, I unfortunately have to vehemently object to the proposed amendment to the staff report, where the staff proposes to remove the fact that the prior approvals were not complied with and the applicant -- or the property owners have failed to provide at least seven acres of woodland conservation that was previously required. That should remain in the staff report, it's important context for this board to consider; we object to that change.

And the last thing I want to focus on is the forest retention areas that are on this site. This site, according to PGAtlas, according to picture signs on the property itself -- and it seems to be implied by previous approvals in this case -- has forest retention areas on it.

The applicant has to demonstrate how it is allowed to remove those forest retention areas that are already located on this site. That's a really big issue, and respectfully, the applicant has to provide actual evidence explaining how it is allowed to remove these forest retention areas and what it's going to do to make up for their removal.

The applicant has not done that, they have not addressed that. And again, respectfully, I don't believe opposing counsel can address that because attorneys, as I said, are not providing testimony, we provide argument, we explain the evidence we are presenting to the Board. The applicant has to provide actual evidence from a witness or via documents demonstrating and accounting for these forest retention areas, because this county is essentially hemorrhaging woodland across the county, and that's causing substantial woodland -- it's causing health issues, it causes environmental issues.

very seriously and make sure the applicant is complying with all the requirements of the Conceptual Site Plan, and particularly the Tree Conservation Plan in this case, because they are proposing to exclusively meet their requirements through off-site mitigation, and in the past that has not been complied with after the approval. So I really appreciate your time. Thank you so much, Chairman,

1 and welcome to the Board. 2 MR. CHAIR: Thank you so much. 3 Asia -- I can't pronounce your last name --4 Abdushshahid. No? 5 Brittney Braswell? 6 MS. BRASWELL: Hi. I'm here. 7 MR. CHAIR: Thank you. 8 MS. BRASWELL: I just want to address a few things 9 starting with the website for the PG Planning Board, which 10 says that your mission, created in the year that it was 11 created, is created to improve the quality of life for PG 12 residents. So nothing in that mission brought up WP 13 Acquisition and other developers in there. 14 The quality of their business -- it's focused on 15 the quality of life. And when we look at projects like 16 this, the people who live in the areas that projects like 17 this pop up in, their quality of life is directly affected 18 in a negative way, from air quality to the quality of the 19 schools that are already busting at the seams. I was a 20 teacher at Gwynn Park for many years, I had 40 plus students

To the roads -- 210 is one of the deadliest highways in Maryland. I get anxiety when I get on that highway; I'm checking my mirrors three, four times on that highway. So I just wanted to say that and bring that up to

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in my class.

1 just remind the Board that we expect you guys to advocate 2 for the quality of our lives, not for developers, and that's 3 all I would like to say. Have a great day. 4 MR. CHAIR: Thank you so much. 5 Gadise Teklu? 6 UNIDENTIFIED SPEAKER: Yeah. 7 (Indiscernible) 8 MS. TEKLU: Good morning. My name is Gadise --9 There you go. Okay. Good morning. My name What? What? 10 is Gadise, and I'm eight years old. I go to Accokeek 11 Academy, and I learned that you might let people cut down 12 the forest to build apartments; please don't, it's crazy. 13 First of all, elders, childrens, and adults with asthma will 14 suffer greatly, and so are people with ADHD and people with 15 no conditions. They would all have to breathe low-quality 16 air because trees take in carbon dioxide and turned it into 17 oxygen. So by cutting down trees, it's like you're 18 purposely making the air worse. 19 I love our forest so much. Accokeek is naturally 20 beautiful. By taking away the forest, you are also getting 21 rid of the animals that live there. Animals like birds and 22 foxes keep the bug population down. Bees, butterflies, and 23 beetles all are a major part of the ecosystem. Beetles

break down materials that make them land nutritious.

Butterflies and bees pollinate flowers and plants, which

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help them grow.

Also, it's a home to lightning bugs. I know people need places to live, but why cut down the forest? Isn't there open land in Prince George's County without trees where you could build houses? I'm afraid and sad about climate change. When I grow up, I have to deal with climate change. You are already grown up, so you won't worry about it as much as me. This is where we need -- this is why we need to keep our forests and swamps. They help protect us from getting too hot and from flooding. Texas is flooding right now, I don't want that to happen to me or the community.

Please don't let them cut down our forest. Find another place without trees. Keep our forests safe for me and all the kids who want to stop climate change and protect the habitats of nonhumans. Humans need to learn how to live peacefully with other species too. Thank you for listening. Sincerely, Gadise, Accokeek Academy student.

UNIDENTIFIED SPEAKER: Thank you.

UNIDENTIFIED SPEAKER: Thank you.

MR. CHAIR: Gadise, I want to just say that you did an outstanding job. I don't know what the outcome is going to be, but I applaud you for advocating for yourself and your community, and we need more young people like you in this world, so great job.

MS. TEKLU: Thank you.

MR. CHAIR: Julian Dotson?

MR. J. DOTSON: Hard to follow up Gadise, she's my neighbor, and I appreciate you for doing that. I'm also a teacher, as a previous speaker mentioned, and I have a few notes here. So I live around the corner from this beautiful forest, and I've lived there for nearly a decade. I've raised my children there, and in this patch of forest -- is not just a patch of forest, it's not just four specimen trees. It's a part of our family's story. It's who we are and it's what we talk about when we talk about Prince George is so beautiful and -- gorgeous Prince George's.

Do these developers live in Accokeek? Do they even live in Prince George's County? Do they live in Maryland? Do they live around the corner from the 300 units that are crammed into eight buildings -- or nearly 300 units, tucked behind a cloak of beautiful trees on a quiet street? Would they allow their project to go forward if their mama lived there? I don't know.

Every year, this forest removes 33.8 tons of carbon dioxide -- that Gadise spoke about -- filters 456 pounds of air pollution that could otherwise settle in their lungs. It absorbs millions of gallons of rainwater that shields our area. If you notice, one of those site plans showed a downward slope to our little creek where our kids

go and play sometimes. That creek will be gone because of the amount of storm runoff and sewage runoff, similar to across the street where those folks are complaining right now about sewage and the stench when the kids play basketball.

This forest will erase the beauty that we have there. It means the elderly will breathe in terrible air — and just listen to the bulldozers that are making all the noise instead of the birds chirping. These garden pollinators and different animals that we see will just seek homes other places. The mice will seek homes in my house, and when those mice start running from the bulldozers — no one wants mice. That's all I got to say. No one wants mice. This isn't about the trees; it's about our lungs and how our neighborhood breathes.

The old staff report and all the old things were approved a while ago -- 2000. I don't know who was on the board at that time, and what was looked at that time, but I came long after that. Even when I got there, there were new developments being built and those things were thrown up fast. So all the preliminary planning might be there, but when they start building, they want it up fast so they can get money in their pockets fast. This process here is definitely rushed. It's hidden --

MR. CHAIR: Your time is up, if you want to

1 conclude. 2 MR. J. DOTSON: Let me get to the last little 3 section here. I would say that the forest can't speak for itself, but I'll speak for the forest. 5 MR. CHAIR: Thank you. 6 UNIDENTIFIED SPEAKER: Thank you. 7 MR. CHAIR: Ms. Karen Thompson (phonetic sp.) --8 Karen Thomas? Thomas. 9 MS. THOMAS: Good morning. Good morning, I'm 10 here. 11 MR. CHAIR: All right. 12 MS. THOMAS: Hi. 13 MR. CHAIR: You have three minutes. 14 MS. THOMAS: My name is Karen Thomas, and I live 15 behind the proposed development on Bealle Hill Forest Lane 16 in Accokeek. My husband and I bought our home a little over 17 three years ago because it was in a good neighborhood, in an 18 area filled with single family homes, old and new. My 19 community is filled with residents who have worked hard and 20 moved here because it was quiet and peaceful. Now, we find 21 out about this plan. I took the time to read the 200-page 22 document outlining the history of this development, which 23 goes all the way back to the late 90's, early 2000's, when 24 this community was very different. I don't think anybody's

taking into account the changes that have been made in the

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last 20 years.

The statement, to encourage diverse land uses which blend together harmoniously, is definitely not being upheld by this development. I don't know how a 300-unit apartment complex will blend together harmoniously in a community of owned single-family homes and townhomes; it will only serve to diminish them. Additionally, this will increase traffic in an area that is already traffic heavy. The traffic circle that is mentioned throughout that 200-page document can barely handle the communities it currently serves, and we're already adding 218 townhomes and 95 additional single-family homes to this area.

The congestion from Manning to Dusty, Menk, and other back roads can be significant already on days where there are backups on 228 and 210, because everybody that knows to use these back roads, not to mention GPS will divert traffic this way when there are traffic issues. This is not a walkable area, as the application and Conceptual Site Plan mentions. Going across Berry Road is dangerous in a car. People run those lights all day, every day. There is rarely a day there's not an accident at or near this intersection. It would be dangerous and negligent to propose any residential walkways — any resident walk across those streets.

The conceptual idea that this would be a lifestyle

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    center field is impossible. There's no way 12,000 square
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    feet of retail will be meaningful. No national retailer
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    would take that small of a space. All we would get is more
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    of the same; more liquor stores, more vape stores, more
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    small, soul-food spaces. We don't need those; we need
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    meaningful retail, and how do I know this? Because I lease
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    space at a shopping center, which is where I am today.
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    we're not adding anything to this community, we're taking
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    away from it, we're devaluing it. We're devaluing the home
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    prices of the residents that already live here. I hope we
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    can reevaluate this plan. Thank you.
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              MR. CHAIR: Thank you.
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              I think it's Khrehaan Ebah. Did I say that
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    correct? Last name is E-B-A-H.
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              UNIDENTIFIED SPEAKER: Yeah. Hi, there.
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    (Indiscernible)
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              MR. CHAIR: We're going to move on.
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              Lawrence Green?
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              MR. GREEN: Yes, I'm here.
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              MR. CHAIR: You have three minutes.
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              MR. GREEN: Good morning. My name is Larry Green.
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    I'm a registered professional engineer in the State of
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    Maryland, as well as a nationally certified professional
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    traffic operations engineer. Your Honors, I only have two
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    points to raise.
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Number one, I agree with the staff findings that the proposed Signature Club East development will exceed the trip cap of 1:47 a.m. peak hour and 5:24 p.m. peak hour trips. The applicant has presented an argument that if internal trip reductions and pass-by trip reductions are included, then the Signature Club East development will only exceed the trip cap during the a.m. peak hour. Based upon my review of preliminary plan of subdivision 4-01064, there are no stipulations for assumed reductions of internal trips or pass-by trips. The condition only establishes a trip cap of the number of trips generated by the development. In this case, the trip cap is exceeded during both a.m. and p.m. peak hours.

Point 2, the applicant has raised an argument that the proposed Signature Club East development, with the inclusion of internal trip captures and pass-by rates, will impact the Maryland 210 at Maryland 373 intersection by 16 critical lane volume units less, during the most critical p.m. peak hour as compared to the previously approved development application. Based on park and planning, traffic impact study guidelines for intersections which exceed the level of Service D criteria or a CLV above 1,450, recommendations must mitigate the site traffic impact by 150 percent at these negatively impacted intersections.

Therefore, since the new development plan was

shown to reduce the critical lane volume by 16 CLV units, at the Maryland 210, at Maryland 373 intersection during the p.m. peak hour, then in order for this plan to be deemed an acceptable mitigation measure, then the original traffic impact to the Maryland 210 and Maryland 373 intersection by the previous development must be ten units or less, because 150 percent of 10 is 15, which would be less than 16 CLV impact.

Based upon the previous plan submission, it is inconceivable that the previous development proposal had an impact to the Maryland 210 and Maryland 373 intersection of 10 CLVs or less during the p.m. peak hour. Therefore, the simple change in development plan fails to meet the park and planning traffic mitigation guidelines. Thank you very much for your time.

MR. CHAIR: Thank you.

Lisa Burnam?

MS. BURNAM: Good morning. I'm Lisa Burnham, a resident of Accokeek, and I'm very concerned about the proposed development at Manning and Berry Road. Putting 300 units on 16.9 acres is way too much for our area. This goes against the county's Climate Action Plan. Also, the developer's track record is poor. Nearly 100 signature clad residents are suing Ryan Homes and Caruso Homes right now for proper for property damage, sewage backup, and awful

smells from badly designed wastewater systems. These developers knew the systems were poorly installed but didn't warn buyers.

Since 2021, these residents have been getting overcharged for wastewater. Their home values have dropped, and their insurance went up. As usual, these developers put profits over people. We don't want more of this in Accokeek. The forest area soaks up nearly 500,000 gallons of rainwater every year. Without it, we'll see increased flooding for nearby properties and higher insurance costs.

Without these trees, temperatures will rise five to nine degrees, making higher SMECO bills, stressing our power grid, and real health concerns from the heat. Our local wildlife will suffer and be displaced. Our pollinators, like bees and butterflies, will be endangered. Once we lose these natural resources, we can't get it back.

Traffic, as many people have already said, 210 is really dangerous. Adding 300 units means at least 600 more cars in an already congested road. This means more accidents, longer commutes, and more crowded schools.

Accokeek Academy, where my daughter attends, is already at capacity. The new Fort Washington school helped but didn't solve the overcrowding problem, adding hundreds more children will further stress teachers, increase class sizes, and impact the quality of education for all our kids.

We need to build infrastructure that can support adding more families to this area. Instead of high-density development in environmentally sensitive areas, we should encourage northern PG to make more affordable housing so it's easier for people to live closer to their jobs. We need to reduce sprawl and long commutes, make recommendations that honor the Climate Action Plan of our county, invest in public transportation to reduce car dependency. Even without signatures, we're already dealing with overcrowded schools, difficult commutes, and unsafe roads.

Accokeek is one of the few places left in PG with sprawling green spaces. Wetlands, forests, wildlife that give character to this area are irreplaceable, and we know that the developers don't care about that. These are irreplaceable resources that benefit everyone, and it's not an invitation to developers. We want development that serves our community's long-term interests. Signature Club East will strain our infrastructure and remove natural resources that protect from flooding and extreme heat.

I respectfully ask you to reject this proposal.

District 9, Accokeek, needs more schools, walkable roads,

public transit, and protection of natural areas to keep us

green, healthy, and a sustainable community. Thank you for

your time and consideration.

1 MR. CHAIR: Thank you. 2 Megan Crigger? Megan Crigger? 3 Rana Dotson? 4 MS. DOTSON: Morning. 5 UNIDENTIFIED SPEAKER: Morning. 6 UNIDENTIFIED SPEAKER: Good morning. 7 MS. DOTSON: Thank you so much for this hearing 8 and for hearing our testimonies in opposition. My name is 9 Rana Dotson. I'm a member of this community; I live in 10 Accokeek. We've been here -- raised our three kids for the 11 last decade in this community. This plan to destroy almost 12 17 acres of mature forest for about 300 apartment units is 13 not just ill advised, it's potentially illegal, unsafe, and 14 based on false confidence in a developer who's already 15 failed this community. 16 First, the proposal potentially violates 17 Maryland's Forest Conservation Act. The developer hasn't 18 shown that the forest clearing is the minimum necessary, nor 19 have they prioritized on-site retention as legally required. 20 Second, let's talk about trust. Signature 2016 Residential, 21 LLC is currently being sued by residents, as been mentioned 22 by my neighbors, of their existing Signature Club 23 development just across the street. 24 Since 2021, those residents have endured repeated 25 sewage backups into their homes, flooded basements, and

noxious odors -- gross. Complaints have gone unaddressed or have been slow to be addressed, promises have been broken, and the company's pattern of neglect is well documented in court filings, where I saw them.

These are not hypothetical risks. They're ongoing harms right now affecting real people who were assured their homes will be safe. This is the same developer asking you for permission to build 300 more units? Why should the public or this board believe they will suddenly operate differently? Third, this proposal violates Adequate Public Facilities Ordinance. Our local K through 8 school, Accokeek Academy, where my kids matriculated, is overcrowded. The recently built Fort Washington School, as has been mentioned, hasn't resolved the issue. The development will only make matters worse, placing additional strain on classrooms, teachers, and students.

Fourth, consider the impact on public safety. As has been mentioned, we all know Maryland Route 210 is a death trap already. It's already among the most dangerous highways on the state, and adding over 600 more daily vehicle trips, without roadway improvements, is reckless and will increase the risk of serious accidents, including to my two new teenage drivers who are on 210 almost every day.

Fifth, removing almost 17 acres of forest, as has been mentioned, will harm the environment, which directly

impacts us and little Gadise. Please, staff recommends approval -- excuse me. Staff recommends approval with conditions, but what conditions could possibly replace mature forest? There is mention of indefinite waiver in the in the paperwork -- waiving what exactly? Where is the environmental impact statement? Where is the analysis of cumulative impact from nearby developments?

This Board faces a simple but serious choice. You can stand with us, the residents, protect public health and safety, and uphold environmental laws by denying this application. Or you can enable a known violator with an active lawsuit to destroy forest and worsen flooding, traffic, and overcrowded schools.

At minimum, I urge you to defer this decision until a full environmental review is completed, viable lower impact alternatives are considered, and the public has adequate time to assess this plan. Forest cannot speak, as has been stated by my husband, but we can, and we must speak for it. Please deny this dangerous and irresponsible proposal. Thank you.

MR. CHAIR: Thank you.

Tatiana Gomez Ramirez?

MS. RAMIREZ: Morning. Members of the Prince George County, my name is Tatiana Gomez, and I am proud resident of Accokeek and a member of (indiscernible) club

community.

COMMISSIONER WASHINGTON: Can you get a little closer to the microphone, please? Thank you.

UNIDENTIFIED SPEAKER: Hello, sir.

MR. CHAIR: You're fine.

MS. RAMIREZ: Today I stand before you, not just as an individual, but as a voice of the many families who have signed a petition in strong opposition to the proposed development on Lot 12 and Outparcel B. This proposal, which include hundreds of multi-family dwelling units and over 12 square feet commercial space, poses a serious and irreversible -- three to integrity of our community.

First, let me speak to the environmental impact.

This development will wipe out our area's last remaining forest ecosystems, it's home to native wildlife, and plays a vital role in purifying our air, regulating temperatures, absorbing stormwater, and refreshing groundwater. Once it's gone, it's gone forever. The environmental cost is too high, especially at a time when we should be protecting, not destroying, our natural resources.

Second, is this an example for our development with our responsible planning? Accokeek is a semi-rural community. That identity is important to us, and is why many of us choose to live here. I think three high-density units and new commercial buildings will be put an

unsustainable burden on our schools, utilities, emergency service, and recreational space. The infrastructure simply isn't there to support this kind of development, and there is no clear plan for how those gaps will be addressed.

Three, traffic and road safety. Anyone who lives in Accokeek knows that Route 2010 (phonetic sp.) and Livingston Road are already experiencing congestion. This development will dramatically increase traffic on narrow residential roads, schools, bus routes, and already congested intersections. This is not just inconvenient, it's dangerous. Emergency response times will be delayed, and accidental risks will increase, especially for children waiting at bus stops.

Four, and perhaps most personal to many of us, are the safety and liability concerns. With higher population density and new retail space, often comes increased crime, robbery, vandalism, and loitering. Accokeek currently does not have the law enforcement resources to handle surge in population and activity. We worry about what this means for our peace of mind, for our childrens playing outside, and for our community -- quality of life. In conclusion, we are not anti-growth, we are pro-responsibility; we support development.

MR. CHAIR: Your time is up. You want to conclude?

1 MS. RAMIREZ: Yes. We are urging -- to the 2 Planning Board to listen to the residents who live every 3 day. Please reject this proposal and still work with us creating a better, more sustainable plan for Accokeek 5 future. 6 MR. CHAIR: Thank you. 7 MS. RAMIREZ: Thank you. 8 COMMISSIONER WASHINGTON: Thank you. 9 MR. CHAIR: Thank you. 10 Victor Christiansen? 11 MR. CHRISTIANSEN: I read the planning report and 12 there was one item in the planning report that I want to 13 bring up. It basically said that there were no comments 14 from the community. This is very misleading. I don't --15 COMMISSIONER WASHINGTON: Could we have you 16 identify yourself again, please, sir? 17 MR. CHRISTIANSEN: Victor Christiansen. 18 MR. GIBBS: And your address? 19 MR. CHRISTIANSEN: 16521 Boot Hill Road Accokeek, 20 Maryland. 21 COMMISSIONER WASHINGTON: Thank you. 22 MR. CHRISTIANSEN: I was saying that the report 23 states that there was no response from the community. This 24 implies that community doesn't care, or that the community 25 agrees with the project, this is simply not true. I spoke

to a few of my neighbors, and they were shocked and outraged when they heard about the massive project that was being proposed. Recently, a petition has begun to circulate, just within the past few days, it's gotten over 300 signatures. So the community is opposed to this, and they do want to comment. I don't understand why there was some disconnect, but the community hasn't had a chance to comment.

I suspect that over the next few weeks, hundreds of thousands -- even more people will comment and be opposed to this project, they just haven't heard about it, and I don't think that's right. The people have a right to speak, they have the right to have their opinions heard, and to date, I don't think that has happened. Several people have mentioned Interstate 210, as you probably know, just last week -- a week ago today -- there were two fatal accidents on 210; three individuals died. This is not unusual for 210.

Safety advocates have named 210 the highway of death. AAA has said repeatedly, year after year, that it's the worst highway in the State of Maryland and probably the one of the worst highways in the entire country. We need to address that problem, and the solution is not by adding more congestion and more traffic. The report stated that one intersection will fail. That should be enough to say that this should not happen at this time. The solution is to fix

1 the road, not add more congestion, it would just make it 2 worse; it would just cause more disruption, more death. 3 Thousands of people use that highway and they would be in 4 traffic jams -- more road rage, more accidents, that's not 5 the solution. The solution is to fix the highway. 6 And there were several proposals to fix the 7 highway since I've been there. They wanted to put 8 overpasses on Route 210. That money was taken to fund the 9 Purple Line. I understand one overpass was put in, but 10 that's not sufficient; The other seven were never put in. 11 The intersection between 210 and 228 is a malfunctioning 12 disaster that was supposed to be flyovers. When they put 13 that in, they said it's only temporary -- we're putting in 14 flyovers, so there wouldn't be any lights there. That was 15 like 15 years ago. 16 MR. CHAIR: Mr. Christiansen, your time is up. 17 Would you like to conclude? 18 MR. CHRISTIANSEN: Yes. I would like to conclude 19 just by finishing saying, you know, this is an unmitigated 20 disaster that's just waiting to happen. Particularly in 21 terms of 210 and the congestion that it would cause. 22 MR. CHAIR: Thank you. 23 MR. CHRISTIANSEN: Thank you.

COMMISSIONER WASHINGTON: Thank you.

MR. CHAIR: Caleb Dotson? Caleb.

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MR. C. DOTSON: Good morning, my name is Caleb Dotson. I've lived in this community for half of my life. The forest is not just beautiful, it's protective. It cleans the air we breathe it cools the streets we ride our bikes on; it absorbs the storm water that could otherwise flood our basements. Every year, it removes 33.8 tons of CO2 from the air, it filters 456 pounds of air pollution, it absorbs nearly half a million gallons of rainwater, it filters pollinators, birds, and native wildlife. Now, developers want to bulldoze it all and turn it into just pavement and profit.

Let's be honest, they would never approve this next to their homes. They wouldn't want it -- they wouldn't want it near their children. They wouldn't dare put it next to their mother's house, but they will do it to ours because they do not value our neighborhood, and to them, our neighborhood is expendable. That is selfish and that is wrong, and it's exactly what's happening here. The consequences are real.

Destroying this forest will raise local temperatures by five to nine degrees. It's already like 100 degrees in my neighborhood. I was just out the other day; it's too hot, we can't have it raising even more. Where will children go to play? They're going to be cramped into their houses. It increases flooding in neighborhoods that

are already struggling, and it displaces the same wildlife that keeps our ecosystems balanced. It contradicts the Prince George's County own Climate Action Plan.

Furthermore, a lot of other people talked about Accokeek Academy and the amount of -- the overcapacity. I went to that school; the hallways are already extremely crowded and it's already over capacity. We don't need 300 more units and even more children crammed into that school. So I have to ask, what sort of leadership is this? The County tells us that they care about the environment. You tell us that climate is a priority, but when the time comes to make real choices, they hand out approvals like candy. Stamp yes on the developer's wish list and tell the community we should be grateful for the conditions.

But I ask you, what condition can possibly replace 16.9 acres of forest? There's no replacement -- there's no replanting plan, no stormwater system, and no landscaped median that can match what the living forest already does for free. The whole process reeks. An indefinite waiver, leaving what -- environmental protections, oversight, public accountability? And where's the environmental impact statement? Where's the cumulative analysis, especially when other developments are going around us?

The truth is, they don't want to look at the full picture, because if they did, they could not justify this.

- 1 | In the staff report, it approves -- it recommends approval
- 2 | with conditions. That's a rubber stamp dressed in
- 3 | bureaucracy. I have a petition here with around 300
- 4 | signatures in opposition of this project. They say they
- 5 talked to our community, and what did they get in response?
- 6 They did not talk to us. I have here proof that 300 people
- 7 | don't want it in our community. It's our community and we
- 8 should have say in what happens in our community.
- So you have the opportunity today to do what the community needs and actually stand for our community and stand for what our county -- what our county is supposed to
- 12 stand for. Thank you.
- 13 COMMISSIONER WASHINGTON: Thank you.
- MR. CHAIR: Robin Braswell?
- MS. BRASWELL: Good morning, I'm Robin Braswell.
- 16 I'm a community member of Signature Club. I built my house
- 17 last year, July 2024. In the middle of that process, I was
- asked to sign a document informing me that they were being
- 19 sued by the residents of that community because the water is
- 20 bad; WSSC will not touch us. We have pumps in our yards
- 21 | that try to do something to pump out the water. There's a
- 22 stench in that neighborhood because of the sewage system.
- Currently, they're building 140 townhomes right in
- 24 front of the community. I ride 210 every morning. It takes
- me no less than 30 minutes to go 10 miles. We already heard

that AAA calls it the deadliest highway in Maryland. It is ridiculous the amount of traffic and the speeding that occurs already on that highway. So we're talking about another 140 residents being built currently right outside our community in that section above, so that's a potential of 280 drivers. Then we want to add another 300 across the road -- potential of 600 plus drivers on a road that cannot handle already the people who are coming down it on a daily basis.

My daughter Brittany Braswell spoke earlier. She built her house across the street from me. I was supposed to age in place there. I don't think I'm going to stay. I moved from Accokeek not too long ago -- five years ago, to this part of Accokeek. I might have to move again because this is ridiculous. The time it takes -- that highway cannot handle the traffic, and to put 300 apartment units there, that's ridiculous. Let me see what else I had in my point.

And then they talked about commercial establishments, so you were talking about even more traffic coming there. We have commercial establishments across the street. We have Giant, we have two banks, we have 7-Eleven, we have a gas station. We have commercial establishments there; we don't need more. That's even more traffic in an area that's already overpopulated. This does not make

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    sense. I hope you support the residents and stand by us.
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    We have to live there, these developers don't live there,
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    they don't care. They don't give us anything.
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              When I signed my contract, my HOA was $140.
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    the time I went to closing, it's 168. Why? Because the
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    water is bad and we have to pay another company to manage
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    our water. We have to pay another company 400,000 a year to
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    manage our water. That shouldn't even have been approved
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    back then -- that the land is bad, that the water is bad,
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    homes are being flooded, sewage is backing up; that's a
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    problem. What is that going to do to our community? Thank
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    you.
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              MR. CHAIR: Thank you. There were three people
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    that were in favor of this project. We'll start with Mark
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    Ferguson.
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                          May I be heard very briefly.
              MS. VOTAW:
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              MR. CHAIR: Yes.
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              MS. VOTAW: My clients, I believe -- this is Alex
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    Votaw, for the record.
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              MR. CHAIR: What's your name?
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              MS. VOTAW: Alex Votaw. Alex Votaw.
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              MR. CHAIR: Wait a minute.
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              MS. VOTAW: I'm the attorney for Carolyn Keenan
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    and Jordan Eberst, they have not been called. I believe
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    they're signed up to testify. I understand that the new
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rules apparently state that if a persons are represented by attorneys, they can't be -- they can't testify. But the new rules also say I was entitled to a full case in opposition, I was not given that opportunity. I instead would like to request that the Board give my clients their three minutes to say what they want to say.

MR. CHAIR: Not at this time.

UNIDENTIFIED SPEAKER: Let the people speak. This is our community. Don't let random rules suppress the voice of people who will be impacted by this. This developer, he's going to get -- he represents the developer. He's going to get all the time he wants to speak. Give us our three minutes.

MR. CHAIR: I'm going to ask you all to follow the rules that we have in place.

UNIDENTIFIED SPEAKER: -- to suppress the voice of people who are here.

MR. CHAIR: Listen, ma'am.

UNIDENTIFIED SPEAKER: It's our civic duty to speak up. You say that we don't care about our community, but when we show up, you take their voice away.

MR. CHAIR: I'm going to say this one more time, or I may ask you to leave. Please let me allow for us to follow the rules and procedures. We are going to make a decision that makes sense, and I'm going to follow that. So

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    is Michael Lambert (phonetic sp.) -- Lenhart here?
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              MR. GIBBS: Mr. Chairman, all three of those
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    witnesses are part of my team --
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              MR. CHAIR: Okay.
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              MR. GIBBS: -- and so they would be part of our
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    rebuttal case.
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              MR. CHAIR: Fair enough.
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              MS. VOTAW: But just for the record, I would like
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    to object to this proceeding, but I'll drop the point. I
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    just want to make the record clear. Thank you so much.
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              MR. CHAIR: Thank you. Yes, ma'am. Is Michael
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    here?
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              MR. GIBBS: Well, Mr. Chairman, thank you very
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    much. So are we at the point where we can go forward with
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    our rebuttal?
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              MR. CHAIR: Yes, you are.
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              MR. GIBBS: Okay. Great. Thank you very much.
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    First, I would like to respond to the first objection that
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    was lodged by Counsel for two of the residents. Alex Votaw
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    spoke at the commencement of your taking testimony. I want
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    to address the first issue that she raised. Then I am going
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    to call witnesses. I'm going to call Mr. Michael Lenhart to
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    address and rebut transportation testimony that was made.
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    And I am going to then call Mr. Mark Ferguson, who is our
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    land planner, and he is going to address a number of issues,
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1 most substantially the woodland issues that have been 2 prevalently mentioned in opposition testimony.

I do have a question, though, and that is, it had been my understanding that staff of the Natural Resources

Division was present and they were going to respond to comments about tree preservation; is that true?

UNIDENTIFIED SPEAKER: Yes.

MR. GIBBS: Normally that would happen before I do my rebuttal, but whatever the wish of the Chair.

MR. CHAIR: No, I want you to go ahead and continue.

MR. GIBBS: Okay. Sure. So let me first address the comment that Counsel for two of the opponents in this case mentioned during her remarks -- called as the first person to speak. And that is the assertion being made that there is a violation occurring here by virtue of having Lot 12 and then adding a part of -- an additional piece to it, meaning Outparcel B and still using the prior Zoning Ordinance.

The section that Ms. Votaw is referring to is Section 27-1704(a), and there is a prohibition to adding land area to a prior application and including it as an ability to apply use of the prior Zoning Ordinance, meaning the M-X-T Zone versus the RMF-48 Zone. That would be true if we were using the original approved Conceptual Site Plan

that included three different pods of signature flow. That is not what occurred here, and we made that very clear in our justification statement that we were filing a new Conceptual Site Plan here. It's a new Conceptual Site Plan, it includes Lot 12, and it also includes Outparcel B, but it is a new application, and it is not subject to the prohibition that Ms. Votaw referred to.

Further, there is an additional issue that is applicable and that is -- we're relying on Section 27-1704 of the new zoning ordinance to allow us to move forward -- the manner that we have chosen to do so. But there is also another applicable provision, and that is Section 27-1901 and 1903 and 27-1903(b) specifically says that, except as otherwise provided in this section, development applications of any type for properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the subject property, as long as you fall within the time frame set forth in Section 27-1901, and that is three years from the effective date of the ordinance.

So this application was filed within three years from the effective date of the ordinance, so there is carte blanche right in this section to do what we have done, and we are not prohibited as Ms. Votaw has made an allegation in her argument. So with that being said, I do want to call next Mr. Michael Lenhart, he is our transportation expert.

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    Mr. Lenhart has been qualified as an expert in the field of
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    transportation planning and engineering on many, many
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    occasions before the board. I'm happy to have him go
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    through his qualifications, but because he's been accepted
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    as an expert on many occasions, I would offer him as an
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    expert today.
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              MR. CHAIR: Thank you.
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              Mr. Lenhart?
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              MS. VOTAW: Mr. Chairman, I'm going to object. I
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    believe the rules say that prior to providing testimony --
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    this is Alex Votaw for the record again, sorry -- prior to
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    providing testimony, individuals offered as an expert
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    witness must provide written evidence to the Board of the
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    individual's expertise.
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              MR. CHAIR: He has been here before, so we'll
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    accept his testimony.
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              MS. VOTAW: Again, I'm going to object to not
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    following the rules of procedure, but I'll drop it, so we
19
    don't have to waste time.
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              COMMISSIONER WASHINGTON: Thank you.
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              MS. VOTAW: Thank you.
22
              MR. CHAIR:
                          Thank you. Yep. You may proceed.
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              MR. LENHART: Good morning. Thank you. And so I
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    just want to confirm as a rebuttal, I'm not limited to the
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    three-minute rule, right?
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MR. CHAIR: That's correct.

MR. LENHART: I think I'll be within that, but I'll try to be brief.

MR. CHAIR: Hope so.

MR. LENHART: The purpose of my testimony is to provide information related to the transportation adequacy issue. It's our opinion that mitigation is not necessary, and this property has an approved trip cap and an existing certificate of adequacy, that will result in a credit of that capacity in the new certificate of adequacy that's issued at the time of the forthcoming preliminary plan.

This existing property has a previous approval, Preliminary Plan 4-01064. Condition 3 of that resolution states, that the total development within the subject property shall be limited to 157,000 square feet of retail and office, or different uses allowed under the governing CSP, which generate no more than 1:47 a.m. and 5:24 p.m. peak hour trips. This application, as it exists in the CSP and the forthcoming preliminary plan, does exceed the morning peak hour trip cap, but it is within the evening peak hour cap.

The Transportation Review Guidelines states, that a background development is an approved and unbuilt development within the study area. Having an approved and valid preliminary plan of subdivision or a valid final plat;

this property has both. Furthermore, the property received an automatic Certificate of Adequacy on April 1st of 2022, with the prior trip cap and associated transportation improvements, and that ADQ is still valid.

The total traffic conditions in this traffic study will operate better in the background traffic conditions during the evening peak hour, then it will operate under the background conditions, meaning that the approval of this project will result in an improvement in the levels of service at Maryland 210 and Maryland 373, then what would be expected if the property would develop using the existing approvals. Not only does the current proposal not have a negative impact, the approval of this current proposal would have a positive impact as it impacts -- as it relates to the levels of service at Maryland 210 and Maryland 373, when compared to the current approvals.

This property has vested rights under 24-4503(e)(1), and that all of the required dedication and improvements have been constructed per 24-4503(c)(1)(c). Let me jump to the mitigation -- it will require an ADQ amendment at the time of preliminary plan and to incorporate the changes in the transportation capacity as discussed in 24-4503(g).

So in summary, we do not believe that mitigation is going to be required here. However, if at the time of

preliminary plan it's determined that mitigation is required, we have identified potential mitigation at 210 and 373 that involve split phasing the traffic signal and restriping the minor streets; so the west leg would be one left-turn lane, one shared through left, and one shared through right. The east leg would be one left-turn lane, one shared through left, and one free right. That improvement mitigates 300 percent of the site's impact. The Transportation Review Guidelines requires only 150 percent mitigation; this would mitigate 300 percent. Again, we don't believe that's necessary, but mitigation is available and has been identified if required at the time of preliminary planning.

I'd like to address a few comments by Mr. Green. He testified that pass-by trips and internal trips should be included in the trip cap, and not reduced out of the trip cap. That is not in conformance with how this has been treated historically and not in conformance with what is in the guidelines. The guidelines identifies pass-by trips and internal trips that can be applied; it gives guidance for how to apply that. And pass-by trips are trips that are already on the road network. Internal trips are trips that are between uses on the site and never hit the road network. These are not included in the trip cap, and they have never been included in the trip cap, so that comment was

inaccurate.

I also made some comments about mitigation at 210 and 373. Again, we don't think it's required. If it is required, we have identified, as testified, potential mitigation improvement that would mitigate our impact and provide adequacy for 24-4505.

MR. CHAIR: I just have one question. As I'm listening to those that are opposing and -- forgive me, this is my first day on the job -- but what concerns me is just the fact of what I'm hearing, and what I know, that 210 is the deadliest highway I would say in America, and it was one of those things that I worked on extensively when I was a state delegate. So I'm more concerned with the conversations that you guys have had with the community, as it relates to your mitigation plans, and other ideas to try to soften that blow, if you will, right? So if you can expound on that, that would really help me understand the traffic issues that they're raising, that is of concern to them, as well as to me.

MR. LENHART: So adequacy of transportation facilities -- the safety aspect is a valid concern. That's a real issue and not to be downplayed -- and I don't mean to sound that way -- but adequacy of transportation deals with congestion and capacity related issues. There are other measures in the guidelines and in the subdivision

regulations that specify how adequacy is to be measured. And it generally involves capacity related issues. And again, I would say this project it's already an approved background development. They could develop today if they wanted to, to develop 157,000 square foot shopping center, they would need no further adequacy, testing, or approvals for that.

MR. CHAIR: And I get the part that they could do it, I'm clear. Yeah. But the part that I always going to have a problem with, and I think this is for any other land use attorney that comes before this Board, is that there needs to be a better, or more inclusive conversation with the community on how we're rolling out these projects. I just think that if we have those conversations ahead of time and try to mitigate some of the issues ahead of time, I would not have 15 -- 17 people testifying in opposition.

I think as a subject matter expert when it comes to transportation, is to really try to work with the community on those mitigation plans. And I think as we continue to go forward, that's what I would like to see; a more broader conversation on how we're working more collaboratively with the community, and what are those community benefit agreements that they now feel most comfortable with?

And I know that Mr. Gibbs has others that are

1 going to testify, but there are some major concerns that I 2 have, especially with the sewage backup and the forest 3 conservation. Those things are concerning to me as well as, I'm hearing, is concerning for them. So I accept your 5 testimony and what you're saying as far as transportation, 6 but I would hope, as we continue to move through this 7 process, that there are broader conversations that you all 8 have with the community to really figure out how do we ease 9 some of those pain points that they have? 10 Because congestion and that traffic on 210 is a 11 huge concern, and I know as a legislator, we put in 12 countless bills to put in speed light cameras just to slow 13 people down. 14 MR. LENHART: Right. 15 MR. CHAIR: Okay? So when you're talking about 16 adding in more residents and more cars on the road and the 17 ability for those that can be impacted by that, I think in 18 all fairness to them we need to have a broader conversation 19 but thank you for your testimony. 20 MR. LENHART: Thank you. 21 MS. VOTAW: Chairperson -- this is Alex Votaw for 22 the record -- I believe I have the right to cross-examine 23 this witness. Is that not correct? 24 MR. CHAIR: You do.

MS. VOTAW: Thank you. May I take that

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1 opportunity now, or was there something else that I should 2 wait for? 3 MR. CHAIR: No. The floor is yours. MS. VOTAW: Thank you. Good evening, Mr. Lenhart, 5 nice to see you virtually -- or afternoon. Sorry. I had a 6 few quick questions. So when you say that they have the 7 right to produce a certain amount of traffic already, that's 8 under the prior CSP approval; is that correct? 9 MR. LENHART: It's under the existing -- or the 10 previous Preliminary Plan approval established a trip cap. 11 And this property, along with all properties throughout the 12 County, received an automatic Certificate of Adequacy on 13 April 1st of '22 that carried those approvals forward. 14 MS. VOTAW: Okay. So is it your testimony then 15 that this applicant, even at Preliminary Plan stage, will 16 not actually have to get a Certificate of Adequacy? 17 MR. LENHART: No. They will need to get a 18 Certificate of Adequacy at Preliminary Plan, but they have 19 an existing Certificate of Adequacy that would need to be 20 amended at the time of Preliminary Plan, and there's 21 language in the code that carries forward a credit for the 22 capacity that was reserved under the original approval. 23 MS. VOTAW: Got it. So let me -- I just want to 24 make sure I'm understanding. 25 MR. LENHART: Yeah.

1 MS. VOTAW: So they have a previous preliminary 2 plan that allows them to create a certain amount of traffic, 3 but this is a different plan; is it not? 4 MR. LENHART: Yes. 5 MS. VOTAW: And so under the Zoning Ordinance for 6 this new plan, the applicant has to show that the existing 7 or funding facilities would be adequate to carry the 8 anticipated traffic for this existing plan; is that correct? 9 MR. LENHART: When you say this existing plan, do 10 you mean the previously approved -- you mean the one that 11 was before the Board --12 MS. VOTAW: No, I apologize. I mean this plan 13 CSP-23002 that's before the Board. 14 MR. LENHART: Yes, it requires a traffic study and 15 a test for adequacy. 16 MS. VOTAW: So the adequacy that was previously 17 provided isn't actually relevant to that review of this new 18 plan, that's not amending those previous plans, correct? 19 MR. LENHART: I believe that it is relevant. 20 There's an existing Certificate of Adequacy that is 21 currently and still valid that will require an amendment, 22 and the subdivision regulations states that projects shall 23 be credited with the capacity reserved, at the time of the 24 original approval. There were a number of aspects of

adequate public facilities that were not tested with the

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original approval --
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              MS. VOTAW: I'm sorry to interrupt, but I just
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    want to keep it focused on the requirements for approval of
 4
    the CSP before the board.
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              MR. GIBBS: Mr. Chairman, I would ask that Ms.
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    Votaw stop interrupting the witness when he's answering her
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    question, please, and let him fully answer before she tries
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    to go into another question.
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              MR. CHAIR: Well, in all fairness, you're
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    interrupting now, so --
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              MR. GIBBS: (Indiscernible) Mr. Chairman, I had
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    to, thank you.
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              MR. CHAIR: I understand, but go ahead, Ms. Votaw.
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              MS. VOTAW: Thank you. So again, I just want to
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    confirm, finally, that the regulations for this Board, when
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    they're considering this CSP application before them,
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    requires this Board to make a finding that the existing
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    facilities or the fully funded proposed facilities will be
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    adequate to carry the anticipated traffic from this CSP
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    application; is that correct?
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              MR. LENHART: Yes. That's correct and --
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              MS. VOTAW: Okay.
                                 Thank you.
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              MR. LENHART: -- I believe that our study shows
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    that.
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              MS. VOTAW: And I believe that's all I have.
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Thank you. Mr. Lenhart, and thank you, Chairman, for indulging me.

MR. GIBBS: Mr. Chairman, I'd like to have Mr. Mark Ferguson come up next, and he's primarily going to address Woodland conservation issues. Thank you.

MR. CHAIR: Thank you.

MR. FERGUSON: Somebody left their cell phone at the -- yeah. Thank you, Mr. Chairman, good morning. And I'd like to also extend a welcome to you in your new role as Chairman. I will also attempt to be brief and limit my testimony to five minutes. My name is Mark Ferguson, I'm a 36-year Prince George's County resident with offices in Upper Marlboro as well, here on behalf of the applicant. I think the first bit of context that's important to bring out is that this project, this type of development at this location, has been in county planning for more than 30 years at this kind of density.

So when we look at the development proposal, it's not coming out of the blue, this is a continuation of a long history which Mr. Gibbs described to you at the beginning of the applicant's case. The forest conservation is actually a part of that planning. When you look at the Forest Conservation Plan that has been in place since 1999, which is proposed to be amended today to accommodate this Conceptual Site Plan. It is never proposed -- any forced

retention on the subject property to ultimately be the case. It has always been proposed, since the very beginning, to be cleared for development.

A prior Type 2 Tree Conservation Plan did, in fact leave this area as preservation area, so that the responsibility for requiring off-site credits, which constitute only a part of the total woodland preservation associated with the entire Signature Club project -- of which this is just Pod 3 -- could be kicked down the road to a later date; that later date is now. So the forest retention area, which was, in fact, placed on the property by a TCP 2 was there, but only as a placeholder. The planning intention had always been to remove the trees on this subject property.

Ms. Votaw, in her objection, raises a number of complaints about procedure. I think Mr. Schneider's (phonetic sp.) staff report that is in your backup was exceptionally thorough -- gave you a long history of the tree conservation on the project, how it does qualify for review under the prior woodland conservation regulations that were adopted last year -- prior to the ones that were adopted last year. That the conservation requirement was evaluated in accordance with the procedures and the priorities in the Code, which don't require preservation absolutely to be provided first and only that, but describes

it as a recommended priority.

And so in the context of the approved development -- which, as I said, has been part of the county's planning for more than 30 years -- the appropriate choices were made in the review of this project by the applicant and by your staff; I think that's a fair assumption. I know Mr. Burke is here and he can give you more technical details if you wish, for that on forest conservation, but I thought I'd give you the high level.

MR. CHAIR: I appreciate that. I think at the end of all of that is -- my concern still goes back -- and I understand policy, but I also understand the importance of conversation, and I'm not sure if that policy or regulation was echoed to the community so they fully understand what was before them. And it goes back to what I said earlier; I would love that, as we continue to move forward, that there are broader conversations, so folks understand what's happening before they come here. Because I think if the conversation was had before they got here, this hearing would run a little bit smoother than what it is now. And I would not be saying what I'm saying now because you all have already had the conversation with the community. So --

MR. FERGUSON: And I certainly appreciate and applaud your remarks. Certainly, Mr. Gibbs did tell you there was a lot of outreach. The nature of the system is

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    that that outreach doesn't reach everybody, and sometimes
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    it's folks who just hear about a project for the first time
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    when they see signs appear.
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              MR. CHAIR: There's always two sides to every
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    story. I get that, but to my broader point, and I'm going
 6
    to conclude on that, is that I just want to make sure that
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    we're doing all we can to -- outreach is kind of broad,
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    right? But the information is still the most important
    thing that they understand, and from what I'm hearing from
10
    them, those points were not conveyed.
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              MR. FERGUSON: Understood.
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              MR. CHAIR: Thank you.
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              MR. FERGUSON:
                             Thank you, Mr. Chairman.
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              MR. CHAIR: Mr. Gibbs?
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              MS. VOTAW: May I cross-examine? This is Alex
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    Votaw, for the record.
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              MR. CHAIR: I'm sorry. Yes, ma'am.
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              MS. VOTAW: Thank you, Mr. Chairman. So I just
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    have a few questions. I recall you testifying that their
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    previous Tree Conservation Plans for the overall
21
    development -- that contemplated clearing the subject
22
    property; is that correct?
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              MR. FERGUSON: That is correct.
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              MS. VOTAW: Were those plans including both
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    Outparcel B and Parcel 12 -- and Lot 12?
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1 MR. FERGUSON: They did not, they included only 2 parcel 12. The current plan is an amendment to extend its 3 coverage to Outlot (phonetic sp.) B. 4 MS. VOTAW: So when you're testifying that the 5 previous plans always contemplated removal of trees on this 6 property, that does not include part of this subject 7 property -- Outparcel B, correct? 8 MR. FERGUSON: I would say that the prior TCP1 did 9 not contemplate other land outside of Parcel 12. 10 proposed under an amendment that's before the Board today. 11 MS. VOTAW: So can you explain to me what the 12 previous TCPs for Outparcel B contemplated for that site? 13 MR. FERGUSON: I do not believe that there has 14 been a TCP. Okay. Let me say this. I'm not familiar -- I 15 did not review the TCP that may have been associated with at 16 least a part of Parcel B. I don't know whether in pursuing 17 the townhouse development on the portion of the property on 18 the west side of Manning Road that extended to the subject 19 property or not; I'm simply not aware. 20 MS. VOTAW: So you don't know whether, for 21 example, the development of the other part of Parcel B 22 satisfy the forest conservation requirements through on-site 23 preservation of Outparcel B; is that correct? 24 MR. FERGUSON: I have not reviewed that plan.

That plan, however, was prepared by a different property

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1 owner. 2 MS. VOTAW: Got it. So you don't know whether or 3 not, for example, if this tree area was removed, essentially 4 the tree conservation required for that other development 5 would no longer be satisfied; is that correct? You don't 6 know one way or the other? 7 MR. FERGUSON: When you say this tree area, do you 8 mean the portion of the woodlands that is on Outlot B only? 9 MS. VOTAW: Yes, sir. Yes, sir. 10 MR. FERGUSON: That is correct. 11 MS. VOTAW: You wouldn't know? 12 MR. FERGUSON: I do not know definitively. 13 MS. VOTAW: Okay. So from what I'm understanding 14 from your testimony, the preservation of the trees on Lot 12 15 was used to satisfy prior forest conservation requirements 16 on the last TCP2; is that correct? 17 MR. FERGUSON: That is correct. 18 MS. VOTAW: And now that tree area that justified 19 the previous development is being removed; is that correct? 20 MR. FERGUSON: That is correct. 21 MS. VOTAW: And does this applicant have to 22 compensate for the change in the satisfaction of the tree 23 conservation requirements for the previous approval now that 24 he's removing those trees?

MR. FERGUSON: Yes, effectively he does.

1 MS. VOTAW: How? 2 MR. FERGUSON: Because in this case, by acquiring 3 off-site mitigation, as was always contemplated in the Type 1 TCP for the overall site. 5 MS. VOTAW: But it's true, is it not, that that 6 off-site preservation has never been purchased; is that 7 correct? 8 MR. FERGUSON: Off-site preservation is purchased 9 all the time for all sorts of projects. 10 MS. VOTAW: I'm talking about this project. It's 11 true that in the staff report, they explained that there was 12 a requirement to purchase 7. -- I believe it was 19 -- acres 13 of off-site preservation and that did not occur; is that 14 correct? 15 MR. FERGUSON: I cannot speak to the 7.19 acres 16 and what should have been done. What I can say is that the 17 Type 1 Tree Conservation for the overall project 18 contemplated the acquisition of almost 30 acres of off-site 19 credits as a part of the whole project, of which this would 20 represent a part. 21 MS. VOTAW: And you don't know whether or not that 22 acquisition has ever occurred, do you? 23 MR. FERGUSON: I'm sorry, which is that 24 acquisition?

MS. VOTAW: The purchase of the 30 acres of off-

1 site credits. 2 MR. FERGUSON: Well, I can say it is not because 3 that doesn't happen until just before grading permits, which would be after a subsequent TCP2 to complete the entirety of 5 the area covered by that Type 1 TCP. 6 MS. VOTAW: Okay. Well, let me rephrase then. 7 Just so I make sure the record is clear, so the Board is 8 fully aware of what they're approving. Do you know whether 9 or not the off-site preservation credits have been purchased 10 that were required for all of the development that has 11 already occurred, that was proposed by that initial TCP1? 12 MR. FERGUSON: I can tell you it absolutely -- all 13 of the credits have not yet been purchased, nor should they 14 have been. 15 MS. VOTAW: For the existing development that 16 already got grading permits? 17 MR. FERGUSON: I'm sorry, you're saying both the 18

existing development and all of the development covered by the previous TCP1? It's either one or the other.

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MS. VOTAW: No. I'll rephrase just to make sure it's clear. I apologize for the miscommunication there. Do you know whether or not the off-site credits required for the existing development, that has already been developed, have those all been purchased?

MR. FERGUSON: I have not -- I do not know.

MS. VOTAW: And do you know whether or not the amount that had to be purchased was adjusted, based on the preservation of the forest on Lot 12 for the previous development?

MR. FERGUSON: I'm not sure I understand your question. Certainly, whenever you come back and take areas out of temporary preservation and proposed development that requires off-site mitigation, you would need to propose -- you would need to purchase those credits, and the purchase of those credits might change ratios, it might change the total amount that's purchased; it's a bit of complicated math. So --

MS. VOTAW: So could you explain for the Board what that math is?

MR. FERGUSON: Ma'am, let me finish if I could.

So certainly -- and I'll reiterate what I said before -until everything is done, all of the area covered by the
entire Type 1 Tree Conservation, the final accounting will
not be -- will not be complete. So whether it's incomplete
now, certainly it is, regardless of what the proposal would
be.

MS. VOTAW: Okay. So I now have a question. So is it your testimony that this applicant, and no applicant within the Signature Club, is required to purchase off-site credits until every single part of that original development

is fully developed?

MR. FERGUSON: No, I never said that. That has to be determined at each phase of TCP2 implementing it.

MS. VOTAW: Okay. That's what I thought. So then my question is, can you explain for this Board how this applicant -- or let me rephrase, just to make sure I'm clear. Can you explain for the Board the math that justifies the removal of these trees and whether or not the site is meeting the requirement? I'm going to rephrase -- sorry, I'm trying to be clear, but there's so many different pieces, like you said. I just want to make sure we all understand. So the forest on Lot 12 was preserved to accommodate a previous development; is that correct?

MR. FERGUSON: I would say, to be most precise, the forest on Lot 12 was preserved to defer the requirement for purchase of the off-site credits until the end of the total development of the Signature Club, which is essentially now.

MS. VOTAW: So --

MR. FERGUSON: That's probably the best way of stating it clearly.

MS. VOTAW: Okay. Okay. So then when the staff report and your TCP is calculating the amount of off-site credits, are you accounting for the amount that was deferred by the previous development?

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              MR. FERGUSON: Yes.
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              MS. VOTAW: And how much is that?
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              MR. FERGUSON: I would have to have the TCP in
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    front of me to be able to give you the number, or Mr. Burke
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    may be able to speak to that, but certainly that's what the
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    worksheet on each TCP contains.
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              MS. VOTAW: Do you know how much woodland
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    conservation off-site credits are being purchased in this
    case?
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              MR. FERGUSON: Well, in which case for this --
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              MS. VOTAW: In this case before the Board, in this
12
    TCP.
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              MR. FERGUSON: For just this application --
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              MS. VOTAW: Uh-huh.
15
              MR. FERGUSON: -- or for the entirety of the
16
    signature club development?
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              MS. VOTAW: For the part of the application that's
18
    removing these trees.
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              MR. FERGUSON: Off the top of my head, I do not.
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    If I look at the Type 1 TCP, I could be able to tell you.
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              MS. VOTAW: And okay, let me just ask this. Do
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    you know the ratio of credits? Is it usually one acre
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    removed to one acre purchased?
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              MR. FERGUSON: It varies with the amount of
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    clearing. So under the old regulations, there was a
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    requirement of, if you kept your clearing above the woodland
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    conservation threshold, the requirement was one acre of
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    replacement for every four acres of clearing.
    clearing was extensive enough to go below that threshold,
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    then that replacement requirement was multiplied eight times
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    to two acres of --
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              MS. VOTAW: Okay.
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              MR. FERGUSON: -- replacement for every acre of
9
    clearing.
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              MS. VOTAW: So I guess my question then is, if Lot
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    12 preserved, let's say, 12 acres of forest to accommodate
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    that previous development, if they were to meet that off-
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    site, would that require essentially 12 acres of woodland
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    conservation credits?
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              MR. FERGUSON: I could not answer that without
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    looking at the detailed math on the worksheet.
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              MS. VOTAW: Okay. And neither you nor the
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    other -- do either you or the other witness have those
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    numbers ready to explain to the board?
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              MR. FERGUSON: Mr. Lenhart certainly does not.
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    did not bring a copy of the Type 1 TCP. Mr. Burke is
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    available from the Environmental Planning staff. And if the
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    Board decides, perhaps it would be better to hear that from
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    me.
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MR. CHAIR: Ms. Votaw, is there a specific

1 question that you have? Because we're going around and 2 around right now. 3 MS. VOTAW: Yeah. What I'm trying to figure out, Mr. Chairman, is, from my understanding of the staff report, 5 they're only required to purchase roughly one acre of off-6 site woodland credits to accommodate this site, as if this 7 was a new development and not contemplating the requirements 8 for woodland conservation that were associated with the 9 previous stages of development. In other words, the 10 applicant keeps saying the forest on this property was held 11 to push the off-site credit purchase to a later date. And I 12 just want to make sure the Board is getting verification 13 that this application -- which is the later date -- includes 14 the purchase of all of those credits, because these pieces 15 of property are owned by different entities, so I'm 16 truthfully very skeptical that the off-site credits that are 17 the right amount are actually being purchased by the correct 18 people. 19 MR. CHAIR: Yeah, and not to be presumptuous, I 20 think the Board understands the direction that you're going. 21 MS. VOTAW: Okay. 22 MR. CHAIR: And we're very clear on his testimony 23 and what --24 MS. VOTAW: Got it.

MR. CHAIR: -- is already (indiscernible).

1 you. 2 MS. VOTAW: Then I object. Thank you. 3 MR. FERGUSON: Thank you, Mr. Chair. 4 MR. GIBBS: That's all we have on rebuttal, Mr. 5 Chairman. And we're ready to sum up at the appropriate 6 time. I believe the applicant has a final opportunity to 7 speak. 8 MR. CHAIR: Any questions from the board? 9 COMMISSIONER WASHINGTON: Yeah, and it's 10 clarifying, and I think it's to you, Mr. Gibbs, and/or Mr. 11 Huang. One of the citizens testified about the sidewalks. 12 And I noticed in your exhibit, Mr. Gibbs, you talked -- I 13 think it's condition 2(a) where you were suggesting removal 14 of two sections of internal -- and Mr. Huang, you didn't 15 specifically comment on that particular condition, so I'd 16 like to know where we're landing. Is two-way staying the 17 same, or are you in agreement with Mr. Gibbs' recommendation 18 to (indiscernible)? 19 MR. HUANG: Yes, that is it. For the record, this 20 is Emery Huang, with Urban Design. For the record, this is 21 Emery Huang with Urban Design. Staff is in agreement with 22 the attorney's statements. 23 COMMISSIONER WASHINGTON: Okay. Very good. Thank 24 you, because I know that was also one of the citizens 25 concerned. That's it, Mr. Chairman.

1 MR. CHAIR: Geraldo? 2 COMMISSIONER GERALDO: I do. Mr. Gibbs, can you 3 tell me -- and I've heard about the sewage problems across 4 the road, the ones that -- is that the same developer or 5 builder? 6 MR. GIBBS: It's a different developer. 7 COMMISSIONER GERALDO: Okay. 8 MR. GIBBS: And I'm going to hit all that in my 9 (indiscernible) 10 COMMISSIONER GERALDO: Okay. 11 MR. GIBBS: I'm going to --12 COMMISSIONER GERALDO: And I understand Mr. 13 Lenhart with the mitigation, but I was wondering whether or 14 not you guys can make it a condition of this to do the 15 mitigation for the -- I live there, I live in Fort 16 Washington. I'm very sympathetic with the residents' 17 concerns about 210. It is by far the most dangerous -- I 18 agree with the Chair -- road in the country, and there were 19 two accidents, as the gentleman spoke of, last week or the 20 week before, in which there were two deaths. So I think 21 it's a legitimate concern of the neighborhood in terms of 22 how to deal with that. 23 MR. GIBBS: Yes, sir. And I'm happy to do it now 24 or do it when I sum, but --

COMMISSIONER GERALDO: Okay.

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              MR. GIBBS: We --
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              COMMISSIONER GERALDO: No, that's fine.
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              MR. GIBBS: We're fine to accept that as a
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    condition right here.
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              COMMISSIONER GERALDO: Okay. Great.
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              MR. CHAIR: (Indiscernible)
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              MR. GIBBS: So applicant gets the final say.
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    is it; is that correct?
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              MR. CHAIR: That's correct.
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              MS. VOTAW: I believe I have the right to
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    summations as well.
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              MR. CHAIR: She does, I'm sorry.
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              MS. VOTAW: Should I go first or does Mr. Gibbs --
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    I believe I go first before Mr. Gibbs?
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              MR. CHAIR: Yeah. You go first.
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              MS. VOTAW: Okay. Thank you, and I'll keep it
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    brief.
            I really appreciate the Board's time, I just want to
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    make sure we understand the record that communities' voices
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    are adequately heard. So to summarize -- again, this is
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    Alex Votaw, for the record -- I think this case clearly
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    demonstrates the issues with this approach, which is I want
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    to rely as a developer on my previous approvals, but I want
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    to finagle the rules around so that I can do what I want.
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              This application combines two properties that were
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    not part of a previous CSP. I do not believe the
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transitional provisions allow that, and the applicant continuously says I'm relying on the previous TCP to meet these requirements. Don't worry about the forest conservation plan, it will be addressed when the whole development is concluded. I'm relying on the traffic capacity of the previous development. Don't worry about the amount of traffic I'm adding because it was already contemplated.

But the fact of the matter is this applicant is providing a new CSP. If the applicant is providing a new CSP -- which is combining two properties that were not previously contemplated together -- the applicant needs to demonstrate that the traffic anticipated with this new development will be adequately handled by the current traffic conditions. It does not matter what was previously approved, it does not matter -- previous adequacy determinations because the applicant has a new application. They must meet the requirements of the law, and this Board has the authority, and I believe the obligation to deny this application because the record is crystal clear.

The facilities that are existing or are currently funded do not have the capacity to handle the traffic anticipated with this new CSP application. You have that power, and I believe you have the obligation to protect this community from that impact. At the very least, you

certainly have the power to require the applicant to take mitigation measures -- to take mitigation matters to fix this problem, in association with this application.

MR. CHAIR: Mr. Gibbs, your (indiscernible)?

MS. VOTAW: I also want to touch on the Tree

Conservation Plan. I am very concerned about this Tree

Conservation Plan. The applicant did not provide evidence
to demonstrate how it is going to meet the requirements of
the Forest Conservation Act and as witnesses very clearly
described, removing forest in this county in particular -which is already hemorrhaging woodland left and right -- is
hugely detrimental to this county, to the community, to its
residents. It causes health issues, it causes flooding
issues, it causes septic issues, it causes asthma issues, it
causes other public health issues; these are all far more
expensive to deal with after the fact than they are to deal
with by making sure the applicant is actually satisfying the

And again, this application has never justified why it cannot provide any woodland conservation on-site, not one acre of woodland conservation on-site. The applicant, again, has justified that by saying, oh, the previous TCPs contemplated removing all the woodland on this site. That is not true. The previous TCPs contemplated removing woodland -- I'm going to rephrase that. That's not true

requirements of the law before you approve the application.

because the original TCPs contemplated removing trees only on Parcel 12. There's no evidence that any prior TCP contemplated removing all of the woodland on Outparcel B, ever.

Furthermore, an amendment to the previous Tree Conservation Plans, the last TCP2, designated this site for forest retention, and the applicant's witnesses have not been able to articulate to this Board how this overall development is going to comply with the Forest Conservation off-site mitigation requirements. Because, I'm going to be frank with you, Board Members, what this applicant is going to say -- and I understand why they say it -- is they are responsible for getting the off-site mitigation only required for this parcel.

So then who -- I would like this Board to consider who is paying for the off-site Forest Conservation mitigation for all of the previous developments which continuously push off, satisfying that requirement until a later date? Who is going to be responsible for that? Because it's not going to be this applicant, based on the staff report, which stated that seven acres of off-site mitigation credit has never been purchased and does not require this applicant to do so. And it's certainly not going to be the previous developers who no longer own the property, and some of which are being sued.

So again, I strongly encourage this Board to seriously consider the concerns of the community, the legal issues with this application, and deny both the CSP and the Tree Conservation Plan. I greatly appreciate your time and consideration in this matter. Thank you.

MR. CHAIR: Thank you.

Mr. Gibbs?

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Thank you very much, Mr. Chairman. MR. GIBBS: And let me first address the last comment about the Tree Conservation issue, okay? We have filed a TCP1 with this Conceptual Site Plan; it has been reviewed by staff. Staff has come to the conclusion that the preservation requirement for this particular application is 1.78 acres off-site purchase of easements. That's what we can control, we cannot control anything else. And I would -- again, I've invited Mr. Burke, who is in control of all of this information, to provide information to the board, but he has not done that thus far. I can just tell you that this applicant -- which is separate and distinct from any other applicant who has done anything at Signature Club, okay -is meeting its tree conservation requirements. The TCP1 did not ever presume that this Lot 12 was going to be left totally wooded; that was never a presumption. There was some -- there was a push forward to the future issue, but my client, Wood Partners -- their obligation is to deal with

the development of this site, and they have presented a Tree Conservation 1 plan. It has been reviewed and approved, and we're willing to abide by what the requirements are that are imposed upon us by the Park and Planning Commission Review staff and ultimately by the Planning Board -- the TCP1 that's being approved.

First, let me talk about citizen outreach. I have done a fair amount of work in the Accokeek area over the course of time. We have an organization called the Accokeek Development Review District Commission. That has always been my point of contact for starting citizen outreach, which I have never ignored in any case that I have ever handled in this county.

I contacted the Chair -- I reached out to the Chairman -- the person who was the chairman for years, who I dealt with -- Mr. Clifford Woods by email, by telephone message, by text message; I got no reply. I talked to a representative of the District 9 Councilmanic office -- is there somebody different for the Accokeek Development Review District Commission? I don't know. Cheryl Summerlin, who provides all of the contact information for mailing out informational mailing letters and acceptance letters, we have a contact for the Accokeek Development Review District Commission. Yes, his name is Clifford Woods. That's the person I was contacting.

We dug deeper and deeper. Ultimately, we found out that Mr. Woods unfortunately passed in February, and no new Chairman has been named. I said, could you get me a contact person for the Accokeek Development Review District Commission? Community planning gave me a contact; I reached out to those individuals. The earliest time that they could meet with us is a week and a half into the future. We are going to meet with them. I have always met with the Accokeek Development Review District Commission. I have always attended their meetings in person and conducted outreach to everyone who attended those meetings.

In addition, the area that is Pod 2, which is the 313 single-family and townhouses in Signature Club, some of whom spoke today, they have their own homeowner's association. I reached out to that homeowner's association and requested a meeting. We did have a meeting with their Board of Directors last week. We heard all of their concerns; we provided all of the information about this project. I sent informational mailing letters to everyone on the list who was provided to me by the Park and Planning Commission.

I also sent acceptance letters to everyone on the list that was provided by the Park and Planning Commission.

I filed affidavits of the mailing of both of those letters.

My law firm and I, personally -- we value and faithfully

observe the requirement and the importance of reaching out to the general public. I did receive a call from Mr. Christiansen. He and I have engaged in a couple of different phone calls. I have sent him information -- I sent him a copy of the actual proposed site plan for this project, which hasn't even been filed yet, that showed buffering along his property. We've intentionally not proposed to put a sidewalk along our portion of our property that abuts his property, because he has a concern about people walking into his ten acres from the development of this site.

So with the utmost of respect, I don't want to come down here and have 15 people show up who are complaining. Now, sometimes when you have all the outreach in the world and all the meetings, that still happens because people are just are not satisfied and they have the right to do that, and I totally respect that right. If people don't want a multifamily project, then they're going to come down and tell you that, and again, I respect that. But please understand that we have done our utmost to conduct community outreach.

I just don't know what more -- my starting point has always been the Accokeek Development Review District Commission, and when I have gone to meetings there, there have been lots of folks who have appeared, and we have had

very successful dialogues. So I'm just trying to convey to the Board -- we're not trying to avoid meeting with the public in any way whatsoever.

I want to turn my attention, if I could -- some comments that were made by folks during their testimony. There was a concern raised by one of the speakers -- Karen Thomas -- it was about being able to cross Berry Road to get to the shopping center because there was a concern about whether the retail that was part of this overall project was walkable. There is a crosswalk which has been installed at the traffic light on Berry Road, near its intersection with Manning Road. And that light, I believe, is phased to allow pedestrians to cross over to get into the shopping center.

There has been a lot of conversation about Pod 2. That is the area where folks are talking about sewage backups. When my client purchased Pod 2 and Pod 3, there was already a private sewage treatment plant installed on what was part of Parcel 25, if you recall that drawing that I looked at. My client who purchased the property inherited that. That was installed and approved prior to their any being there being any residential development. My client sold Pod 2 to a totally different developer that has nothing to do with Wood Partners; that developer developed those 313 lots.

There were two builders that came in and split the

construction. The two builders were NVR and Caruso Homes; those homes were constructed. There were some backups that occurred because of the level at which the individual pipes in units were installed and how it connected to the private treatment plant.

And I don't know anything about lawsuits down there, I haven't been involved, I attended one meeting down there with citizens some time ago at the treatment plant, along with the District 9 Council member. But I can tell you right now that Wood Partners has nothing to do with that project. Approving this project is not approving another development opportunity for the same developers who built the 313 units. And so I just would like to get that information clearly on the record in front of the Planning Board.

In terms of traffic and transportation, so there was an overall traffic study done for the entirety of the project. Then there was a traffic study done at the time of the approval of Preliminary Subdivision Plan 4-01064. Okay. Whenever we do a traffic study, the traffic engineer has to have a scoping meeting with staff at the Park and Planning Commission. That traffic study was scoped; there were intersections which were identified to be tested -- I think there were three intersections tested as part of that preliminary subdivision plan. All of those intersections

passed.

That preliminary subdivision plan was approved, and that yielded 157,500 square feet of commercial development. When this Conceptual Site Plan was filed, okay, the trip cap that was approved for Lot 12 and outlaw fee had been vested, okay. Those trips were vested by virtue of making the transportation improvements that were conditions of approval to that original preliminary subdivision plan, and the new subdivision regulations -- I think it's 24-4305 -- say, if you make the transportation improvements that are conditions of your approval, then your trip cap vests, and that's what Mr. Lenhart was referring to. The trip cap that was approved has vested and in that preliminary subdivision plan, okay.

In the resolution approving that Preliminary
Subdivision Plan, it says here's the trip cap, and it is for
157,500 square feet or any other use approved in a
Conceptual Site Plan. Mr. Lenhart's testimony was that this
applicant is entitled to rely upon those trips. Now, he did
a new traffic study for this Conceptual Site Plan, he had a
new scoping meeting. There were three intersections before;
this time, there were eight intersections that he had to
test. He took all new counts in April of 2025; he prepared
a report. Of the eight intersections that he had to test,
one leg of one intersection -- the 210, 373 intersection --

is failing and was failing before in the p.m. peak hour.

But the interesting concept is that this development causes the p.m. trip cap to go down below what it was before. So that's why Mr. Lenhart said we meet adequacy because of that; we were allowed to rely on that trip cap.

Now, recognizing that there was more to look at, I asked Mr. Lenhart to -- because look, the transportation adequacy finding in 27-556(d), which everyone is talking about here, yes, it does say that you must find that there -- and this is important -- quote, "There will be adequate transportation facilities" -- will be. When staff analyzed that, they said mitigation is available and the real adequacy of transportation facilities is decided at Preliminary Subdivision Plan, not a Conceptual Site Plan. There is a test that's in 27-548(d), but it's not the subdivision adequacy of transportation facilities test. It's just that test requires you to find that there will be adequate facilities.

And so staff says for the one leg of one intersection, out of eight -- all the other passed -- of eight, mitigation will be available at the time of Preliminary Subdivision Plan when the real adequacy of transportation facilities test is applied. Now, recognizing that there would be a concern today, I asked Mr. Lenhart, is there a mitigation technique that you could find to address

this one p.m. issue? Because in mitigation you have to address 150 percent of your impact on that intersection, okay. He identified a mitigation treatment -- and he testified about it today -- to split phase the light at 210 and 373 and create restriping on the Livingston Road approach. And his testimony was that mitigation improvement will result in absorption of 300 percent of the trips of the impact on the intersection in the p.m. peak hour.

that's 300. Now, that will have to be approved by the State Highway Administration, obviously, because you're splitphasing the light at a major state road. But we're willing to accept that, subject to the State Highway Administration approval. But bear in mind, the real nitty gritty of this test occurs at Preliminary Subdivision plats stage, not here, this is a concept drawing. We have provided so much detail beyond which the ordinance requires in an attempt to be transparent in this case. Normal Conceptual Site Plans don't show building footprints and circulation like we have here, but we did it to try to be transparent.

So what we're saying is that to the extent there's an adequacy requirement for a finding at the time of Conceptual Site Plan, we have more than accommodated. Staff agrees we have accommodated, and then we went beyond by saying, we don't think mitigation is required, but if you're

going to determine that mitigation is required, here's the mitigation improvement. It mitigates 300 percent, twice as much as what's required under the code provision.

So again, that's going to be subject to State
Highway Administration approval. But we're willing to
accept that as a condition even here, subject to State
Highway Administration approval, and of course, obviously,
looking at all of the adequacy of transportation facilities
in a very, very detailed fashion, when we come in to do the
new Preliminary Subdivision Plan for this Conceptual Site
Plan. Because notwithstanding anything else, your rule is
that if you're taking something that was approved for
commercial development and you're going to put residential
in it, you got to get a new Preliminary Plan. Similarly, if
you're going from residential or commercial, you got to get
a new Preliminary Plan.

And so we're -- and it's required by the, if you recall, the hierarchy of approvals that I talked about in the beginning with the M-X-T Zone. CSP, Conceptual Site Plan, Preliminary Subdivision Plan, Detailed Site Plan, final plat subdivision -- we have to go through all those, so that information will be provided at Preliminary Plan. But if you add the mitigation -- we don't believe mitigation is required to be done at this point in time -- but if the Board wants to add it, we're happy with adding that as a

condition because it takes away the objection that has been raised.

So with that having been said, I just want to reiterate again, Wood Partners had nothing to do with any water problems, nothing to do with any sewer problems. This project is going to be connected to the gravity-fed sewer of the Washington Suburban Sanitary Commission. It is not going to use a private sewer treatment system, as is the case for the Pod 2 development, which is something that the ownership at that time inherited. They didn't do it themselves; they just inherited it — the new owners did.

I would simply reiterate that the staff report in this case is comprehensive. We are going to meet the requirements of the Type 1 Tree Conservation Plan. When we go on to the next phases, we get the detailed site plan, we're going to do a Type 2 Tree Conservation Plan, a new one for this property. We're going to meet the offsite tree easement requirements, but again, I and my client both respect the concerns raised by the community. And I understand people don't want trees cut down, but once again, as Mr. Ferguson testified, it was never envisioned that all of Lot 12 was just going to be -- remain trees forever.

And so the applicant -- I would respectfully say this, not arrogantly at all -- but the applicant does have property rights to follow the law and develop their

property. And that's exactly and all that my client wants to do. And we support the staff recommendations in this case and we believe that we have more than carried our burden to obtain approval of this Conceptual Site Plan. I'm happy to answer any questions. Thank you.

MR. CHAIR: Are there any questions for the applicant's attorney? I do, and it's really not questions, it's more of -- statements. And one of the things I've learned over my many years is, change is inevitable, it's going to happen, and sometimes we are not comfortable with change, but it's how we deal with it that makes us who we are. And one of the things that I was listening intensely -- when you spoke about your community outreach in the Accokeek area, and that you tried to reach a man for a period of time, and then to come to found out that he had passed away.

And when you start talking about outreach and looking into a community that is not looking for the changes that you're looking for, I think outreach can be done in multifacets (phonetic sp.). Coming from the background of being an elected official here in the State of Maryland, when we did outreach for campaigning, we had to touch a multitude of people -- churches, barbershops, you name it, to get our point across. And even though you were going to one particular entity, I think outreach is multifaceted.

So I would ask in the future, when you have those hangups or hiccups that you really cast the net wide to get your message across from a community outreach standpoint.

Because as we move forward within this Planning Board, it is imperative that those that come before us have done just that, because it is imperative that the community buys in.

And one of the things that I try to preach on my day-to-day is that we must figure out how do we create a win, and the win has to be on both sides -- or your side as the developer and on the side of the community. And I believe that there is always going to be room for conversation, but we must figure out how do we create the win, and part of that is making sure that the community has all the tools necessary to ascertain what is coming before them.

Second thing is, when you talked about the sewage backup and you said that you all inherited this. So when I think of inheritance, I think of ownership that is now mine. So even though you inherited something that was not caused by you, you now own it. And to me, being a good partner is trying to figure out solutions in which I try to accommodate the community as best as I can and ensuring that from a sewage backup and those that are complaining -- what can I do to be a good partner? And even though it may cost me a dollar now, you may get it back in the long run. But I'm satisfying a need where people are not complaining, and I

think that's the responsibility that we have as a board, and that you all have as developers, and that we're trying to transform Prince George's County into what we want it to be.

And part of that transformation, in my opinion, is being good teammates, being good partners, communicating with folks, letting them know that yes, change and cut is coming, but I'm going to do all that I can to make sure that I am a good partner in that change.

So listen, today is my first day, but I'm excited because I think as the days continue to go long, change is inevitable, and I'm trying to create a methodology on how we do things going forward -- I'm not my predecessor or the ones that were there before him -- that we're going to do things at a more methodical way as we look at change for the betterment of this county and more importantly, the betterment of our residents.

So I just wanted to conclude with that. And Board Members, I understand that there is no board deliberation, so what is your pleasure?

COMMISSIONER WASHINGTON: Mr. Chairman, I move that we adopt the findings of staff to include the modified finding, as outlined in staff Exhibit Number 1, and approve CSP-23002 TCP1-052-97-03 and variance to Section 25-122.81(g), subject to the conditions as outlined in staff's report, and is further modified by Applicant Exhibit Number

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    1, with the addition of the proffered condition, as it
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    relates to mitigation. And I would ask that staff and
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    Counsel get together to ensure that the language is codified
    appropriately.
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              MADAM VICE-CHAIR:
                                 Second.
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              MR. CHAIR: So there's been a motion by
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    Commissioner Washington and second by Vice Chair Bailey. I
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    will now call the roll.
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              Chair Bailey?
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              MADAM VICE-CHAIR: Vote aye.
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              MR. CHAIR: Commissioner Washington?
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              COMMISSIONER WASHINGTON: Vote aye.
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              MR. CHAIR: Commissioner Geraldo?
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              COMMISSIONER GERALDO: I vote aye. Mr. Chair, I'd
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    like to thank the community for coming out and encourage
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    them to continue to be diligent in your community, and I
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    vote aye.
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              MR. CHAIR: And as the Chairman, I vote aye as
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    well -- with explaining my vote, because, Mr. Gibbs, I hope
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    that you have heard me very clearly on what the expectations
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    will be going forward. Because I think it's important that
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    we take under consideration not only the betterment of your
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    clients, but we really look closely at the community at
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    large.
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So with that, the ayes have it, and this has been

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DIGITALLY SIGNED CERTIFICATE

ESCRIBERS, LLC, hereby certified that the attached pages represent an accurate transcript of the electronic sound recording of the proceedings before the Prince George's County Planning Board in the matter of:

CSP-23002 SIGNATURE CLUB EAST
Conceptual Site Plan, PPS 4-01064

By:	Jennifer Brugh		Date:	September	8,	2025
Jennif	fer Brugh,	Transcriber				