

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



Note: Staff reports can be accessed at <http://mncpc.ig2.com/Citizens/Default.aspx>.

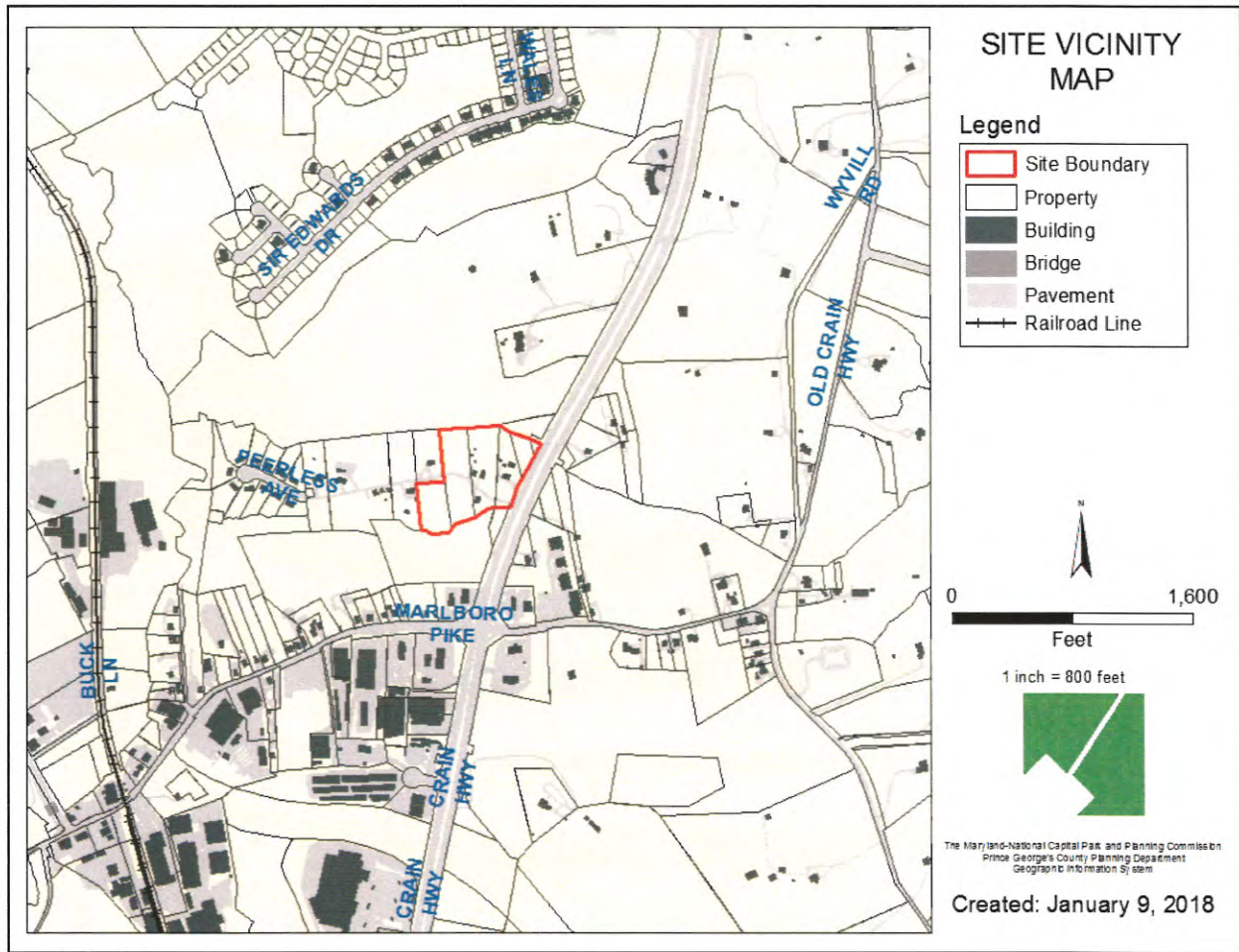
Conceptual Site Plan

CSP-17004

Application	General Data	
Project Name: Peerless Residential and Retail Development Location: On the west side of US 301 (Robert Crain Highway), approximately 0.15 mile north of its intersection with MD 725 (Marlboro Pike). Applicant/Address: Peerless Avenue Associates, LLC 1000 University Avenue, Suite 500 Rochester, NY 14607	Planning Board Hearing Date:	06/14/18
	Staff Report Date:	06/04/18
	Date Accepted:	04/02/18
	Planning Board Action Limit:	06/14/18
	Mandatory Action Time Frame	70 days
	Plan Acreage:	7.64
	Zone:	M-X-T
	Dwelling Units:	62
	Gross Floor Area:	3,000 sq. ft.
	Planning Area:	79
	Council District:	06
	Election District	03
	Municipality:	N/A
200-Scale Base Map:	206SE13	

Purpose of Application	Notice Dates	
A mixed-use development comprised of 62 two-family, three-family, and multifamily units, as well as approximately 3,000 square feet of commercial/retail space.	Informational Mailing:	01/29/18
	Acceptance Mailing:	03/23/18
	Sign Posting Deadline:	05/15/18

Staff Recommendation		Staff Reviewer: Henry Zhang, AICP, LEED AP Phone Number: 301-952-3572 E-mail: Henry.Zhang@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-17004
Type 1 Tree Conservation Plan TCP1-004-2018
Peerless Residential and Retail Development

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

EVALUATION

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

- a. The requirements of the Prince George's County Zoning Ordinance in the Mixed Use-Transportation Oriented (M-X-T) Zone and the site design guidelines;
- b. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- c. The requirements of other site plan-related regulations;
- d. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject application proposes a conceptual site Plan (CSP) for 62 two-family, three-family, and multifamily units, as well as approximately 3,000 square feet of commercial/retail space.

2. **Development Data Summary:**

Zone Use(s)	EXISTING	PROPOSED
	M-X-T vacant	M-X-T Two-family, three-family & multifamily residential and Commercial/retail
Acreage	7.64	7.64
Of which floodplain	0.03	0.03
Total Gross Floor Area (sq. ft.)	-	78,000
Commercial GFA	-	3,000
Residential GFA	-	75,000
Total Dwelling Units	-	62

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

Base Density Allowed	0.40 FAR
Residential	1.00 FAR
Total FAR Permitted:	1.40 FAR*
Total FAR Proposed:	0.24 FAR

Note: *Additional density is allowed in accordance with Section 27-545(b)(4) of the Zoning Ordinance, Optional method of development, for providing 20 or more dwelling units.

3. **Location:** The subject property is located on the west side of US 301 (Robert Crain Highway), approximately 0.15 mile north of its intersection with MD 725 (Marlboro Pike), in Planning Area 79, Council District 6. More specifically, the property is located at 4505 Crain Highway, Upper Marlboro, Maryland.
4. **Surrounding Uses:** The subject property is bounded to the east by the right-of-way of US 301; to the north and south by vacant properties in the Mixed Use-Transportation Oriented (M-X-T) Zone; and to the west by existing single-family detached residences in the M-X-T Zone.
5. **Previous Approvals:** The subject property includes the second part of part of Lots 5 and 6 recorded in the Prince George’s County Land Records at Liber 4262 folio 610, the first and second part of Lots 7 and 8 recorded in Land Records at Liber 32208 folio 372, and part of Lot 9 recorded in Land Records at Liber 960 folio 283. These lots are part of Record Plat A03-8782. The 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (Subregion 6 Master Plan and SMA) rezoned the subject property to the M-X-T Zone.
6. **Design Features:** The applicant proposes a mixed-use development consisting of residential and commercial/retail uses on the property. The development site is generally rectangular, with the short side fronting on US 301. The site will be accessed through a public roadway known as Peerless Avenue, which is perpendicular to US 301 and will be extended to connect to US 301. Two access points off Peerless Avenue have been shown on the CSP; one close to US 301 and the other further to the west. On-site circulation is through a loop street connecting the two access points, with commercial/retail uses along the US 301 frontage and the proposed residential use on both sides of the loop street. The section of the loop street that is parallel to US 301 separates the commercial/retail uses from the residential use. Significant environmental features exist in both the northern and southern boundary areas of the site.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George’s County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

a. The subject application is in conformance with the requirements of Section 27-547, which governs uses in all mixed-use zones.

(1) The proposed two-family, three-family, and multifamily residential and commercial uses are permitted uses in the M-X-T Zone. Per Footnote 7 of the Table of Uses, the maximum number and type of dwelling units should be determined at the time of the CSP approval. Therefore, this property would be limited to 62 two-family, three-family, and multifamily residential units, as proposed in this CSP.

(2) Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:

(d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:

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

The subject CSP is proposing both a residential component consisting of a mix of 62 two-family, three-family, and multifamily dwelling units and a commercial/retail component of approximately 3,000 square feet of gross floor area. These two proposed uses satisfy the mixed-use requirement of Section 27-547(d).

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

(a) Maximum floor area ratio (FAR):

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

The proposed floor area ratio (FAR) is 0.24, which is below the threshold. However, since the development proposes residential dwelling units, it qualifies to use the optional method of development bonus incentives in Section 27-545(b), as follows:

(b) Bonus incentives.

(4) Residential use.

- (A) Additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.**

The CSP proposes a total of 62 residential dwelling units, with a maximum FAR of 0.24, which is well below this FAR requirement. However, it should be noted that the mix of uses, including more than 20 residential dwelling units, allows the applicant to increase the allowed FAR to a maximum of 1.4.

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

The illustrative plan shows that the uses included in this CSP will be located in multiple buildings on more than one lot.

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

This requirement is not applicable since this application is for a CSP. Subsequent detailed site plan (DSP) approvals will provide regulations for the development on this property.

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

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

- (e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the**

building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.

The FAR for the proposed development is calculated in accordance with this requirement.

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

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

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

The proposed two land bays will be accessed from a public roadway, relocated Peerless Avenue, that is connected to US 301. A looped private roadway will provide on-site circulation for the proposed development. Specific lotting and street patterns will be decided at the time of preliminary plan of subdivision (PPS).

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units**

in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages are preferred to may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

The subject CSP does not propose any townhouses, which are single-family attached units. This application only includes two-family, three-family, and multifamily dwelling units. Therefore, this requirement does not apply to this CSP.

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

The subject CSP includes residential multifamily buildings. The final architecture submitted with the required DSP will have to demonstrate compliance with this requirement. However, the CSP indicates that the buildings will be three stories tall, which should be well within the maximum height limit.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).**

This requirement does not apply to this CSP because, even though the property was placed in the M-X-T Zone through the Subregion 6 Master Plan and SMA, there are no specific design guidelines or standards for this property.

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

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

The proposed development is in conformance with this requirement and serves the purposes of the M-X-T Zone. For example, one purpose of the M-X-T Zone is to promote orderly development of land in the vicinity of major intersections to enhance the economic status of Prince George's County. The proposed development, consisting of residential and commercial/retail uses, will provide increased economic activity proximate to the MD 725/US 301 intersection. In addition, the uniform design of this property will conserve the value of land by maximizing the public and private development potential. The proposal of the new public right-of-way for Peerless Avenue will encourage additional development towards the west to connect the remaining parcels. This proposal will allow freedom of architectural design by creating two-family and three-family dwelling units that have the look and feel of a townhouse development. In addition, the proposed multifamily dwellings will allow more density on the site. This CSP promotes the many purposes of the zone and contributes to the implementation of the overall master plan and General Plan.

- (2) **For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The applicable 2013 Subregion 6 Master Plan and SMA rezoned the subject property to the M-X-T Zone. The zoning change from the Rural Residential

(R-R), One-Family Detached Residential (R-80), and Commercial Miscellaneous (C-M) Zones to the M-X-T Zone created new opportunities for development in the general vicinity. The project proposes uses and dwelling types, which would not have been permitted under the old zoning categories; thus, is in conformance with the development concept recommended by the master plan.

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

The proposed development will be outwardly oriented, with the proposed commercial/retail spaces fronting US 301 and a multifamily building fronting on Peerless Avenue. The adjacent existing development in the vicinity is mainly vacant, dilapidated, or single-family detached dwellings. The proposed residential and commercial buildings will create a new streetscape for the area and will catalyze adjacent community improvement.

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

As stated above, the existing improvements in the vicinity are mainly vacant and dilapidated single-family residences. The subject CSP is the first development after the area was rezoned to the M-X-T Zone. The proposed development will set the tone, in terms of quality and aesthetics, for later development in the area. At the time of DSP review, attention should be given to the design and finishing materials for those buildings along US 301 and Peerless Avenue, to ensure that attractive and high-quality streetscapes will be achieved.

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

The mix of uses, arrangement of buildings, and other improvements and amenities of the proposed residential complex will reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability. The proposed residential portion of the development on the subject site will be divided from the proposed commercial/retail uses through an on-site loop street. The orientation of the land bays, as shown on the illustrative plan, is ideal and is acceptable.

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

The applicant has not provided any information in the application regarding possible phasing of the proposed development. However, given the location and division of the proposed land bays on the CSP, the development can be easily and naturally divided into three phases. The multifamily residential component will be self-sufficient, as far as amenities are concerned, and will be integrated with the other uses via pedestrian connections, i.e. sidewalks on both sides of the

loop street and Peerless Avenue. The connectivity issue will be further reviewed at the time of PPS and DSP.

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

This requirement will be evaluated in detail at the time of DSP. The CSP shows sidewalks along Peerless Avenue and the on-site loop street, forming a pedestrian network throughout the site.

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

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

- (9) **On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

The subject property was rezoned to the M-X-T Zone as part of the Subregion 6 Master Plan and SMA. A traffic study was submitted with the subject CSP and the Transportation Planning Section concludes that the plan conforms to the required findings for approval, as discussed further in Finding 10 below.

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

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

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

The subject property measures 7.64 acres and, therefore, does not meet the above acreage requirement. Further, it is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. The CSP has been reviewed for conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as follows:
- (1) Section 27-274(a)(2), Parking, loading, and circulation, provides guidelines for the design of surface parking facilities. The proposed residential buildings are being oriented such that they front on Peerless Avenue, with parking behind the proposed buildings. The commercial/retail building is oriented toward US 301, with parking behind, which is consistent with the guideline to place parking lots to the rear or sides of structures. The parking is located as near as possible to the uses they serve for both the residential and commercial uses. Residents will have easy access to units, with parking being provided in close proximity.
 - (2) In accordance with Section 27-274(a)(5), the applicant states that ample green area will be provided on-site and will be accentuated by elements such as landscaping, recreational facilities, and street furniture at the time of DSP.
 - (3) In accordance with Section 27-274(a)(8), the service areas for the commercial and residential components will need to be addressed specifically at the time of DSP.
 - (4) In accordance with Section 27-274(a)(8), the applicant states that the main public space associated with the residential component will be the community area within the multifamily building, that will provide the recreational amenities for the community. However, details regarding the area building will be reviewed at time of DSP.
- e. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b). The CSP is not required to include detailed parking information. At the time of DSP review, adequate parking and loading will be required.
- f. Section 27-579(b) of the Zoning Ordinance reads as follows:
- (b) **No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for**

residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan).

The location of any exterior loading space associated with the proposed commercial/retail uses and its vehicular entrance will have to conform to this requirement, or a departure may be required. This issue will be reviewed and addressed at the time of DSP.

8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-004-2018) was submitted with the CSP application.

A Natural Resources Inventory, NRI-16-2018, was approved on March 7, 2018, and provided with this application. The TCP1 and the CSP show all the required information correctly, in conformance with the NRI.

Based on the submitted TCP1, the site contains 3.57 acres of woodland and has a woodland conservation threshold of 1.14 acres (15 percent). The Woodland Conservation worksheet proposes the removal of 1.05 acres on the net tract area, for a woodland conservation requirement of 1.40 acres. The requirement is proposed to be met with 2.52 acres of woodland preservation. The forest stand delineation has identified 24 specimen trees on-site. This application proposes the removal of nine specimen trees that will be further evaluated at the time of PPS.

Even though the submitted TCP1 requires technical revisions, it is consistent with all applicable requirements of the WCO.

9. **Other site plan-related regulations:** Additional regulations are applicable to site plan review that usually requires detailed information, which can only be provided at the time of DSP. The discussion provided below is for information only:
- a. **2010 Prince George's County Landscape Manual**—This development in the M-X-T Zone will be subject to the requirements of the Landscape Manual at the time of DSP. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the Landscape Manual.
 - b. **Prince George's County Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is 7.64 acres in size and the required TCC is 0.764 acre. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP for the subject project.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

- a. **Historic Preservation**—In a memorandum dated May 29, 2018 (Stabler to Zhang), the Historic Preservation Section (HPS) provided comments on this application, as follows:

The subject property was once part of the nineteenth century land holdings of Dr. William Hill, owner of the Compton Bassett Plantation (79-063-10). After the death of William Hill in 1823, the land was divided among his children. Clement B. Hill was allotted a large tract to the south and east of the subject property. Clement Hill acquired the tract, which contains the subject property from his deceased brother, John Hill, and his mother, Ann S. Hill. In the 1870s, Clement Hill began to convey parcels to the north of the present Marlboro Pike to several African American families. Historic maps indicate that, by the early 1900s, there was a sizeable African American community located to the east of the Baltimore and Potomac Railroad, to the north of Marlboro Pike, to the west of the Marlboro-Queen Anne Road, and to the south of a deep ravine formed by a branch of the Collington Branch.

Tax records and aerial photographs indicate that the structures on the subject property were constructed from the early to mid-nineteenth century. This small African American community began to establish itself at the intersection of Marlboro Pike and Marlboro-Queen Anne Road shortly after the end of the Civil War. Some of the families still living in the community, or those formerly living in the buildings on the subject property, may have been descendants of these early settlers. There are four structures and associated outbuildings on the subject property.

A Phase I archeological survey was conducted on the subject property in April 2018. Approximately 7.64 acres of fallow field and three dwelling lots were investigated with a shovel test pit (STP) survey. A total of 53 STPs were excavated, with 45 containing cultural material, primarily from the last third of the twentieth century. Two of the STPs contained early historic materials, including a small blue shell-edged pearlware ceramic and a small lead-glazed earthenware sherd. No archeological sites were delineated in the survey, and no further work was recommended.

This application proposes the demolition of all the buildings on the subject property and construction of a mixed-use development, to include 5,000 square feet of retail space and 70 residential dwelling units. HPS staff recommends that all the structures on the subject property should be recorded together on a Maryland Inventory of Historic Properties form by a qualified architectural historian. The form should be submitted to HPS staff for review and approval.

The Phase I archeological survey did not identify any significant archeological resources. Some eighteenth and nineteenth century artifacts were found mixed in with twentieth century material, indicating that there was some recent disturbance across the subject property. No further archeological investigations are recommended.

HPS recommends approval of this application with one condition that has been included in the Recommendation section of this report.

- b. **Community Planning**—In a memorandum dated May 7, 2018 (Wooden to Zhang), the Community Planning Division provided comment on the submitted CSP, as follows:

The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) places this application in the Established Communities growth policy area. The vision for the Established Communities area is most appropriate for context-sensitive infill and low- to medium-density development (page 20).

The Subregion 6 Master Plan and SMA recommends a mixed-use future land use on the subject property. The property is identified as "Development Bay 3" in the Living Areas and Community Character chapter, which recommends the following policies and strategies:

Policy: Promote high-quality development and redevelopment around the Town of Upper Marlboro at the intersection of US 301 and MD 725. (page 205)

Northwest Quadrant

Strategy 2: Provide a mix of development opportunities including different types of housing that complement and support the Town of Upper Marlboro in the M-X-T Zone. (page 206)

Strategy 5: Respect the extensive system of floodplain "fingers" by preserving natural drainage corridors and limiting development to upper level plateau areas. (page 206)

Strategy 9: Consider county relocation assistance for residents of Peerless Avenue as this area develops. (page 206)

Map 25 shows the development framework for the area, which includes five development bays or areas. "These bays represent the most appropriate areas for development outside of known environmentally sensitive areas and floodplains." (page 201)

Development Bay 3. This bay is another high-land peninsula bordered to the north and south by significant drainage corridors. Its proximity to an existing commercial development site (to the west) and US 301 suggests that a higher density, alternative type of residential development may be appropriate such as zero lot line residential. An average lot size of approximately 6,800 square feet is envisioned... (page 203)

- c. **Transportation Planning**—In a memorandum dated May 21, 2018 (Burton to Zhang), the Transportation Planning Section (TPS) offered the following comments:

The property is located in an area where the development policies are governed by the Subregion 6 Master Plan and SMA, as well as the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The subject property currently fronts on US 301, a four-lane arterial within a 150-foot right-of-way. One of the recommendations from the master plans is the construction of a freeway (F-10) approximately 400 feet to the east of the existing US 301. When that construction occurs in the future, the existing US 301 will be converted into a service road (A-61) providing local access. All other aspects of the site regarding access and layout are deemed to be acceptable.

The application analyzed is a CSP for a mixed-use development consisting of 62 residential units and 3,000 square feet of retail. Based on trip rates from the “Transportation Review Guidelines, Part 1” (Guidelines), as well as the *Trip Generation Manual, 9th Edition* (Institute of Transportation Engineers), this development will be adding 55 (15 in; 40 out) AM peak-hour trips and 61 (37 in; 23 out) PM peak-hour trips.

The traffic generated by the proposed CSP would impact the following intersections:

- US 301 and Marlboro Pike (MD 725)
- US 301 and Village Drive
- US 301 and Peerless Drive

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

- (1) **Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;
- (2) **Unsignalized intersections:** *The Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

All of the intersections deemed critical, when analyzed with total future traffic, as developed using the Guidelines, were found to be operating at or better than the policy service level. These levels of service findings are based on \$24 million Prince George’s County Capital Improvement Project (CIP)-funded improvements along US 301. One of the provisions of the CIP project is that some of the overall cost will be borne by the development community. Consequently, at the time of PPS, the applicant’s share of the overall cost of those improvements will be determined.

The applicant submitted a traffic study dated May 2018. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by TPS staff, consistent with the Guidelines. The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions:

EXISTING CONDITIONS		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
US 301 & Marlboro Pike (MD 725)	C/1,299	D/1,421
US 301 & Village Drive	B/1,110	D/1,398
US 301 & Peerless Avenue (site access, right-in, right-out)	17.5 seconds	0

The traffic study identified three background developments whose impact would affect some or all of the study intersections. In addition, a growth rate of 0.7 percent over 6 years was applied to the regional traffic volumes. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND CONDITIONS – with CIP funded improvements		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
US 301 & Marlboro Pike (MD 725)	B/1,147	C/1,248
US 301 & Village Drive	A/826	C/1,178
US 301 & Peerless Avenue (site access, right-in, right-out)	21.7 seconds	0

Using the trip rates from the Guidelines, as well as the *Trip Generation Manual, 9th Edition*, the study has indicated that the subject application represents the following trip generation:

		AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Townhouse (Guidelines)	62 Units	9	35	44	32	17	49
Daycare (ITE)	3,000 sq. ft.	17	15	32	16	17	33
<i>Less 65% pass-by</i>		<i>-11</i>	<i>-10</i>	<i>-21</i>	<i>-10</i>	<i>-11</i>	<i>-21</i>
Total new trips		15	40	55	37	23	61

The table above indicates that the proposed development will add 55 (15 in; 40 out) AM peak-hour trips and 61 (37 in; 23 out) PM peak-hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS – with CIP funded improvements		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
US 301 & Marlboro Pike (MD 725)	C/1,155	C/1,255
US 301 & Village Drive	A/836	C/1,189
US 301 & Peerless Avenue (site access, right-in, right-out)	26.1 seconds	29.0 seconds

The results shown above indicate that, with the inclusion of the CIP-funded improvements, the study intersections will operate at satisfactory levels of service.

Having reviewed the traffic study, TPS staff concurs with its conclusions. In addition to TPS staff, the traffic study was also reviewed by the Maryland State Highway Administration (SHA). In their review of the study, SHA had some minor comments that had no significant bearing on the study's conclusions.

TPS determines that the plan conforms to the required findings for approval of the CSP, from the standpoint of transportation, subject to two conditions that have been included in the Recommendation section of this report.

- d. **Subdivision Review**—In a memorandum dated May 24, 2018 (Turnquest to Zhang), the Subdivision Review Section provided an analysis of the CSP, as follows:

In accordance with Section 24-107 of the Subdivision Regulations, a PPS is required for the proposed development of the site, which was subdivided by deed prior to January 1, 1982. All proposed lots must have frontage on and direct access to a public street. The CSP shows a 60-foot right-of-way extending west from US 301. The disposition of this street must be indicated on the plan.

There is a master plan right-of-way (US 301) affecting the subject property, which should be shown and further analyzed by TPS for right-of-way dedication at the time of PPS.

A noise study may be required at the time of PPS and/or DSP to ensure that mitigation from the traffic impacts of US 301 is provided for any residential development.

PGAtlas indicates that Marlboro clay may be present, which may impact the developable area of the site.

The Subdivision Review Section recommends approval of this CSP, with three conditions that have been included in the Recommendation section of this report.

- e. **Trails**—In a memorandum dated May 4, 2018 (Shaffer to Zhang), the trails planner reviewed the CSP application referenced above for conformance with the MPOT, in order to implement planned trails, bikeways, and pedestrian improvements.

No master plan trail/bikeway issues impact the application. However, sidewalks are appropriate for the subject site. The Complete Streets element of the MPOT reinforces the need for these recommendations and includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

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

Sidewalks are reflected along both sides of all internal roads on the submitted CSP, consistent with these policies. Additional sidewalk links or internal trails may be considered at the time of DSP.

A detailed analysis of the internal sidewalk and trail network will be made at the time of PPS and DSP. The following issues will be evaluated at that time:

- (1) Sidewalks shall be provided along both sides of all internal roads, consistent with the Complete Streets policies of the MPOT.

- (2) A small amount of bicycle parking should be provided at the commercial space. The number and location will be determined at the time of DSP.

A condition has been included in the Recommendation section of this report requiring sidewalks and bicycle parking to be provided on the DSP.

- f. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated May 11, 2018 (Zyla to Zhang), DPR provided the following summarized discussion on the subject application:

Per Section 24-134(a)(1) of the Subdivision Regulations, at the time of PPS, the residential portion of the CSP is subject to the mandatory dedication of parkland requirement of 1.15 acres. The application and information submitted indicate that the mandatory dedication requirement will be met by providing private recreational facilities per Section 24-135(b) of the Subdivision Regulations. Private recreational facilities may be approved by the Planning Board, provided that the facilities will be superior, or equivalent, to those that would have been provided under the provisions of mandatory dedication. Further, the facilities shall be properly developed and maintained to the benefit of future residents through covenants or a recreational facilities agreement, with this instrument being legally binding upon the subdivider and the subdivider's heirs, successors, and/or assignees.

DPR has determined that private recreational facilities are appropriate for this project, given the proposed use and size of the development. The final list of recreation amenities will be determined at the time of review and approval of PPS and DSP applications.

DPR's suggested conditions, relative to the private recreational facilities, will be further reviewed and determined at the time of PPS and DSP.

- g. **Environmental Planning**—In a memorandum dated May 24, 2018 (Burke to Zhang), the Environmental Planning Section provided the following summarized comments on the subject application:

This project is subject to the current regulations of Subtitles 24, 25, and 27 of the Prince George's County Code that came into effect on September 1, 2010 and February 1, 2012, because the application is for a new CSP and there are no previous tree conservation plan approvals.

This 7.64-acre site is zoned M-X-T and is located on the west side of US 301, approximately 800 feet north of the intersection with MD 725. A review of available information indicates that unnamed streams are located along the north and south boundaries of this property. The streams contribute to Collington Branch, a tributary to the Western Branch, which is a stronghold watershed in the Patuxent River basin. Nontidal wetlands are not mapped on this property; however, steep slopes and primary management area (PMA) are mapped on this property. This property is within the Sensitive Species Project Review Area, according to PGAtlas. A letter of request was sent by the applicant to the Maryland Department of Natural Resources, Natural Heritage Program, however, a response has not been received. Potential forest interior dwelling species (FIDS) habitat or FIDS buffer are mapped on-site. The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map, as designated by Plan 2035. The 2017 *Approved Prince George's County Resource*

Conservation Plan: A Countywide Functional Master Plan (CR-11-2017) shows that the entire property contains both regulated and evaluation network features, based on the stream, buffers, and steep slopes. Marlboro clays are mapped on this property.

Specimen Trees

Section 25-122(b)(1)(G) of the County Code requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

The site contains 24 specimen trees with ratings of good (Specimen Trees (ST 3, 5–9, 12–15, 27–29, and 31–34)), fair (ST 35 and 37), and poor (ST 4, 10, 11, 16, and 36). The current design proposes to remove ST 5, 8, 11, 12, 13, 16, 31, 32, and 35 for the development of the buildings and associated infrastructure.

A variance from Section 25-122(b)(1)(G) is requested for the clearing of the nine specimen trees on-site. The site consists of 7.64 acres and is zoned M-X-T. The current proposal for this property is to develop the site with a mixed-use development consisting of multifamily units and retail space, along with associated infrastructure. This variance is requested to the WCO, which requires that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle Variance Application form requires a statement of justification (SOJ) of how the findings are being met.

Based on the level of design information currently available, the limits of disturbance (LOD) shown on the Type 1 tree conservation plan (TCP1), and the impact exhibits, a determination that the removal of ST 5, 8, 11, 12, 13, 16, 31, 32, and 35 cannot be made at this time. Staff acknowledges that the removal of specimen trees may be necessary to grade the site for public road infrastructure improvements, structures, parking, and stormwater management (SWM) facilities and outfalls; however, the LOD may change considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and these impacts on SWM design.

A variance application and SOJ for the removal of specimen trees shall be included in the PPS application package.

Preservation of Regulated Environmental Features/Primary Management Area

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

and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to reasonably develop the site in conformance with County Code.

The site contains regulated environmental features. According to the TCP1, impacts to the PMA are proposed for improvements to the public road entering the site, demolition of existing structures, and for SWM outfalls. An SOJ has been received for the proposed impacts to the PMA and stream buffer.

Based on the level of design information currently available, the LOD shown on the TCP1, and the impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible; however, these impacts shall be reevaluated at the time of PPS. Staff acknowledges that impacts are necessary for public road infrastructure improvements and SWM outfalls; however, not enough complete information was provided and the level of impact may change considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and their impacts on SWM design.

Prior to acceptance of the PPS application, an SOJ for the necessary PMA impacts shall be included in the application package. The SOJ shall address all proposed impacts to regulated environmental features.

Soil

The predominant soils found to occur, according to the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey, are Collington-Wist-Urban land complexes, Marr-Dodon complexes and Udorthents, highway soils. This property is located in an area with extensive amounts of mapped Marlboro clay, which is known to be an unstable, problematic geologic formation. The presence of this formation raises concerns about slope stability and the potential for constructing buildings on unsafe land. A geotechnical report is required for the subject property in order to evaluate the areas of the site that are unsuitable for development without mitigation.

Because a detailed structure configuration and grading studies are not required with this phase of the development process, it is not practical to discuss specific details with respect to lot reconfiguration, grading, or the placement of structures, infrastructure, and SWM devices, at this time. However, during the review of the PPS, the configuration of lots and location of structures and applicable site features shall be designed to be outside of the unmitigated 1.5 safety factor line, or the proposed grading shall be such that the 1.5 safety factor has been mitigated to eliminate potential slope failure areas.

Stormwater Management

A SWM concept plan was submitted with the subject application, but a SWM concept letter has not been submitted, and the SWM concept application number has not been identified. The SWM concept plan shows the use of environmental site design elements to address water quality requirements.

Submittal of an approved SWM concept approval letter will be required prior to signature approval of the PPS.

The Environmental Planning Section recommends approval of CSP-17004 and TCP1-004-2018, subject to five conditions that have been included in the Recommendation section of this report.

- h. **Maryland State Highway Administration (SHA)**—In a memorandum dated April 20, 2018, SHA stated that they have reviewed the traffic impact study submitted with this CSP application and agreed with the assumptions of the study. SHA provided no further comments. Additional review of this development by SHA will be carried out at time of PPS and DSP.
 - i. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
 - j. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 25, 2018 (Giles to Zhang), DPIE provided comments on issues such as right-of-way dedication frontage improvement, sidewalks, street trees and lighting, storm drainage systems, and SWM facilities to ensure that the improvements will be installed in accordance with the requirements of the Prince George’s County Department of Public Works and Transportation (DPW&T). Those comments will be enforced through DPIE and DPW&T’s separate permitting process. DPIE also provided comments on the proposed Peerless Avenue (a section of which will be relocated due to the proposed development) that will be further reviewed at the time of PPS.
 - k. **Prince George’s County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on the subject application.
 - l. **Prince George’s County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on the subject application.
 - m. **Town of Upper Marlboro**—At the time of the writing of this technical staff report, the Town of Upper Marlboro did not offer comments on the subject application.
11. Based on the foregoing and as required by Section 27-276(b)(1) of the Zoning Ordinance, the CSP, if approved with the proposed conditions below, represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
12. Section 27-276(b)(4) of the Zoning Ordinance provides the following required finding for approval of a CSP:

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

Based on the level of design information currently available, the LOD shown on the TCP1, and the impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible. The level of impact may change

considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and their impacts on SWM design. Additional review of any potential impacts will be required in future approvals.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Conceptual Site Plan CSP-17004 and Type 1 Tree Conservation Plan TCP1-004-2018 for Peerless Residential and Retail Development, subject to the following conditions:

1. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
 - a. Show a 70-foot public right-of-way for the proposed Peerless Avenue.
 - b. Clearly mark and label all existing lots and area included in the CSP.
 - c. Revise the Type 1 tree conservation plan (TCP1), as follows:
 - (1) Add "TCP1-004-2018" to the approval block and to the worksheet.
 - (2) Revise General Note 7 to say, "...within *Plan Prince George's 2035, Environmental Strategy Area Two, formerly the Developing Tier...*"
 - (3) Revise General Note 13 to provide the conceptual stormwater management plan number.
 - (4) Revise the ownership information for the adjacent properties.
 - (5) Add a column for the Development Review Division approval number in the TCP1 approval block.
 - (6) Identify the steep slopes on the plan with shading.
 - (7) Provide an Owners Awareness Certification on the plan.
 - (8) Have the revised TCP1 signed and dated by the qualified professional who prepared it.
2. Total development within the subject property shall be limited to uses which generate no more than 55 (15 in; 40 out) AM peak-hour trips and 61 (37 in; 23 out) PM peak-hour trips, in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a revision to the conceptual site plan, with a new determination of the adequacy of transportation facilities.
3. At the time of preliminary plan of subdivision (PPS), the applicant shall:
 - a. Provide Phase I (Identification) archeological investigations, according to the Prince George's County Planning Board's *Guidelines for Archeological Review* (May 2005), to

determine if any cultural resources are present. The areas within the developing property that have not been extensively disturbed should be surveyed for archeological sites. The applicant shall submit a Phase I research plan for approval by the Historic Preservation Section prior to commencing Phase I work. Evidence of M-NCPPC staff concurrence with the final Phase I report and recommendations is requested prior to approval of the PPS.

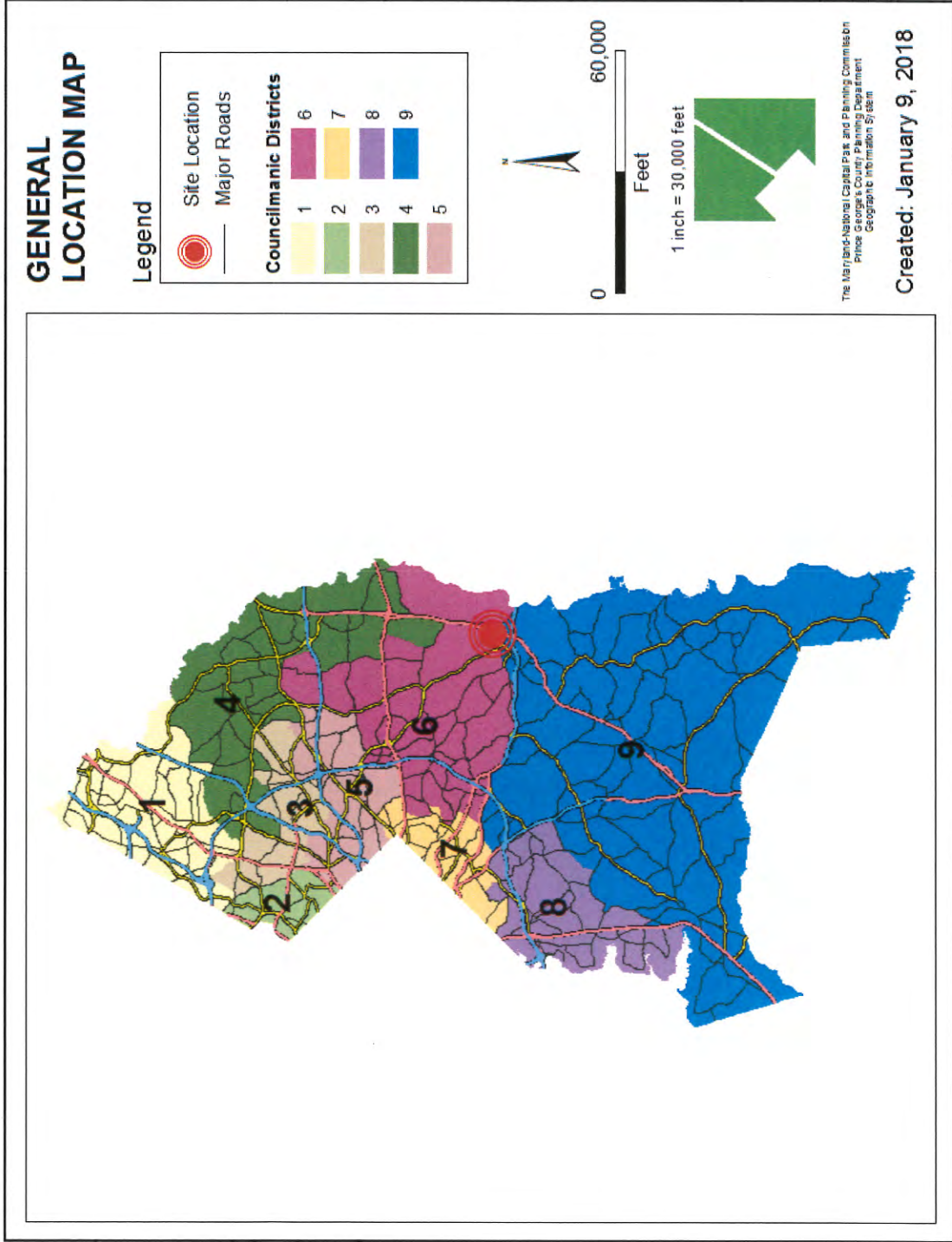
- b. Show the appropriate dedication of right-of-way along the property's frontage on US 301 (Robert Crain Highway).
 - c. Provide the pro rata share cost towards the Prince George's County Capital Improvement Project-funded improvements along US 301 (Robert Crain Highway).
 - d. Submit a geotechnical report for review and approval by the Prince George's County Department of Permitting, Inspections, and Enforcement, to confirm the elevation of the Marlboro clay and determine the slope stability factor.
 - e. Revise the Type 1 tree conservation plan (TCP1) to include the boundary of the Marlboro clay, as determined by an approved evaluation by the Prince George's County Department of Permitting, Inspections, and Enforcement.
 - f. Provide a specimen tree variance application and statement of justification for the removal of specimen trees.
 - g. Submit a statement of justification for the necessary primary management area impacts that shall address all proposed impacts to regulated environmental features.
 - h. Provide a Phase I noise study.
4. Prior to approval of a detailed site plan for the project, the applicant shall:
- a. Provide the location, type, and number of bicycle parking spaces at the multifamily building and commercial/retail building.
 - b. Provide sidewalks on both sides of all internal streets.
5. Prior to issuance of any demolition or grading permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a Maryland Inventory of Historic Property (MIHP) form for all the structures located on the subject property. The buildings shall be documented by a qualified architectural historian (36-CFR-Part 60 qualified) and the submitted documentation shall include a chain of title, floor plans, and representative interior and exterior photos of the buildings and grounds. The MIHP form shall be submitted to Historic Preservation staff for review and approval.

ITEM:

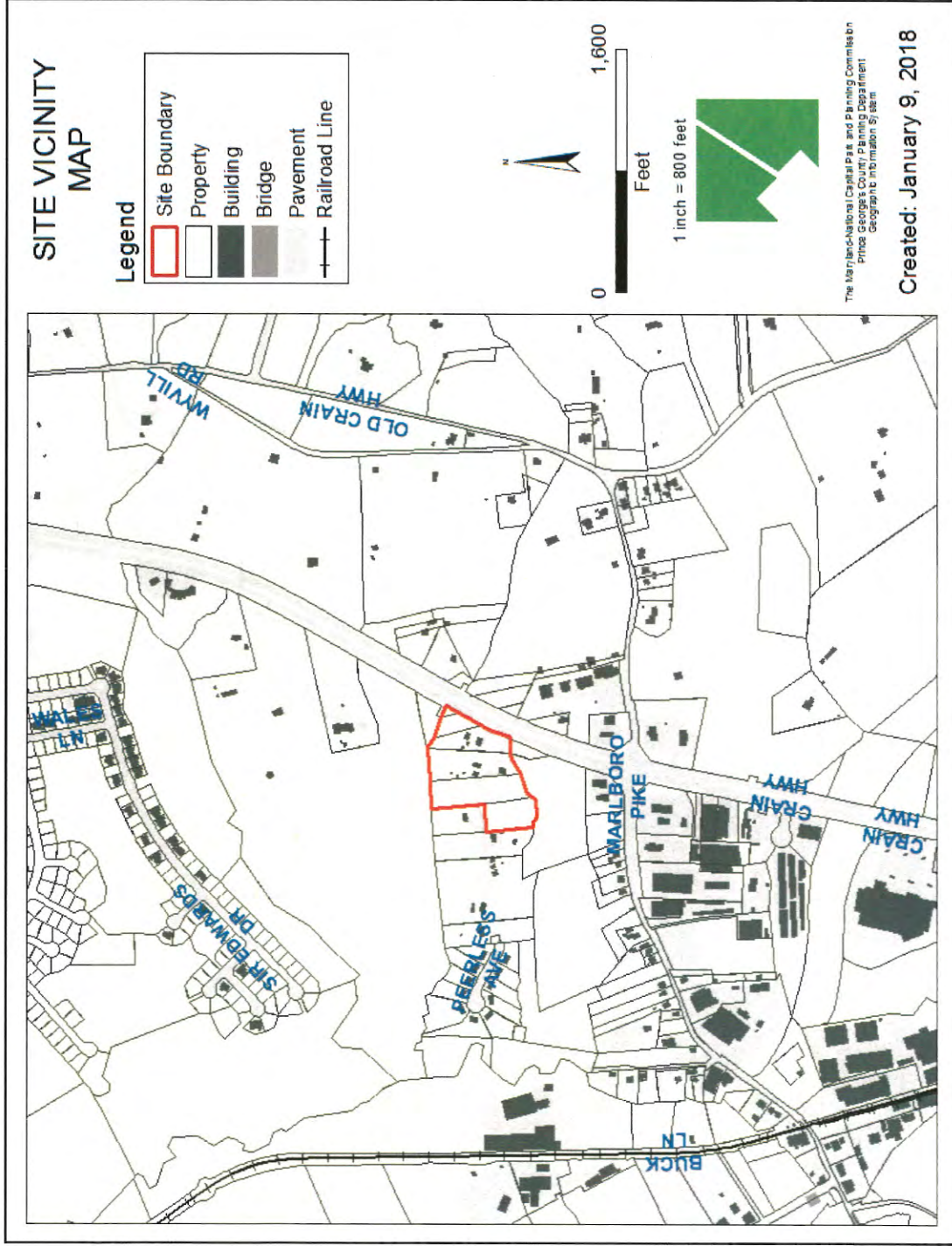
CASE: CSP-17004

PEERLESS RESIDENTIAL & RETAIL DEVELOPMENT

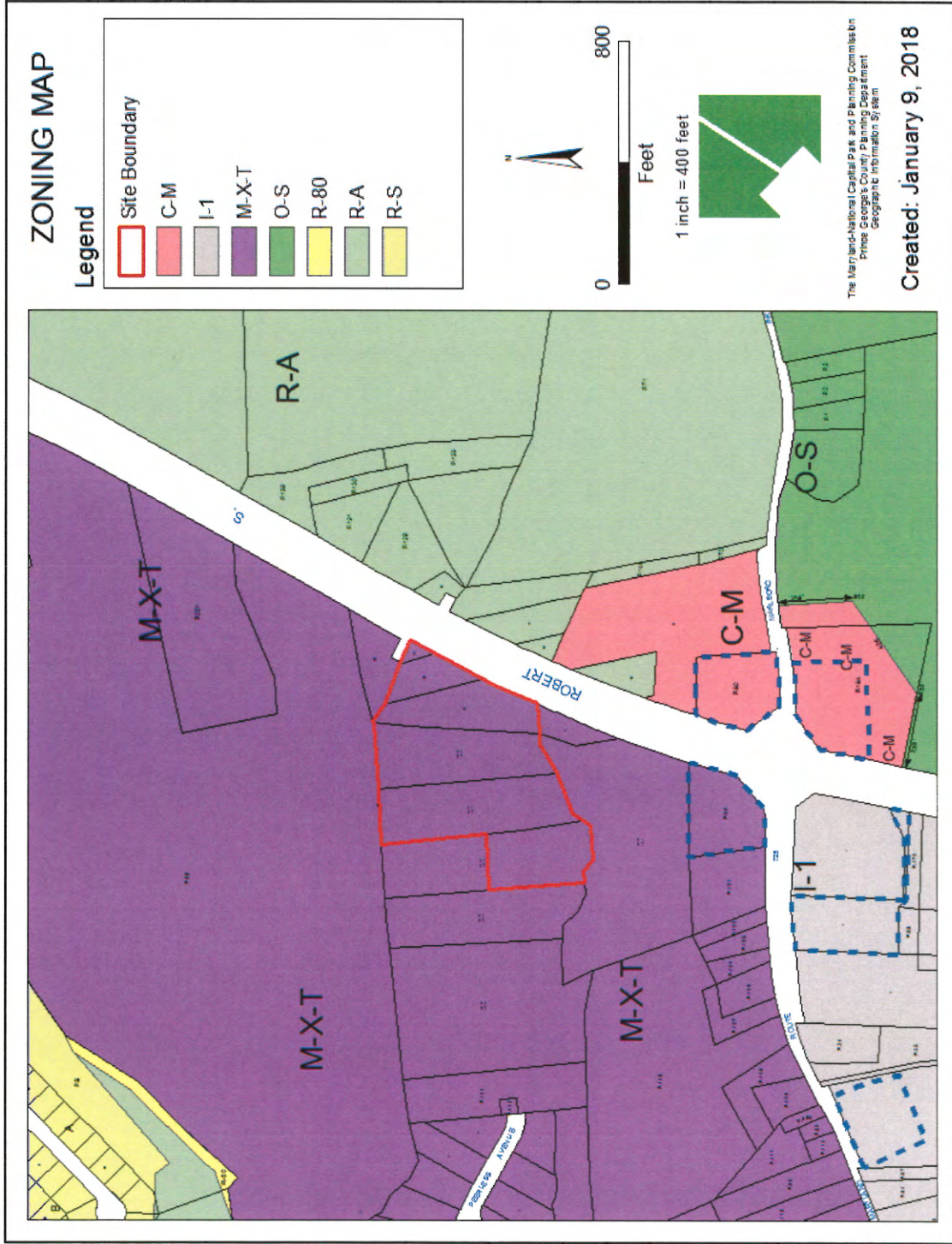
GENERAL LOCATION MAP



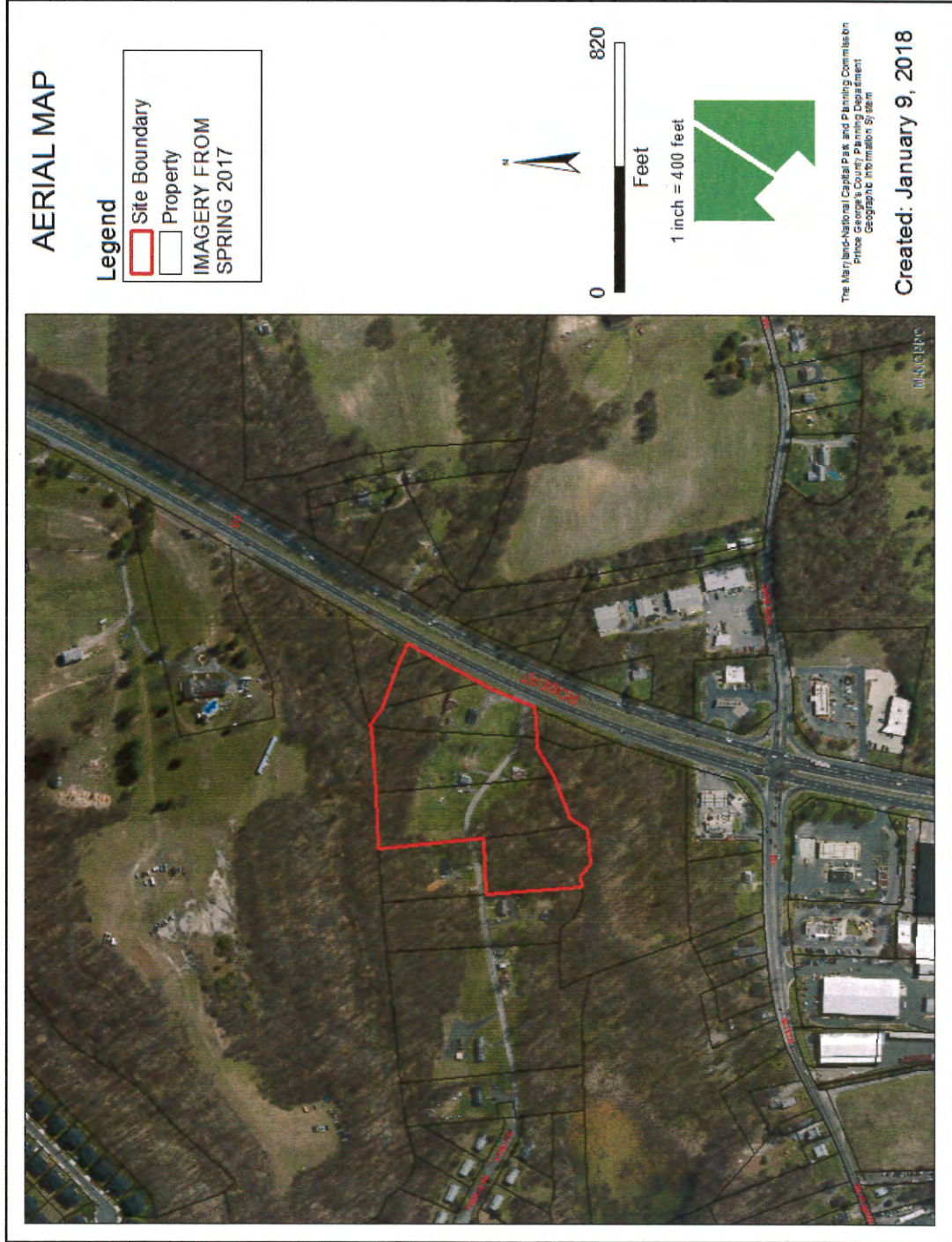
SITE VICINITY



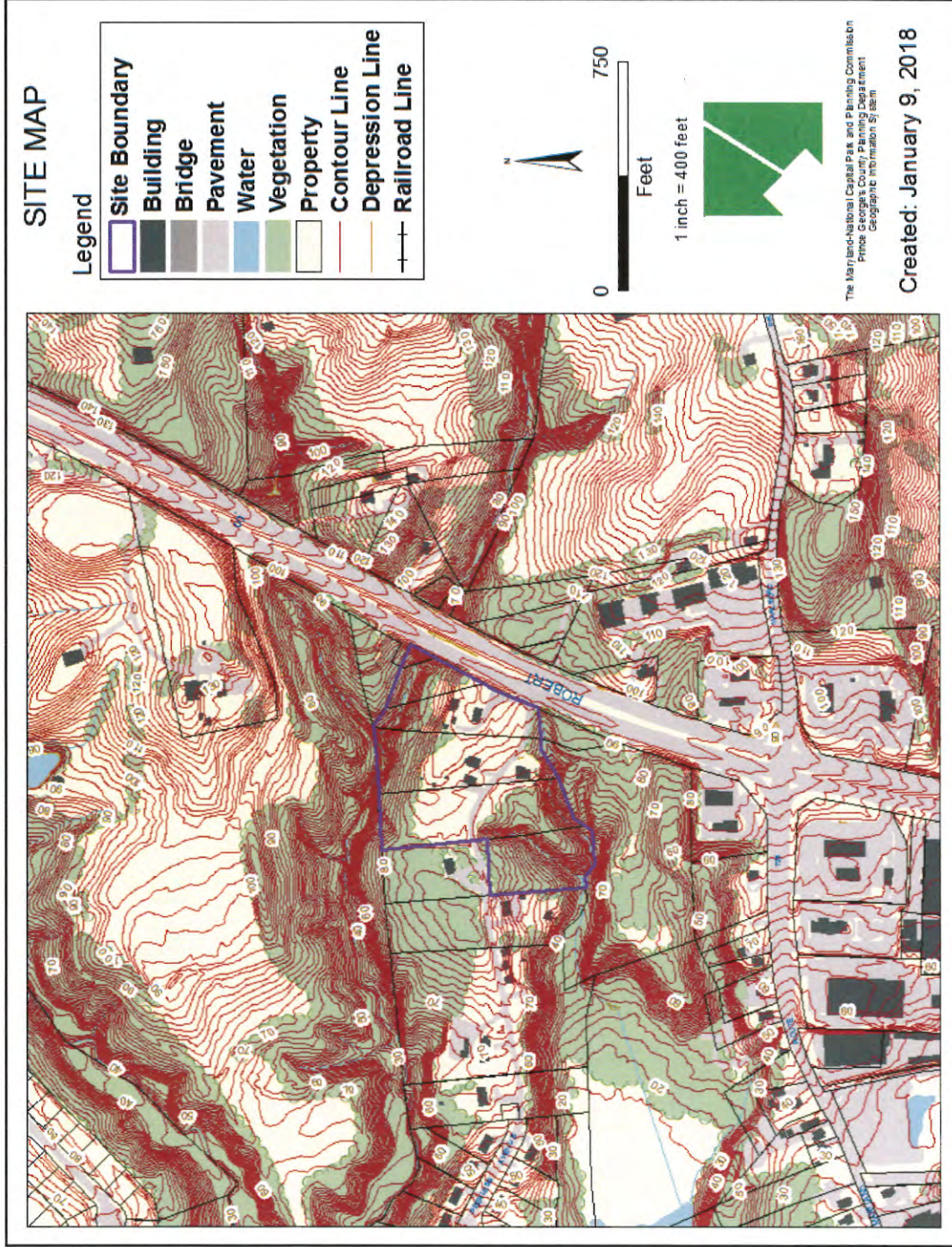
ZONING MAP



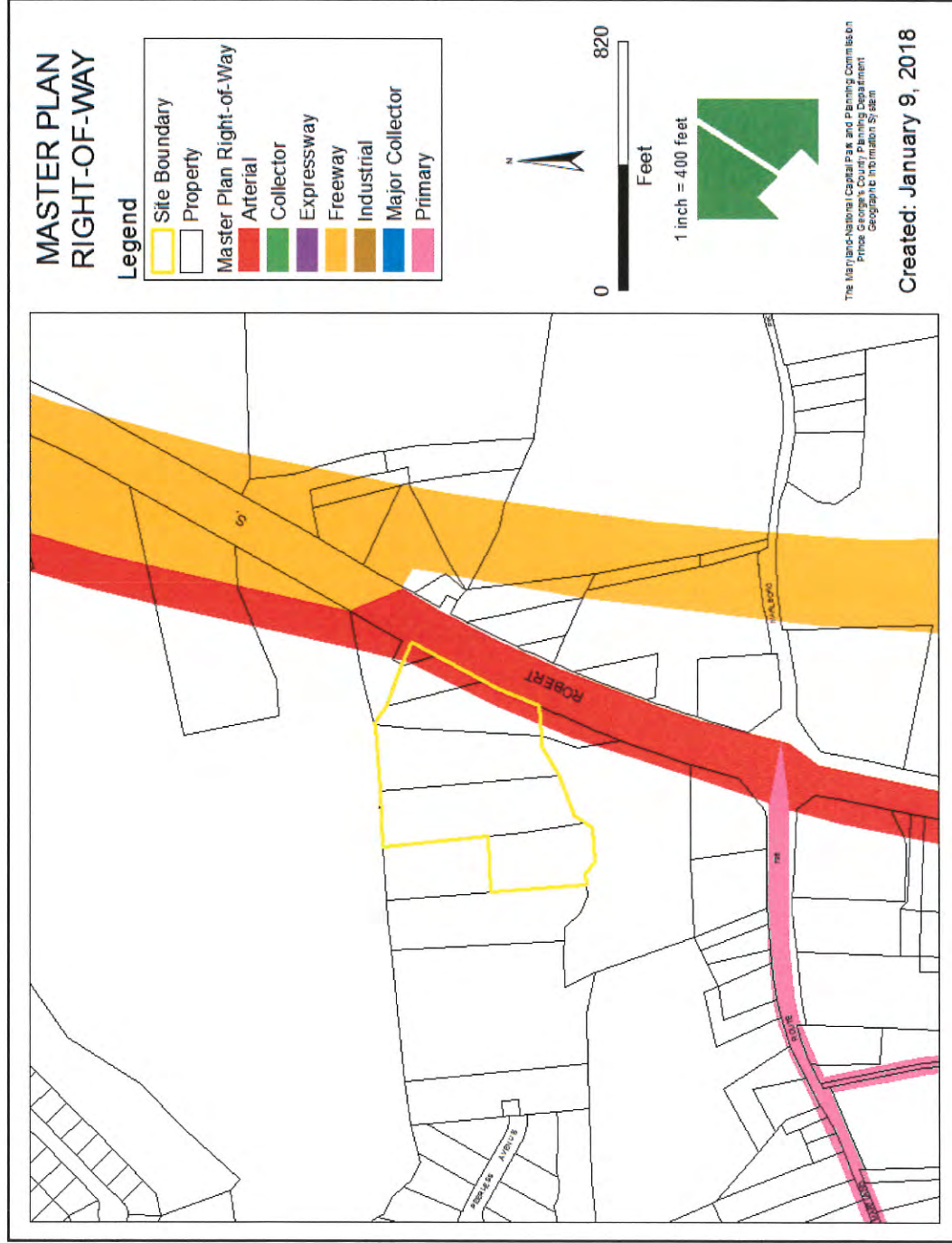
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

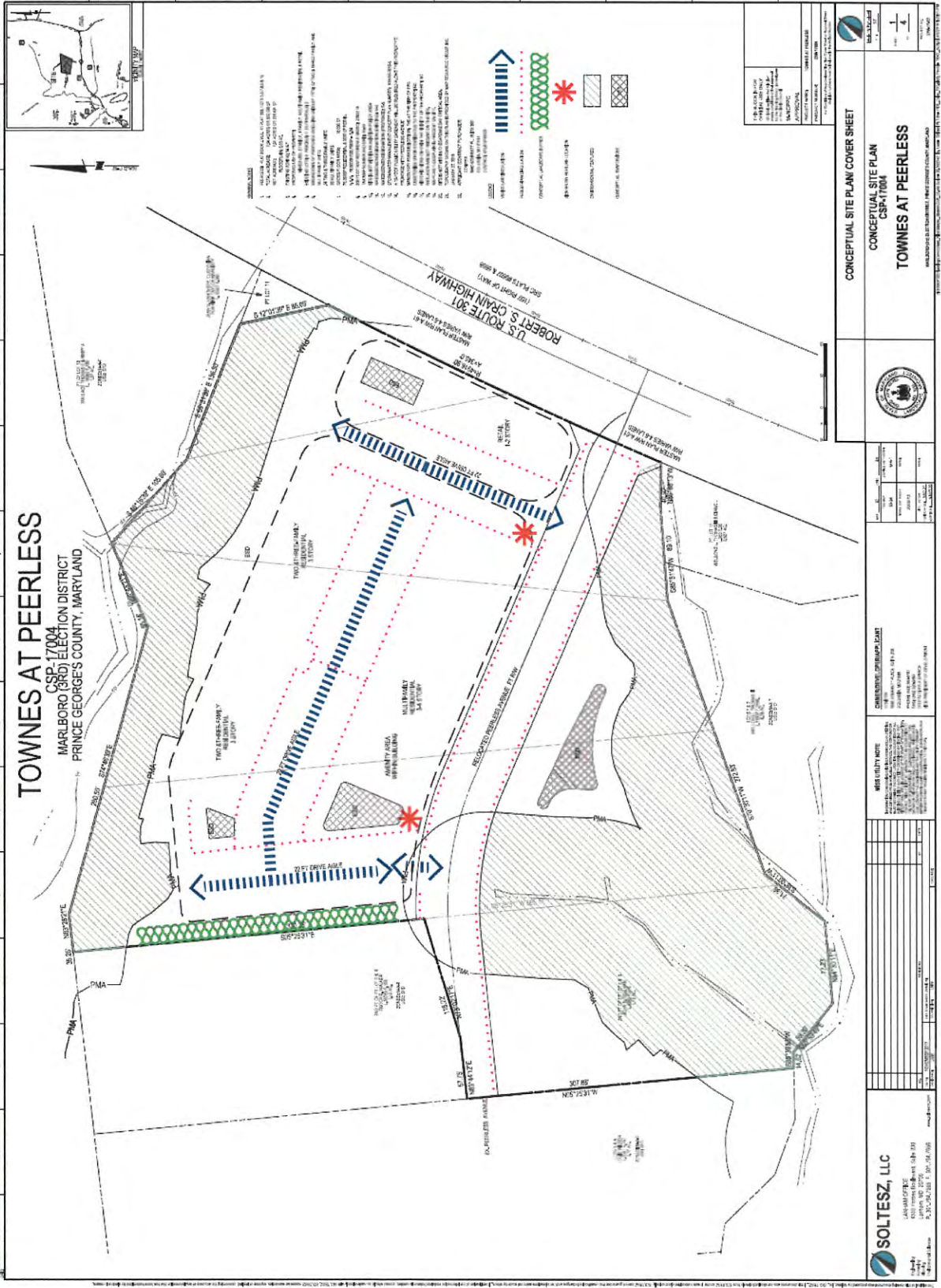


topography





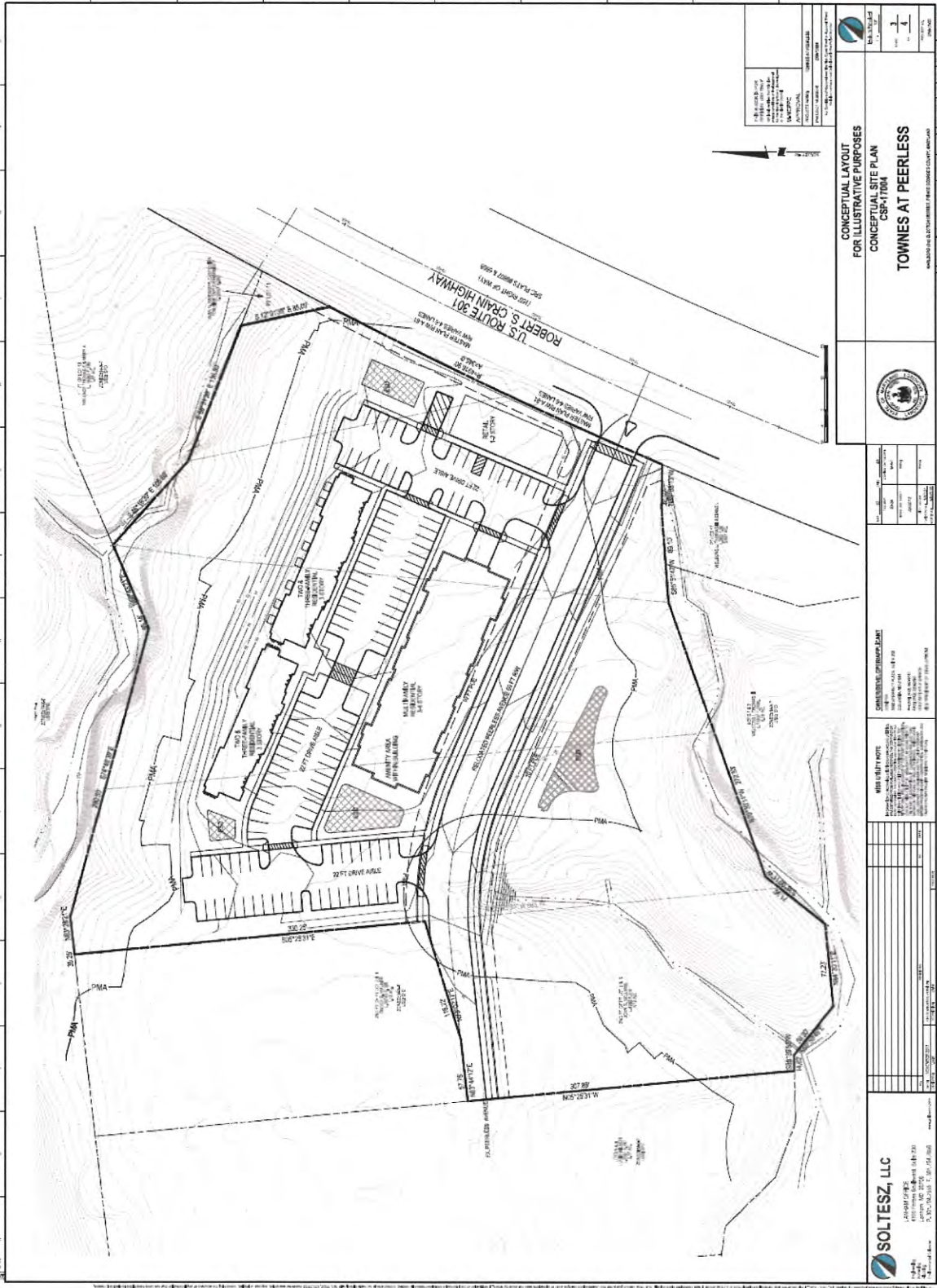
CONCEPTUAL SITE PLAN



6/14/2018

Slide 9 of 10

ILLUSTRATIVE PLAN



301-952-3972

May 7, 2018

MEMORANDUM

TO: Henry Zhang, Master Planner, Development Review Division

VIA: Kipling Reynolds, AICP, Planning Chief, Community Planning Division *KE*
David A. Green, Master Planner, Community Planning Division *DAG*

FROM: John Wooden, Planner Coordinator, Neighborhood Revitalization Section, Community Planning Division *JW*

SUBJECT: **CSP-17004 Townes at Peerless**

FINDING

Pursuant to Part 3, Division 9, Subdivision 2 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Conceptual Site Plan outside of an overlay zone.

Location: 15507 Peerless Avenue

Size: 7.64 acres

Existing Uses: Undeveloped

Proposal: The applicant is proposing to construct 62 two-family, three-family, and multi-family units and 3000 sf. of retail space.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: 2014 *Plan Prince George's 2035 Approved General Plan*. places this application in the Established Communities growth policy area. The vision for the Established Communities are most appropriate for context-sensitive infill and low- to medium-density development (page 20).

Master Plan: The 2013 *Approved Subregion 6 Master Plan* recommends a mixed-use future land use on the subject property. The property is identified as "Development Bay 3" in the Living Areas and Community Character Chapter, which recommends the following policies and strategies:

CSP-17004 Peerless Residential & Retail Development

- Policy: Promote high-quality development and redevelopment around the Town of Upper Marlboro at the intersection of US 301 and MD 725 (p. 205)
 - Strategy 2: Incorporate a mix of development opportunities including different types of housing that complement and support the Town of Upper Marlboro in the M-X-T zone. (p. 206)
 - Strategy 5: Respect the extensive system of floodplain “fingers” by preserving natural drainage corridors and limiting development to upper level plateau areas. (p. 206)
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Planning Area: 79

Community: Upper Marlboro & Vicinity

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone

SMA/Zoning: The 2013 *Approved Subregion 6 Sectional Map Amendment* retained the subject property into the M-X-T zone.

c: Long-range Agenda Notebook

Frederick Stachura, Planning Supervisor, Neighborhood Revitalization Section, Community Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Historic Preservation Section

(301) 952-3680
www.mncppc.org

May 29, 2018

MEMORANDUM

TO: Henry Zhang, Master Planner
Urban Design Section
Development Review Division

VIA: Howard Berger, Supervisor
Historic Preservation Section
Countywide Planning Division

FROM: Jennifer Stabler, Archeology Planner Coordinator
Historic Preservation Section
Countywide Planning Division

SUBJECT: **CSP-17004, Peerless**

The subject property comprises 6.99 acres located 0.15 miles north of the intersection of US 301 and Marlboro Pike in Upper Marlboro, Maryland. The subject application proposes a mixed-use development community including approximately 3,000 square feet of retail and 62 residential dwelling units. The subject property is zoned M-X-T.

The subject property was once part of the nineteenth-century land holdings of Dr. William Hill, owner of the Compton Bassett Plantation (79-063-10). After the death of William Hill in 1823, his land was divided among his children. Clement Hill was allotted a large tract to the south and east of the subject property. Clement Hill acquired the tract which contains the subject property from his deceased brother, John Hill, and his mother, Ann S. Hill. In the 1870s, Clement B. Hill began to convey parcels to the north of the present Marlboro Pike to several African American families. Historic maps indicate that by the early 1900s, there was a sizeable African American community located to the east of the Baltimore and Potomac Railroad, to the north of Marlboro Pike, to the west of the Marlboro and Queen Anne Road and to the south of a deep ravine formed by a branch of the Collington Branch.

Findings

1. Tax records and aerial photographs indicate that the structures on the subject property were constructed from the early to mid-nineteenth century. This small African American community began to establish itself at the intersection of Marlboro Pike and the Marlboro-Queen Anne Road shortly after the end of the Civil War. Some of the families still living in the community or those formerly living in the buildings on the subject property may have been descendants of these early settlers. There are four structures and associated outbuildings on the subject property.
2. A Phase I archeological survey was conducted on the subject property in April 2018. Approximately 7.64 acres of fallow field and three dwelling lots were investigated with a shovel test pit (STP) survey. A total of 53 STPs were excavated, with 45 containing cultural material, primarily from the last third of the twentieth century. Two of the STPs contained early historic materials, including a small blue shell-edged pearlware ceramic and a small lead-glazed

earthenware sherd. No archeological sites were delineated in the survey and no further work was recommended.

Conclusions

1. This application proposes the demolition of all the buildings on the subject property and the construction of a mixed-use development to include 5,000 square feet of retail space and 70 residential dwelling units. Historic Preservation staff recommends that all the structures on the subject property should be recorded together on a Maryland Inventory of Historic Properties form by a qualified architectural historian. The form should be submitted to Historic Preservation staff for review and approval.
2. The Phase I archeological survey did not identify any significant archeological resources. Some eighteenth and nineteenth century artifacts were found mixed in with twentieth century material, indicating that there was some recent disturbance across the subject property. No further archeological investigations are recommended.

Recommendation

The Historic Preservation Section recommends approval of CSP-17004, Peerless, with the following condition:

1. Prior to issuance of any demolition or grading permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a Maryland Inventory of Historic Property (MIHP) form for all the structures located on the subject property. The buildings shall be documented by a qualified architectural historian (36-CFR-Part 60 qualified) and the submitted documentation shall include a chain of title, floor plans, and representative interior and exterior photos of the buildings and grounds. The MIHP form shall be submitted to Historic Preservation staff for review and approval.



Rushern L. Baker, III
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Office of the Director



MEMORANDUM

May 25, 2018



TO: Henry Zhang, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE

RE: Townes at Peerless
Conceptual Site Plan No. CSP-17004

CR: Robert Crain Highway (US 301)

CR: Peerless Avenue

Meg 5/25/18

In response to the Conceptual Site Plan No. CSP-17004 referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The subject property is located along the west side of Robert Crain Highway (US 301), approximately 850 feet north of its intersection with Marlboro Pike (MD 725), which is bisected by the existing/relocated Peerless Avenue, from US 301.
- US 301 is a State-maintained roadway; therefore, right-of-way dedication and roadway improvements will be required as determined by and coordinated with the Maryland State Highway Administration (SHA) as necessary.
- The relocated Peerless Avenue that is the subject of this Infrastructure Conceptual Site Plan is to be constructed in accordance with County roadway standards. This road is a rural primary residential roadway with a 60-foot right-of-way through the site. It shall transition to meet the existing US 301. The proposed relocation shall be constructed and open to traffic before the existing Peerless Avenue is closed and subsequently demolished. This will eliminate any potential bottleneck for residents from the site who need access to US 301. The connection to US 301 shall be made at the location of the ultimate dedication and improvements. This shall be coordinated with DPIE, as part of the street construction permit process.

Henry Zhang
May 25, 2018
Page 2

- Right-of-way dedication and frontage improvements along Peerless Avenue are required in accordance with DPW&T's Specifications and Standards,
- The proposed Peerless Avenue relocated shall be designed to meet the County Standards. DPIE requests that the engineer provide road radii and cross sections to demonstrate compliance with public standards and compliance with ultimate master planned roadway designation. Project shall be revised with plans that comply with these standards.
- Prior to the issuance of building permits, the developer shall submit a County Executive Order declaring the affected sections of Peerless Avenue approved for closure.
- Prior to the approval of final plat(s) of subdivision for development, which includes portions of the Peerless Avenue right-of-way, the applicant shall obtain approval of the road closure process as determined appropriate by DPW&T, in accordance with Subtitle 23 and/or vacated in accordance with Subtitle 24.
- An access study shall be conducted by the applicant and reviewed to determine the adequacy of access points to the relocated Peerless Avenue.
- The applicant shall demonstrate that the proposed access points provide adequate sight distance in accordance with American Association of State Highway and Transportation Officials (AASHTO) standards for all intersections within the site.
- Street construction permits are required for improvements within public roadway rights-of-way, and for the proposed private internal roadways. Maintenance of private streets is not the responsibility of Prince George's County.
- All improvements within the public right-of-way as dedicated to the County are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act (ADA).

- Conformance with DPIE and/or DPW&T street tree and street lighting Specifications and Standards is required, with lighting fixtures to match those in existence in the area. Adjustments to street lighting, where necessary to accommodate the improvements constructed under this scenario, maybe required. In accordance with Section 23-141 of the Prince George's Road Ordinance, roadside trees will be required within the project limits.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- Full-width, 2-inch mill and overlay for all existing County roadway frontages are required.
- The proposed site development will require an approved DPIE Stormwater Management Concept Plan prior to the overall approval of the Conceptual Site Plan No. CSP-17004
- Floodplain delineation approval and floodplain easements are required. DPIE recommends that a floodplain delineation be processed immediately; and, if any grading extends into the floodplain, then this grading be removed out of the floodplain.
- The proposed development will require an approved DPIE site development - Fine Grading permit.
- This site contains Marlboro Clay (M.C). The following comments/requirements must be addressed:
 - A Geotechnical Report for the site, roads and storm-water management (SWM) devices must be provided at the time of the submission of the concept and again at the time of grading permit.
 - Proposed ponds must be analyzed for geotechnical impacts on the proposed roads and structures in the vicinity. Study shall include slope stability analysis and define 1.5 factor of safety line.

Henry Zhang
May 25, 2018
Page 4

- In general, SWM devices shall be located outside the M.C. areas, and at lower elevations than the M.C. bottom, if at all possible. Areas between M.C. and Flood plain should be considered.
- Permit plans of both site grading, SWM devices and paving must comply with the recommendations of the Geotechnical Report. Roadways in the M.C. or within 1 foot from it, pavements and sub-base stone must be separated from the M.C. by at least 24" of compacted SM or more granular soil.
- Within the public right of way, M.C. is not allowed in the top 5 feet of backfill in utility trenches, even if M.C. was excavated from those trenches.
- The site vicinity should be evaluated for 3D limits of Marlboro Clay and for slope stability of 5H:1V and steeper slopes.
- Due to Marlboro Clay; field investigation, lab testing, engineering analysis, and preparation of Geotechnical reports and site plans shall all be in compliance with

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at (301) 636-2060.

MCG:MT:dar

cc: Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Jahid Russe, Engineer, Traffic Engineering, S/RPRD, DPIE
Soltesz, 4300 Forbes Blvd, Suite 230, Lanham, MD 20706
Peerless Avenue Associates, LLC, 1000 University Avenue,
Suite 500, Rochester, New York 14607



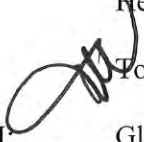
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George’s County Planning Department
Countywide Planning Division, Transportation Planning Section

(301) 952-3680
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May 21, 2018

MEMORANDUM

TO: Henry Zhang, Urban Design Section, Development Review Division
VIA:  Tom Masog, Transportation Section, Countywide Planning Division
FROM: Glen Burton, Transportation Section, Countywide Planning Division
SUBJECT: CSP-17004: The Townes at Peerless

The Transportation Planning Section has reviewed the Conceptual Site Plan (CSP) for the above-referenced property. The 7.6-acre property is located on the west side of US 301, approximately 1,000 feet north of the US 301/MD 725 intersection in Upper Marlboro. The subject application proposes the construction of 62 multifamily units and 3,000 square feet of commercial.

Traffic Study Analyses:

The applicant submitted a traffic study dated May 2018. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the “Transportation Review Guidelines - Part 1- 2012”. The table below shows the intersections deemed to be critical, as well as the levels of service representing existing conditions:

EXISTING CONDITIONS		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
US 301 & Marlboro Pike (MD 725)	C/1,299	D/1,421
US 301 & Village Drive	B/1,110	D/1,398
US 301 & Peerless Avenue (site access, right-in, right-out)	17.5 seconds	0

The traffic study identified three background developments whose impact would affect some or all of the study intersections. Additionally, a growth of 0.7 percent over six years was also applied to the regional traffic volumes. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND CONDITIONS – with CIP funded improvements		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
US 301 & Marlboro Pike (MD 725)	B/1,147	C/1,248
US 301 & Village Drive	A/826	C/1,178
US 301 & Peerless Avenue (site access, right-in, right-out)	21.7 seconds	0

Using the trip rates from the “Guidelines” as well as the *Trip Generation Manual, 9th edition* (Institute of Transportation Engineers), the study has indicated that the subject application represents the following trip generation:

		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Townhouse (Guidelines)	62 Units	9	35	44	32	17	49
Daycare (ITE)	3,000 sq. ft.	17	15	32	16	17	33
<i>Less 65% pass-by</i>		-11	-10	-21	-10	-11	-21
Total new trips		15	40	55	37	23	61

The table above indicates that the proposed development will be adding 61 (37 in; 23 out) AM peak hour trips and 55 (15 in; 40 out) PM peak hour trips. A third analysis depicting total traffic conditions was done, yielding the following results:

TOTAL CONDITIONS – with CIP funded improvements		
Intersection	AM	PM
	LOS/CLV	LOS/CLV
US 301 & Marlboro Pike (MD 725)	C/1,155	C/1,255
US 301 & Village Drive	A/836	C/1,189
US 301 & Peerless Avenue (site access, right-in, right-out)	26.1 seconds	29.0 seconds

The results shown above indicate that with the inclusion of the CIP-funded improvements, the study intersections will operate at satisfactory levels of service.

Staff Review and Comments:

Having reviewed the traffic study, staff concurs with its conclusions. In addition to the Transportation Planning staff, the traffic study was also reviewed by the State Highway Administration (SHA). In their review of the study, SHA had some minor comments that had no significant bearing on the study’s conclusions.

Master Plan, site review

The property is located in an area where the development policies are governed by the *2013 Approved Subregion 6 Master Plan and Sectional Map Amendment*, as well as the *Approved Countywide Master Plan of Transportation, November 2009*. The subject property currently fronts on US 301, a four-lane arterial within a 150-foot right-of-way. One of the recommendations from the master plans is the construction of a freeway (F-10) approximately 400 feet to the east the existing US 301. When that construction occurs in the future, the existing US 301 will be converted into a service road (A-61) providing local access. All other aspects of the site regarding access and layout are deemed to be acceptable.

TRANSPORTATION STAFF FINDINGS

The application analyzed is a conceptual site plan (CSP) for a mixed-use development consisting of 62 townhouse units, and 3,000 square feet of retail. Based on trip rates from the “Guidelines” as well as the *Trip Generation Manual, 9th edition* (Institute of Transportation Engineers), this development will be adding 61 (37 in; 23 out) AM peak hour trips and 55 (15 in; 40 out) PM peak hour trips

The traffic generated by the proposed preliminary plan would impact the following intersections:

- US 301 & Marlboro Pike (MD 725)
- US 301 & Village Drive
- US 301 & Peerless Drive

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

- a. **Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;
- b. **Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

All of the intersections deemed critical, when analyzed with the total future traffic as developed using the “Guidelines”, were found to be operating at or better than the policy service level. These levels of service findings are based on a \$24 million dollar, CIP-funded improvements along US 301. One of the provisions the CIP project is that some of the overall cost will be borne by the development community. Consequently, at the time of preliminary plan of subdivision, the applicant’s share of the overall cost of those improvements will be determined.

TRANSPORTATION STAFF CONCLUSIONS

Based on the preceding findings, the Transportation Planning Section determines that the plan conforms to the required findings for approval of the Conceptual Site Plan from the standpoint of transportation if the application is approved with the following condition:

- 1 Total development within the subject property shall be limited to uses which generate no more than 61 (37 in; 23 out) AM peak hour trips and 55 (15 in; 40 out) PM peak hour trips in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.
- 2 At the time of preliminary plan of subdivision, the applicant shall:
 - a) Show the appropriate dedication of right-of-way along the property's frontage on US 301.
 - b) Determine its fair share cost towards the CIP-funded improvements along US 301.

May 24, 2018

MEMORANDUM

TO: Henry Zhang, Urban Design Section

VIA: Sherri Conner, Subdivision and Zoning Section *SC*

FROM: Amber Turnquest, Subdivision and Zoning Section *AT*

SUBJECT: CSP-17004, Townes at Peerless

The subject property is located on Tax Map 93 in Grids B3 and B4 and is zoned Mixed Use Transportation Oriented (M-X-T). The site includes the second part of part of Lot 5 & 6 recorded in Land Records in Liber 4262 folio 610, first and second part of Lot 7 & 8 recorded in Land Records in Liber 32208 folio 372, and part of Lot 9 recorded in Land Records in Liber 960 folio 283.

The site is subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*. The applicant has submitted this CSP for a residential and commercial mixed-use development.

In accordance with Section 24-107 of the Subdivision Regulations, a preliminary plan of subdivision is required for the proposed development of the site which was subdivided by deed prior to January 1, 1982.

Plan Comments

1. All proposed lots must have frontage and direct access to a public street. The CSP shows a 60-foot right-of-way extending west from US 301 Crain Highway. The disposition of this street must be indicated on the plan.
2. There is a master plan right-of-way (US 301 Crain Highway) affecting the subject property which should be shown and further analyzed by the Transportation Planning Section for right-of-way dedication at the time of preliminary plan.
3. A noise study may be required at the time of preliminary plan and/or detailed site plan to ensure mitigation from the traffic impacts of US 301 is provided for any residential development.
4. PG Atlas indicates that Marlboro clay may be present, which may impact the developable area of the site.

Recommended Conditions

1. Prior to certification of the CSP, the following revision shall be made to the plans:

- a. Clearly mark and label all existing lots included in the subject site on the plans.
- b. Clearly mark and label the entirety of the area included in the CSP.
- b. Label the extension of Peerless Drive as a public right-of-way.

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. All bearings and distances must be clearly shown on the CSP and must be consistent with the legal description of the property. There are no other subdivision issues at this time.




THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Countywide Planning Division, Transportation Planning Section

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May 4, 2018

MEMORANDUM

TO: Henry Zhang, Development Review Division
FROM:  Fred Shaffer, Transportation Planning Section, Countywide Planning Division
SUBJECT: Conceptual Site Plan Review for Master Plan Trail Compliance

The following Conceptual Site Plan was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* and/or the appropriate area Master Plan in order to provide the Master Plan Trails.

Conceptual Site Plan Number: CSP-17004

Name: Townes at Peerless

Type of Master Plan Bikeway or Trail

Private R.O.W.*	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> X </u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u> X </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> </u>
Sidewalks	<u> X </u>	Trail Access	<u> </u>

*If a Master Plan Trail is within a city, county, or state right-of-way, an additional two - four feet of dedication may be required to accommodate construction of the trail.

The Transportation Planning Section has reviewed the conceptual site plan application referenced above for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the applicable area master plan in order to implement planned trails, bikeways, and pedestrian improvements.

Background

The subject application is located on the west side of US 301 along Peerless Drive. The application is zoned M-X-T and proposes 70 townhouses and 5,000 square feet of retail space. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Subregion 6 Master Plan* (area master plan).

No master plan trail/bikeway issues impact the application. However, sidewalks are appropriate for the subject site. The Complete Streets element of the MPOT reinforces the need for these recommendations and includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

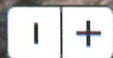
POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Sidewalks are reflected along both sides of all internal roads on the submitted CSP consistent with these policies. Additional sidewalk links or internal trails may be considered at the time of DSP.

Conclusion:

A detailed analysis of the internal sidewalk and trail network will be made at the time of Preliminary Plan and Detailed Site Plan. The following issues will be evaluated at that time:

- a. Sidewalks shall be provided along both sides of all internal roads, consistent with the Complete Streets Policies of the MPOT.
- b. A small amount of bicycle parking should be provided at the commercial space. The number and location will be determined at the time of DSP.



MEMO



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Department of Parks and Recreation, Prince George's County

May 11, 2018

TO: Henry Zhang, Master Planner
Urban Design Section
Development Review Division
Planning Department

VIA: Darin Conforti, Deputy Director
Administration & Development
Department of Parks and Recreation

DC 5/12/18

FROM: Thomas Zyla, Landscape Architect
Land Acquisition / Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

TZ 5/11/18

SUBJECT: **CSP-17004, TOWNES AT PEERLESS**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Conceptual Site Plan (CSP) for conformance with the requirements and recommendations of the Approved Prince George's County General Plan, Subregion 6 Approved Master Plan and Sectional Map Amendment, the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space; as policies in these documents pertain to public parks and recreational facilities.

FINDINGS

The subject property consists of 7.64 acres of M-X-T zoned land located on the west side of US Route 301, approximately 1,000 feet north of its intersection with MD Route 725 (Marlboro Pike) in Upper Marlboro, Maryland. The applicant's CSP proposes 62 multi-family units and 3,000 s.f. of commercial space. Using current occupancy statistics for multi-family dwelling units for this planning area, the proposed development will result in a population of approximately 136 new residents to the community.

Per Section 24-134 (a) (1) of the Prince George's County Zoning Ordinance, at the time of Preliminary Plan of Subdivision (PPS), this application's property is subject to a mandatory dedication of parkland requirement of 1.15 acres. The application and information provided indicate that this mandatory dedication requirement will be met by providing private recreational facilities per Section 24-135 (b). Private recreational facilities may be approved by the Planning Board provided that the facilities will be superior, or equivalent, to those that would have been provided under the provisions of mandatory dedication. Further, the facilities shall be properly developed and maintained to the benefit of future residents through covenants, or a Recreational Facilities Agreement (RFA), with this instrument being legally binding upon the sub-divider and their heirs, successors and assigns.

DPR has determined that private recreational facilities are appropriate for this project, given the proposed use and size of the development. The final list of recreation amenities will be determined at the time of PPS and Detailed Site Plan (DSP) applications review and approval.

RECOMMENDATIONS


The staff of the Department of Parks and Recreation recommends that the above-referenced Conceptual Site Plan, CSP-17004 be approved, subject to the following conditions:


1. The applicant, their successors, and/or assigns, shall provide on-site adequate private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
2. The applicant shall allocate appropriate and developable area for private recreational facilities. The private recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division for adequacy and proper location, prior to approval of the DSP by the Planning Board.

May 24, 2018

MEMORANDUM

TO: Henry Zhang, Master Planner, Urban Design Section

VIA: Katina Shoulars, Supervisor, Environmental Planning Section 

FROM: Thomas Burke, Senior Planner, Environmental Planning Section 

SUBJECT: **The Townes at Peerless; CSP-17004; TCP1-004-2018**

The Environmental Planning Section (EPS) has reviewed the above referenced Conceptual Site Plan (CSP) and a Type 1 Tree Conservation Plan (TCP1) stamped as received on April 2, 2018. Verbal comments were provided in a Subdivision Development Review Committee meeting on May 4, 2018. A revised CSP plan was received on May 11, 2018.

The Environmental Planning Section recommends approval of CSP-17004 and TCP1-004-2018 based on the conditions listed at the end of this memorandum.

Background

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-016-2018	N/A	Staff	Approved	3/07/2018	N/A
CSP-16001	TCP1-004-2018	Planning Board	Pending	Pending	Pending

Proposed Activity

The applicant is requesting approval of a Conceptual Site Plan and a Type 1 Tree Conservation Plan (TCP1-004-2018) for the construction of a mixed-use development consisting of multi-family residential units, two and three-family residential units and commercial retail space.

Grandfathering

This project is subject to the current regulations of Subtitles 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new Conceptual Site Plan and there are no previous tree conservation plan approvals.

Site Description

This 7.64-acre site is zoned M-X-T and is located on the west side of MD 301 (Robert S. Crain Highway), approximately 800 feet north of the intersection with MD 725 (Marlboro Pike). A review of the available information indicates that unnamed streams are located along the north and south boundaries

of this property. The streams contribute to Collington Branch, a tributary to the Western Branch, which is a stronghold watershed in the Patuxent River basin. Non-tidal wetlands are not mapped on this property, however; steep slopes and PMA are mapped on this property. This property is within the Sensitive Species Project Review Area (SSPRA), according to PGAtlas.com. A letter of request was sent by the applicant to the Maryland Department of Natural Resources Natural Heritage Program, however a response has not been received. Potential Forest Interior Dwelling Species (FIDS) habitat or FIDS buffer are mapped on-site. The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*. The approved 2017 Countywide Green Infrastructure Plan shows that the entire property contains both Regulated and Evaluation network features, based on the stream, buffers, and steep slopes. Marlboro clays are mapped on this property.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

Natural Resource Inventory Plan/Existing Features

A Natural Resource Inventory, NRI-016-2018, was approved on March 7, 2018, and provided with this application. The TCP1 and the CSP show all the required information correctly in conformance with the NRI.

No revisions are required for conformance to the NRI.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. A Type 1 Tree Conservation Plan (TCP1-004-2018) was submitted with the CSP application.

Based on the TCP1 submitted with this application, the site contains 3.57 acres of woodland and has a woodland conservation threshold of 1.14 acres (15 percent). The Woodland Conservation Worksheet proposes the removal of 1.05 acres on the net tract area for a woodland conservation requirement of 1.40 acres. The requirement is proposed to be met with 2.52 acres of woodland preservation. The forest stand delineation has identified 24 specimen trees on-site. This application proposes the removal of 9 specimen trees.

Recommended Condition: Prior to certification of the conceptual site plan, the TCP1 shall be revised as follows:

- a. Add "TCP1-004-2018" to the approval block and to the worksheet.
- b. Revise General Note 7 to say, "...within *Plan Prince George's 2035, Environmental Strategy Area Two, formerly the Developing tier...*".
- c. Revise General Note 13 to provide the Conceptual Stormwater Management Plan number.
- d. Revise the ownership information for the adjacent properties.
- e. Add a column for the DRD number in the TCP1 approval block.
- f. Identify the steep slopes on the plan with shading.
- g. Provide an Owners Awareness Certification on the plan.
- h. Have the revised plan signed and dated by the qualified professional preparing the plan.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

The site contains 24 specimen trees with the ratings of good (specimen trees 3, 5-9, 12-15, 27-29, and 31-34), fair (specimen trees 35 and 37), and poor (4, 10, 11, 16, and 36). The current design proposes to remove specimen trees 5, 8, 11, 12, 13, 16, 31, 32, and 35 for the development of the buildings and associated infrastructure.

Review of Subtitle 25 Variance Request

A Subtitle 25 variance application, a statement of justification in support of a variance, and a tree removal plan were received for review on April 6, 2018.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the nine specimen trees together; however, details specific to individual trees has also been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (in inches)	CONDITION	DISPOSITION
3	Tulip poplar	32	Good	To be saved
4	Tulip poplar	50	Poor	To be saved
5	White oak	40	Good	To be removed
6	Tulip poplar	34	Good	To be saved
7	Tulip poplar	31	Good	To be saved
8	White oak	37	Good	To be removed
9	Tulip poplar	33	Good	To be saved
10	Black cherry	30	Poor	To be saved
11	Tulip poplar	37	Poor	To be removed
12	Linden	33	Good	To be removed
13	Silver maple	60	Good	To be removed
14	Silver maple	61	Good	To be saved
15	Sweetgum	32	Good	To be saved
16	Sweetgum	32	Poor	To be removed
27	Tulip poplar	43	Good	To be saved
28	Tulip poplar	40	Good	To be saved
29	Tulip poplar	32	Good	To be saved
31	Tulip poplar	34	Good	To be removed
32	White oak	32	Good	To be removed
33	Tulip poplar	34	Good	To be saved
34	Tulip poplar	44	Good	To be saved
35	Slippery elm	33	Fair	To be removed
36	Black cherry	30	Poor	To be saved
37	Tulip poplar	30	Fair	To be saved

Statement of Justification request:

A variance from Section 25-122(b)(1)(G) is requested for the clearing of the nine specimen trees on-site. The site consists of 7.64 acres and is zoned M-X-T. The current proposal for this property is to develop the site with a mixed-use development consisting of multi-family units and retail space, along with associated infrastructure. This variance is requested to the Woodland and Wildlife Conservation Habitat Ordinance which requires, under Section 25-122 of the Prince George's County Zoning Ordinance, that "woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case." The Subtitle Variance Application form requires a Statement of Justification of how the findings are being met.

Recommended Finding: Based on the level of design information currently available, the limits of disturbance shown on the TCP1, and the impact exhibits, a determination that the removal of specimen trees, 5, 8, 11, 12, 13, 16, 31, 32, and 33 cannot be made at this time. Staff acknowledges that the removal of specimen trees may be necessary to grade the site for public road infrastructure improvements, structures, parking, and stormwater management facilities and outfalls, however; the limit of disturbance may change considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and these impacts on stormwater management design.

Recommended Condition: A variance application and statement of justification for the removal of specimen trees shall be included in the Preliminary Plan of Subdivision application package prior to acceptance.

Preservation of Regulated Environmental Features/Primary Management Area

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

The site contains regulated environmental features. According to the TCP1, impacts to the PMA are proposed for the improvements to the existing road entering the site, demolition of existing structures and for stormwater management outfalls. A statement of justification has been received for the proposed impacts to the PMA and stream buffer.

Recommended Finding: Based on the level of design information currently available, the limits of disturbance shown on the TCP1 and the impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, however; these impacts shall be re-evaluated at the time of Preliminary Plan of Subdivision. Staff acknowledges that impacts are necessary for public road infrastructure improvements and stormwater management outfalls, however; not enough complete information was provided, and the level of impact may change considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and their impacts on stormwater management design. These impacts and any additional impacts

Recommended Condition: Prior to acceptance of preliminary plan application, a statement of justification for the necessary PMA impacts shall be included in the application package. The statement of justification shall address all proposed impacts to regulated environmental features.

Soils

The predominant soils found to occur according to the United States Department of Agriculture, Natural Resources Conservation Service (USDA NRCS), Web Soil Survey are the Collington-Wist-Urban land complexes, Marr-Dodon complexes and Udorthents, highway soils. This property is located in an area with extensive amounts of mapped Marlboro clay, which is known to be an unstable, problematic geologic formation. The presence of this formation raises concerns about slope stability and the potential for constructing buildings on unsafe land. A geotechnical report is required for the subject property in order to evaluate the areas of the site that are unsuitable for development without mitigation.

Because a detailed structure configuration and grading studies are not required with this phase of the development process, it is not practical to discuss specific details with respect to the lot reconfiguration, grading, or the placement of structures, infrastructure and stormwater management devices at this time. However, during the review of the Preliminary Plan of Subdivision the configuration of lots and location of structures and applicable site features shall be designed to be outside of the unmitigated 1.5 safety factor line or the proposed grading shall be such that the 1.5 safety factor has been mitigated to eliminate potential slope failure areas.

Recommended Condition: At the time of preliminary plan application for this site, the applicant shall submit a Geotechnical Report for review and approval by the Prince George's County Department of Permitting, Inspections, and Enforcement to confirm the elevation of the Marlboro clay and determine the slope stability factor.

Recommended Condition: Prior to preliminary plan approval, the TCP1 shall be revised to include the boundary of the Marlboro clay as determined by an approved evaluation by DPIE.

Stormwater Management

A Conceptual Stormwater Management plan was submitted with the subject application, but a Concept Approval Letter has not been submitted, and the SWM Concept Application number has not been identified. The SWM concept plan shows the use of ESD elements to address water quality requirements.

The approved stormwater management concept plan is required to be designed in conformance with any approved watershed management plan, pursuant to Subtitle 32 Water Resources and Protection, Division 3 Stormwater Management, Section 172 Watershed Management Planning.

Submittal of an approved SWM concept approval letter will be required prior to signature approval of the Preliminary Plan.

Summary of Recommended Findings and Conditions

Recommended Findings:

1. Based on the level of design information currently available, the limits of disturbance shown on the TCP1, and the impact exhibits, a determination that the removal of specimen trees, 5, 8, 11, 12, 13, 16, 31, 32, and 33 cannot be made at this time. Staff acknowledges that the removal of specimen trees may be necessary to grade the site for public road infrastructure improvements, structures, parking, and stormwater management facilities and outfalls, however; not enough

complete information was provided, the limit of disturbance may change considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and their impacts on stormwater management design.

2. Based on the level of design information currently available, the limits of disturbance shown on the TCP1 and the impact exhibits, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, however; these impacts and any additional impacts shall be re-evaluated at the time of Preliminary Plan of Subdivision. Staff acknowledges that impacts are necessary for public road infrastructure improvements and stormwater management outfalls, however; not enough complete information was provided, and the level of impact may change considerably to address right-of-way width, slope instability due to the presence of Marlboro clays, and their impacts on stormwater management design.

Recommended Conditions:

1. Prior to certification of the conceptual site plan, the TCP1 shall be revised as follows:
 - a. Add "TCP1-004-2018" to the approval block and to the worksheet.
 - b. Revise General Note 7 to say, "...within *Plan Prince George's 2035, Environmental Strategy Area Two, formerly the Developing tier...*".
 - c. Revise General Note 13 to provide the Conceptual Stormwater Management Plan number.
 - d. Revise the ownership information for the adjacent properties.
 - e. Add a column for the DRD number in the TCP1 approval block.
 - f. Identify the steep slopes on the plan with shading.
 - g. Provide an Owners Awareness Certification on the plan.
 - h. Have the revised plan signed and dated by the qualified professional preparing the plan.
2. A variance application and statement of justification for the removal of specimen trees shall be included in the Preliminary Plan of Subdivision application package prior to acceptance.
3. Prior to acceptance of preliminary plan application, a statement of justification for the necessary PMA impacts shall be included in the application package. The statement of justification shall address all proposed impacts to regulated environmental features.
4. At the time of preliminary plan application for this site, the applicant shall submit a Geotechnical Report for review and approval by the Prince George's County Department of Permitting, Inspections, and Enforcement to confirm the elevation of the Marlboro clay and determine the slope stability factor.
5. Prior to preliminary plan approval, the TCP1 shall be revised to include the boundary of the Marlboro clay as determined by an approved evaluation by DPIE.

If you have any questions concerning these comments, please contact me at 301-952-4534 or by e-mail at Thomas.burke@ppd.mncppe.org.

April 20, 2018

Mr. Henry Zhang
The Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Dr, 4th Floor, CAB
Upper Marlboro MD 20772

Dear Mr. Henry Zhang:

Thank you for the opportunity to review the **Traffic Impact Study (TIS)** prepared by **symmetra design**, dated **December 20, 2017** for the proposed **Townes at Peerless** development – **18APPG006XX** in located on **US 301 (Crain Highway)** in **Prince George's County**, Maryland. The State Highway Administration (SHA) review is complete and we are pleased to respond.

- Access to the proposed facility to remain the same as existing right-in/right-out from US 301 at Peerless Avenue at an unsignalized location.
- The project involves the proposed development of 62 residential units and approximately 3,000 SF of commercial space for the consideration of a daycare center.
- The following key intersections were analyzed:
 - Peerless Avenue and US 301
 - Old Marlboro Pike and US 301
 - Village Drive and US 301

Based on the information provided, please address the following comments in a point-by-point response:

Regional and Intermodal Planning Division (RIPD) Comments (Mr. David Rodgers):

1. The location of the subject property is along US 301/MD 5 within the limits of the US 301 South Corridor Transportation Study. The project is in the current FY 2018-2023 Consolidated Transportation Program (CTP) and is on hold awaiting funding to complete planning and subsequent phases. The proposed action on the subject property would pose no inordinate impacts to this project. For additional information and/or coordination on the US 301 South Corridor Transportation Study, please contact Mr. Jeremy Beck, Project Manager, at 410-545-8518 or via email at JBeck@sha.state.md.us.

Mr. Henry Zhang
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2. We defer to Travel Forecasting and Analysis, OOTS, and District 3 -Traffic for additional comments related to safety and traffic operations.

Travel Forecasting and Analysis Division (TFAD) Comments (Mr. Jianyang Zheng):

1. The traffic counts were conducted within the last year of the completion of the TIS.
2. TFAD concurs with the growth rate of 1.2% was applied to through movements along US 301 and 0.4% for the MD 725/US 301 intersection. However, traffic volumes shown on Figures 4 and 6 do not reflect the growth along the US 301 through movement at intersection # 2.
3. Although 10% trips are expected to be generated from MD 725 on the west side of US 301, there are no return trips assigned.
4. The assumption about the trips from the completed phases of construction at Beechtree and Balmoral communities being folded into the regional growth is valid. Since the growth is being applied only to through movements at the intersection, it is safe to assume that the turning traffic volume will not change at the study intersections. However, it is unclear what portion of the proposed development is already occupied and thus rendering figure 6 ambiguous. It would help if the background development trips are shown on a separate figure.
5. Based on the comments above, please make sure that the correct volumes are utilized for the background and total condition analyses.

Traffic Development & Support Division (TDSD) Comments (Mr. William Stroud):

1. We offer no comments at this time.

District 3 Traffic Comments (Mr. Jack Goode):


1. We have reviewed the traffic impact study and offer no comments at this time.

Please submit a CD containing the traffic impact study, all supporting documentation, and a point-by-point response addressing the comments noted above to the Access Management Division. For electronic submissions create an account with our new online system <https://mdotsha.force.com/accesspermit> . Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>.

Mr. Henry Zhang
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If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll-free number in Maryland only at 1-800-876-4742 (x7347) or via email at kwoodroffe@sha.state.md.us or shaamdpermits@sha.state.md.us.

Sincerely,



Andre Futrell,
District Engineer, District 3, SHA

AF/jrg

cc: Ms. Samantha Biddle, SHA – RIPD
Mr. Peter Campanides, SHA District #3 Traffic
Mr. Simon Chacha, SHA District #3 Traffic
Ms. Rola Daher, SHA – TFAD
Ms. June Dixon, M-NCPPC Prince George's County Planning Department
Mr. Jack Goode, SHA District #3 Traffic
Ms. Shadija Maddox, SHA District #3 Traffic
Mr. Tom Masog, M-NCPPC Prince George's County Planning Department
Mr. David Rodgers, SHA – RIPD
Ms. Thomasina Saxon, SHA – RIPD
Mr. Errol Stoute, SHA – TDSD
Mr. William Stroud, SHA – TDSD
Mr. Kwesi Woodroffe, SHA District #3 Regional Engineer
Mr. Jianyang Zheng, SHA – TFAD

EXHIBIT'S LIST
6/14/18 PGCPB REGULAR MEETING
ITEM 7 CSP-17004
PEERLESS RESIDENTIAL & RETAIL DEVELOPMENT

Applicant's Exhibit No. 1:

Applicant's Proposed Revisions to Conditions (2 pages)

ORIGINALS TO: DRD 6/14/18

A.E. 1

APPLICANT'S PROPOSED REVISIONS TO CONDITIONS

CSP-17004

Peerless Residential and Retail Development

1. Prior to certificate of approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:

- a. [Show a 70-foot public right-of-way for the proposed Peerless Avenue.]
- b. Clearly mark and label all existing lots and area included in the CSP.
- c. Revise the Type 1 tree conservation plan (TCP1), as follows:
 - (1) Add "TCP1-004-2018" to the approval block and to the worksheet.
 - (2) Revise General Note 7 to say, "...within *Plan Prince George's 2035, Environmental Strategy Area Two, formerly the Developing Tier...*"
 - (3) Revise General Note 13 to provide the conceptual stormwater management plan number.
 - (4) Revise the ownership information for the adjacent properties.
 - (5) Add a column for the Development Review Division approval number in the TCP1 approval block.
 - (6) Identify the steep slopes on the plan with shading.
 - (7) Provide an Owners Awareness Certification on the plan.
 - (8) Have the revised TCP1 signed and dated by the qualified professional who prepared it.

2. Total development within the subject property shall be limited to uses which generate no more than 55 (15 in; 40 out) AM peak-hour trips and 61 (37 in; 23 out) PM peak-hour trips, in consideration of the approved trip rates. Any development generating an impact greater than that identified herein above shall require a revision to the conceptual site plan, with a new determination of the adequacy of transportation facilities.

3. At the time of preliminary plan of subdivision (PPS), the applicant shall:

- a. Provide Phase I (Identification) archeological investigations, according to the Prince George's County Planning Board's *Guidelines for Archeological Review* (May 2005), to

REC'D BY PGCPB ON 6.14.18
 ITEM # 7 CASE # CSP-17004
 EXHIBIT # App'l Ex No. 1

determine if any cultural resources are present. The areas within the developing property that have not been extensively disturbed should be surveyed for archeological sites. The applicant shall submit a Phase I research plan for approval by the Historic Preservation Section prior to commencing Phase I work. Evidence of M-NCPPC staff concurrence with the final Phase I report and recommendations is requested prior to approval of the PPS.

- b. Show the appropriate dedication of right-of-way along the property's frontage on US 301 (Robert Crain Highway) **and Peerless Avenue.**
 - c. Provide the pro rata share cost towards the Prince George's County Capital Improvement Project-funded improvements along US 301 (Robert Crain Highway).
 - d. Submit a geotechnical report for review and approval by the Prince George's County Department of Permitting, Inspections, and Enforcement, to confirm the elevation of the Marlboro clay and determine the slope stability factor.
 - e. Revise the Type 1 tree conservation plan (TCP1) to include the boundary of the Marlboro clay, as determined by an approved evaluation by the Prince George's County Department of Permitting, Inspections, and Enforcement.
 - f. Provide a specimen tree variance application and statement of justification for the removal of specimen trees.
 - g. Submit a statement of justification for the necessary primary management area impacts that shall address all proposed impacts to regulated environmental features.
 - h. Provide a Phase I noise study.
4. Prior to approval of a detailed site plan for the project, the applicant shall:
- a. Provide the location, type, and number of bicycle parking spaces at the multifamily building and commercial/retail building.
 - b. Provide sidewalks on both sides of all internal streets **where appropriate.** *+ in consultation with urban design.*
5. Prior to issuance of any demolition or grading permit, the applicant and the applicant's heirs, successors, and/or assignees shall submit a Maryland Inventory of Historic Property (MIHP) form for all the structures located on the subject property. The buildings shall be documented by a qualified architectural historian (36-CFR-Part 60 qualified) and the submitted documentation shall include a chain of title, floor plans, and representative interior and exterior photos of the buildings and grounds. The MIHP form shall be submitted to Historic Preservation staff for review and approval.

Proposed New Language is **Green Bold Underlining**
Proposed Deletions is **[Red Brackets]**