



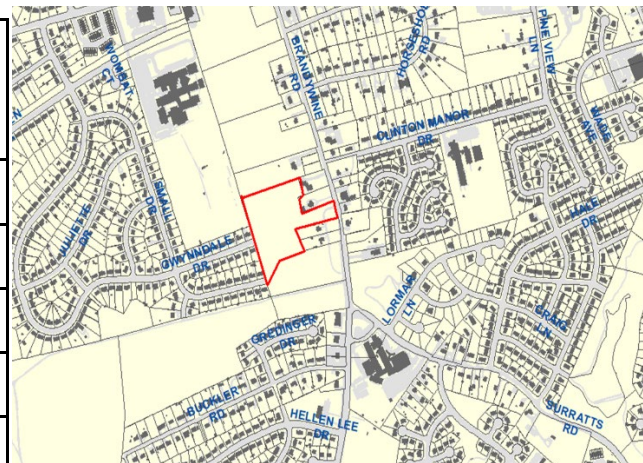
The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

Conceptual Site Plan Clinton Market Place South

CSP-18005

| REQUEST | STAFF RECOMMENDATION |
|--|--------------------------|
| Mixed-use development consisting of residential and commercial uses | APPROVAL with Conditions |
| Variance to Section 25-122(b)(1)(G) for the removal of eight specimen trees. | |

| | |
|---|----------------|
| Location: On the west side of MD 381 (Brandywine Road), approximately 850 feet north of its intersection with Surratts Road. | |
| Gross Acreage: | 9.61 |
| Zone: | M-X-T |
| Dwelling Units: | 100 |
| Gross Floor Area: | 20,000 sq. ft. |
| Planning Area: | 81A |
| Council District: | 09 |
| Election District: | 09 |
| Municipality: | N/A |
| 200-Scale Base Map: | 212SE06 |
| Applicant/Address: Piscataway Clinton, LLC 10100 Business Parkway Lanham, MD 20706 | |
| Staff Reviewer: Jeremy Hurlbutt Phone Number: 301-952-4277 Email: Jeremy.Hurlbutt@ppd.mncppc.org | |



| | |
|------------------------------|----------|
| Planning Board Date: | 09/19/19 |
| Planning Board Action Limit: | 09/26/19 |
| Staff Report Date: | 09/05/19 |
| Date Accepted: | 06/11/19 |
| Informational Mailing: | 05/09/18 |
| Acceptance Mailing: | 05/14/19 |
| Sign Posting Deadline: | 08/20/19 |

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan CSP-18005
Type 1 Tree Conservation Plan TCP1-007-2019
Clinton Market Place South

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-related regulations; and
- 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 Clinton Market Place South for a mixed-use development consisting of 60-100 one-family attached (townhouses) dwelling units and 5,000-20,000 square feet of commercial/retail uses.

2. Development Data Summary:

| | EXISTING | PROPOSED |
|----------------------------------|-----------------|---|
| Zone(s) | M-X-T | M-X-T |
| Use(s) | Vacant | One-family attached residential; Commercial/Retail |
| Acreage | 9.61 | 9.61 |
| Total Gross Floor Area (sq. ft.) | | 155,000–270,000 |
| Commercial GFA | - | 5,000–20,000 |
| Residential GFA | - | 150,000–250,000 |
| Dwelling Units Total | - | 60–100 |
| One-Family Attached | - | 60–100 |

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

| | |
|------------------------------|---------------|
| Base Density Allowed: | 0.40 FAR |
| Residential Optional Method: | 1.00 FAR |
| Total FAR Permitted: | 1.40 FAR* |
| Total FAR Proposed: | 0.37–0.65 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 property is located on the west side of MD 381 (Brandywine Road), approximately 850 feet north of its intersection with Surratts Road, in Planning Area 81A, Council District 9. The subject property is located on Tax Map 116 in Grid C4, and is known as Parcel 83, recorded among the Prince George’s County Land Records in Liber 36392 folio 599. The property is 9.61 acres and is located within the Mixed Use-Transportation Oriented (M-X-T) Zone.
4. **Surrounding Uses:** To the north and east are single-family dwellings in the M-X-T Zone. The property fronts on MD 381 to the east and there are existing single-family dwellings in the One-Family Detached Residential (R-80) Zone beyond. The subject site abuts R-80-zoned properties to the west, which include single-family dwellings and public streets Small Drive and Gwynndale Drive. The applicant has deeded property to the south, which is in the M-X-T zone, to the Maryland-National Capital Park and Planning Commission (M-NCPPC) for an expansion to the adjacent Cosca Regional Park.
5. **Previous Approvals:** On March 6, 2018, the Prince George’s County District Council approved Council Resolution CR-13-2018, which approved three specified minor amendments (known as Minor Amendment Four, Five, and Six in CR-062-2017) to the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA). The purpose of the amendments was to align current land use and development policies for the affected properties with the approved comprehensive plan vision applicable to these properties within the 2013 *Approved Central Branch Avenue*

Corridor Revitalization Sector Plan and the *Plan Prince George's 2035 Approved General Plan*. The properties that make up this CSP application are located within Minor Amendment Four. The subject property was rezoned from the R-80 Zone to the M-X-T Zone.

6. **Design Features:** The applicant proposes a mixed-use development consisting of residential and commercial/retail uses. A single access point from MD 381 leads first to the commercial pad-site with a surface parking lot and then to the one-family attached dwellings to the west. The CSP shows two potential site access points to the north, which may allow for connections to the recently approved CSP-18004 for Clinton Market Place North. Existing Gwynndale Drive and Small Drive dead end at the western property line, and potential site access points should be shown here to allow for further connectivity.

The illustrative plan shows a private street network that surrounds two interior blocks, with central open spaces that include pedestrian paths and stormwater facilities in the rear of the townhouse units. Townhouses line the perimeter of the site, and the landscape plan indicates that the applicant will buffer the project from surrounding incompatible uses and meet all requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).

A monument sign is shown along MD 381 for illustrative purposes, as all signage will be determined at the time of detailed site plan (DSP).

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 of the Zoning Ordinance, which governs uses in all mixed-use zones.
- (1) The proposed one-family attached and commercial/retail uses are permitted 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 CSP approval. Therefore, this property would be limited to 100 one-family attached units and 20,000 square feet of commercial/retail uses, 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 proposes two types of uses, as required; including a residential component consisting of 100 one-family attached units, as well as a commercial/retail component with a maximum of 20,000 square feet of gross floor area. These proposed uses satisfy the mixed-use requirement of Section 27-547(d).

- b. The CSP is consistent with Section 27-548, Regulations, of the Zoning Ordinance. The following discussion is offered:

- (1) The maximum proposed floor area ratio (FAR) for the site is 0.65, as provided on the CSP. This is more than the maximum base density of 0.40 FAR, but below the maximum FAR of 1.40, which is allowed by using the optional method of development. An increase of 1.0 FAR is allowed for providing more than 20 dwelling units.

- (2) Developments in the M-X-T Zone are required to have vehicular access to a public street, in accordance with Section 27-548(g), noted below.

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

While the overall development is accessed from a public street, the development will be served by private streets and alleys. At the time of preliminary plan of subdivision (PPS), appropriate frontage and vehicular access for all lots and parcels must be properly addressed.

- 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 intersection of MD 223 and Brandywine Road. It also allows for reduction of the number and distance of automobile trips by constructing residential and nonresidential uses in close proximity to each other. In addition, the proposed attached dwellings and commercial uses will allow more density on the site. This CSP promotes the many purposes of the M-X-T Zone and contributes to the orderly implementation of the Subregion 5 Master Plan and SMA.

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

The District Council rezoned the property by Council Resolution CR-13-2018; this event nullified the sector plan's recommendation. The proposed development is in conformance with this requirement and serves the purposes of the M-X-T Zone.

- (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. The development will address the major roadway and the proposed private streets internal to the site. How buildings relate to the street and other urban design considerations will be addressed at the time of DSP.

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

The commercial buildings, which are the most intensive use, are located on the east side of the site, with single-family attached units occupying the rest of the site, helping to transition toward the lower-density residential uses west of the site. Townhouses and possible commercial uses on the MD 381 frontage will need to address surrounding one-family detached homes to the north, south, and across MD 381. The proposed uses should provide buffering and architecture that respond to the adjacent uses, while also serving as an example for future development on the MD 381 corridor.

- (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 will relate to the surrounding uses and produce a cohesive development capable of sustaining an independent environment of continuing quality and stability. The proposed project on the subject site will be a catalyst for future development of the properties to the south in the M-X-T Zone.

- (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 shown a phasing plan, but has indicated that the proposed residential development on the west portion of the site, including the street network and access road from MD 381, would occur first.

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

This requirement will be further evaluated in detail at the time of DSP. The CSP shows sidewalks along all public and private roads, 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 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 M-X-T by the District Council, via CR-13-2018. A traffic study has been submitted and the applicant has knowledge that a trip cap and adequacy will be fully tested at the time of PPS, in accordance with Section 24-124 of the Subdivision Regulations.

The application is a CSP for a mixed-use development consisting of the following uses and trip generation (with the use quantities shown in the table as described in the submitted traffic study):

| Trip Generation Summary: CSP-18005: Clinton Market Place South (CMPS) | | | | | | | | |
|--|---------------------|---------------|---------------------|------------|------------|---------------------|------------|------------|
| Land Use | Use Quantity | Metric | AM Peak Hour | | | PM Peak Hour | | |
| | | | In | Out | Tot | In | Out | Tot |
| Retail | 7,500 | square feet | 4 | 3 | 7 | 38 | 42 | 80 |
| Less Pass-By (60 percent per Guidelines) | | | -2 | -2 | -4 | -23 | -25 | -48 |
| Net Trips for Retail | | | 2 | 1 | 3 | 15 | 17 | 32 |
| Townhouse | 100 | units | 56 | 14 | 70 | 28 | 52 | 80 |
| Total Proposed Trips | | | 58 | 15 | 73 | 43 | 69 | 112 |

The traffic generated by the proposed CSP would impact the following intersections, interchanges, and links in the transportation system:

- MD 223 at MD 381/Old Branch Avenue (signalized)
- MD 223 at Clinton Market Place North (CMPN) site access (proposed to be signalized)
- MD 381 at Horseshoe Road/CMPN site access (proposed to be signalized)
- MD 381 at CMPS site access (unsignalized)

The submitted study has been written to analyze the subject site and another nearby site that is controlled by the same applicant. That approach is deemed acceptable. For purposes of the analysis, the other nearby site (previously approved as CSP-18004 for Clinton Market Place North) is part of the background for this application.

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

| EXISTING TRAFFIC CONDITIONS | | | | |
|--|-----------------------------------|-------|------------------------------------|---|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| | MD 223 at Old Branch/Brandywine | 1,385 | 1,359 | D |
| MD 223 at CMPN site access | future | | | |
| MD 381 at Horseshoe/CMPN site access | 701 | 744 | A | A |
| MD 381 at CMPS site access | future | | | |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond normal range of the procedure and should be interpreted as a severe inadequacy. | | | | |

Background Traffic

The intersection of MD 223 and Old Branch Avenue/ MD 381 is programmed for improvement with 100 percent construction funding within the next six years in the current Prince George’s County Capital Improvement Program (CIP), with the requirement for developer funding and, as such, it is computed into total traffic and not background traffic. The traffic study also assumes that “a public street connection will be constructed between MD 223 and Brandywine Road” in the southwestern quadrant of this intersection, and it utilizes a diversion for this connection. However, no evidence of the public street connection can be found in the CIP description, nor can the dedication be found on any plats. Therefore, this public street connection cannot be considered under background traffic, although it can be considered under total traffic, as the applicant is proposing such a connection.

Background traffic has been developed for the study area using 26 approved, but unbuilt, developments within the study area. There is an underlying PPS (4-78245) on the Clinton Market Place North site, and that plan is included as a part of background. A 1.0 percent annual growth rate for a period of 6 years has been assumed. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

| BACKGROUND TRAFFIC CONDITIONS | | | | |
|--|-----------------------------------|-------|------------------------------------|---|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| | MD 223 at Old Branch/Brandywine | 1,749 | 1,832 | F |
| MD 223 at CMPN site access | 790 | 897 | A | A |
| Brandywine Road at Horseshoe/CMPN site access | 979 | 1,098 | A | B |
| Brandywine Road at CMPS site access | future | | | |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. | | | | |

Total Traffic

The following critical intersections, interchanges, and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines, Part 1" including the site trip generation as described above, operate as follows:

| TOTAL TRAFFIC CONDITIONS | | | | |
|--|-----------------------------------|-------|------------------------------------|----|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| | MD 223 at Old Branch/Brandywine | 1,771 | 1,875 | F |
| MD 223 at CMPN site access | 794 | 902 | A | A |
| Brandywine Road at Horseshoe/CMPN site access | 997 | 1,123 | A | B |
| Brandywine Road at CMPS site access | 15.6* | 29.6* | -- | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. | | | | |

An inadequacy in both peak hours is noted in the table above at the MD 223 and Old Branch Avenue/MD 381 intersection. The intersection of MD 223 and Old Branch Avenue/MD 381 is programmed for improvement with 100 percent construction funding within the next 6 years in the current CIP, with the requirement for developer funding. With that improvement in place, the intersection would operate with a critical lane volume (CLV) of 1,159 and LOS C in the AM peak hour. In the PM peak hour, the intersection would operate with a CLV of 1,205 and LOS C. The improvements included within the "Brandywine Road and MD 223 Intersection" project in the current CIP include the following:

- (1) On the northbound approach, three approach lanes with exclusive through, right-turn, and left-turn lanes.
- (2) On the westbound approach, three approach lanes with exclusive through and left-turn lanes and a shared through/right-turn lane.
- (3) On the eastbound approach, four approach lanes with two through lanes and exclusive right-turn and left-turn lanes.

It is determined that the CIP project with partial developer funding will result in acceptable operations at this intersection. Therefore, the applicant will be required to provide funding toward this improvement, with the level of construction and/or financial participation to be determined in cooperation with the Prince George's County Department of Permitting, Inspections and Enforcement (DPiE) and/or the Prince George's County Department of Public Works and Transportation (DPW&T), and supplied at the time of PPS.

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

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

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

The subject property measures 9.61 acres and does not meet the above acreage requirement. Furthermore, it is not being developed as a mixed-use planned community. Therefore, this requirement is not relevant to the subject project.

- d. The CSP is in conformance with the applicable CSP site design guidelines contained in Section 27-274 of the Zoning Ordinance. The subject development provides a more compact urban layout and, in accordance with Section 27-274(a)(11)(B), the units front on roadways. Where the units do not front on roadways, they front on shared green space.

To convey the individuality of each townhouse unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. Conformance with this design guideline will be addressed at the 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. Adequate visitor parking for all residential units will need to be 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 Prince George’s County 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 (TCP1-007-2019) was submitted with the CSP application.

Based on the TCP1 submitted with this application, the site contains 8.55 acres of woodland and has a woodland conservation threshold of 1.44 acres (15 percent). The woodland conservation worksheet proposes the removal of 8.14 acres on the net tract area, for a woodland conservation requirement of 4.25 acres. The requirement is proposed to be met with 0.41 acre of woodland preservation, 0.14 acre of reforestation, and 3.70 acres of off-site woodland preservation. The reforestation is proposed to supplement one of the preservation areas, so that it meets the minimum size requirements to be counted as woodland conservation. The other woodland preservation area does not appear to consistently meet the minimum width requirement. The woodland conservation areas must meet the minimum requirements to be counted as credit.

- 9. **Other site-related regulations:** Additional regulations are applicable to site plan review that usually require 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 4.2, Requirements from Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10, Street Trees along Private Streets, of the Landscape Manual.

- b. **Prince George’s County Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, 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 9.61 acres in size and the required TCC is 0.96 acre. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured at the time of approval of a DSP.

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 June 24, 2019 (Stabler to Hurlbutt), the Historic Preservation Section provided comments on this application, incorporated herein by reference and summarized, as follows:

The 1879 Hopkins map indicates that Noble Thompson was residing on or near the subject property at that date. The 1894 Hopkins map shows Eugene White residing in the vicinity at that date. There is a medium to high probability that historic or prehistoric archeological resources will be identified on the subject property.

In accordance with the Planning Board’s directives, as described in the *Guidelines for Archeological Review*, May 2005, and consistent with Sections 24-104, 121(a)(18), and 24-135.01 of the Subdivision Regulations, the subject property should be the subject of a Phase I archeological investigation to identify any archeological sites that may be significant to the understanding of the history of human settlement in Prince George’s County, including the possible existence of slave quarters and slave graves, as well as archeological evidence of the presence of Native American people.

Conclusions

- (1) Phase I (Identification) archeological investigations, according to the Planning Board’s *Guidelines for Archeological Review* (May 2005), are recommended on the above-referenced property 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 staff archeologist prior to commencing Phase I work. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is requested prior to approval.

- (2) Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of a PPS, ground disturbance, or the approval of any grading permits, the applicant shall provide a plan for:

- (a) Evaluating the resource at the Phase II level, or
- (b) Avoiding and preserving the resource in place.

- (3) If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated at the Maryland Archaeological Conservation Lab in St. Leonard, Maryland, prior to any ground disturbance or approval of any grading permits.

- (4) Depending upon the significance of findings (at Phase I, II, or III), the applicant shall provide interpretive signage. The location and wording should be subject to approval by the staff archeologist prior to issuance of any building permits.

The Historic Preservation Section recommends approval of this application, with four conditions that will be addressed at the time of future reviews and approvals.

- b. **Community Planning**—In a memorandum dated August 12, 2019 (Lester to Hurlbutt), the Community Planning Division provided comment on the submitted CSP, incorporated herein by reference and summarized, as follows:

Pursuant to Part 3, Division 9, Subdivision 2 of the Zoning Ordinance, master plan conformance is not required for this application. Pursuant to Section 24-121(a)(5), at the time of submittal of a PPS for the subject property, conformance to the approved sector plan will not be required because Council Resolution CR-13-2018, Minor Amendment Four, reclassified the subject property from the R-80 Zone to the M-X-T Zone. Staff finds that this event renders the open space future land use recommendations of the sector plan no longer appropriate.

- c. **Transportation Planning**—In a memorandum dated August 22, 2019 (Masog to Hurlbutt), the Transportation Planning Section provided comment on the submitted CSP, incorporated herein by reference and summarized, as follows:

The site will need to go through the PPS process, and transportation adequacy will be further reviewed at that time. The traffic study for this project does not exactly match the maximum range of uses described on the CSP; the applicant has indicated that it would not be feasible for the site to be developed with the maximum residential and retail square footages. The traffic study has utilized a reasonable mix of uses, and this will be further tested at the time of PPS, with a revised traffic study and adequacy test based on the actual mix of uses that the applicant proposes at that time. The submitted study has been written to analyze the subject site and another nearby site that is controlled by the same applicant. The Transportation Planning Section will not establish a trip cap condition on this application, but will do so for the PPS. Multiple trip caps on different applications governing the same property create a potential for conflicting findings during later stages of review. Adequacy is fully tested and determined at the time of PPS through the application of Section 24-124, and a traffic study may be submitted with a slightly different mix of uses than was tested at the time of CSP. The trip cap for the site will be based on the PPS.

MD 381 is a master plan collector facility with a proposed width of 80 feet. The right-of-way is acceptable as shown on the CSP.

The CSP is largely acceptable as shown. However, as a means of improving general community access, allowing access for the adjacent community to MD 381 and improving the delivery of public services to the neighborhood, the plan must be modified to show an access arrow to the west at Gwynndale Drive and Small Drive. This access can be reviewed further at the time of PPS and DSP.

Given the density of the residential portion of the site and the degree to which residences are served by private roadways, fire vehicle access will need to be checked at the time of PPS and DSP. The CSP provides no dimensions on alleys or private streets, and while that is in keeping with the conceptual nature of the plan, it raises concerns about general access and circulation that will need to be addressed at later stages of review.

Based on the preceding findings, the Transportation Planning Section determines that, pursuant to Section 27-546, the plan conforms to the required findings for approval of the CSP from the standpoint of transportation. Further, the Transportation Planning Section recommends approval of this CSP, with two conditions that have been included in the Recommendation section of this report.

- d. **Subdivision Review**—In a memorandum dated August 15, 2019 (Davis to Hurlbutt), the Subdivision Review Section provided an analysis of the CSP, incorporated herein by reference and summarized, as follows:

A PPS will be required pursuant to Section 24-107 of the Subdivision Regulations. Additional right-of-way along MD 381 may be required at the time of PPS. Circulation through the site, appropriate connectivity to the abutting streets of Gwynndale Drive and/or Small Drive, and the spatial relationship of the uses to each other and the abutting properties will be further reviewed at the time of PPS. A 10-foot-wide public utility easement will need to be provided on both sides of any proposed public roads and one side of a proposed private road at the time of PPS. All proposed private roads must show a minimum pavement width of 22 feet pursuant to Section 24-128(b)(7) of the Subdivision Regulations.

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 August 22, 2019 (Smith/Ryan to Hurlbutt), the trails planner provided comments, incorporated herein by reference and summarized, as follows:

Staff recommends continuous sidewalks along the site's entire frontage of MD 381, unless modified by DPW&T or DPIE. The planned bike lane along Brandywine Road, per the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), warrants a bikeway signage fee to accommodate future bicycle improvements. Additional dedication of right-of-way will be reviewed at the time of PPS to provide additional space for the master plan bicycle lanes.

Staff recommends sidewalk access be provided to all residential units and along both sides of all internal roads, excluding alleys, consistent with the Complete Streets policies of the MPOT. Provision of sidewalks will be reviewed in further detail during the subject site's future application for a PPS and/or DSP. Additionally, bicycle parking will be recommended at the time of DSP to further accommodate all modes of transportation.

Trails or walking paths are appropriate in, and connecting to, the parkland to the south. This will be reviewed further at the time of PPS and DSP. Additionally, the submitted development application does not provide any connection between the subject site and the neighborhoods immediately west. General pedestrian and bicycle circulation and access could be improved by an additional connection along Gwynndale Drive. This access will be reviewed further at the time of PPS.

Due to the nature of the subject application, no trails recommendations are made at this time. Details regarding bicycle improvements and pedestrian access will be addressed at the time of PPS and DSP.

- f. **Environmental Planning**—In a memorandum dated August 19, 2019 (Schneider to Hurlbutt), the Environmental Planning Section provided the following summarized comments on the subject application, incorporated herein by reference:

Natural Resources Inventory Plan/Existing Features

A Natural Resources Inventory, NRI-088-07-01, was approved on May 1, 2015, and provided with this application. The site contains a stream buffer and primary management area (PMA) from an off-site stream system. There are specimen trees scattered throughout the property. The TCP1 and CSP show all the required information correctly, in conformance with the NRI.

Specimen Trees

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

The specimen tree table lists 19 total specimen trees, with 8 located on-site and 11 located just off-site. One of the specimen trees (ST-8) was identified on the NRI and was not located during this investigation, but ST-14 is believed to be the missing tree. The 8 on-site specimen trees were identified with the ratings of excellent (ST-2 and ST-5), good (ST-1 and ST-3), fair (ST-4 and ST-7), and poor (ST-6 and ST-20), and the 11 adjacent specimen trees identified with the ratings of good (ST-9, ST-11, ST-16, ST-17, and ST-18), fair (ST-19), and poor (ST-10, ST-12, ST-13, and ST-15), and ST-14 was not rated. The current design proposes to remove 10 specimen trees for the development; 8 on-site specimen trees (ST-1, ST-2, ST-3, ST-6, ST-7, ST-20) and 2 off-site specimen trees (ST-9 and ST-15). A Subtitle 25 Variance application, a statement of justification (SOJ) in support of a variance, and a tree removal plan were received for review on June 11, 2019.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The submitted SOJ seeks to address the required findings for the removal of all eight specimen trees located on-site. Details specific to the individual trees have also been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

| ST # | COMMON NAME | Diameter (in inches) | RATING | CONDITION | DISPOSITION |
|------|---------------|-------------------------|-----------|---|---------------|
| 1 | White Oak | 36 | Good | Trunk/Top Damage/Dieback | To be removed |
| 2 | White Oak | 30 | Excellent | Top Damage/Dieback | To be removed |
| 3 | White Oak | 31 | Good | Trunk/Top Damage/Dieback | To be removed |
| 6 | White Oak | 34 | Poor | Root Trunk/Top Damage/Dieback | To be removed |
| 7 | White Oak | 38 | Fair | Leaning/ Trunk/Top Damage/Dieback | To be removed |
| 9 | Yellow Poplar | 38 | Good | Top Damage/Dieback | To be removed |
| 15 | Yellow Poplar | 42 | Poor | Root/Trunk/Top Damage/Dieback | To be removed |
| 20 | White Oak | 42 | Poor | Root/Trunk/Top Damage/Dieback | To be removed |

A variance to Section 25-122(b)(1)(G) is requested for the clearing of one specimen tree on-site. This variance 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 25 Variance application requires an SOJ of how the findings are being met.

The six variance criteria listed in Section 25-119(d)(1) are discussed, as follows:

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

The eight specimen trees on-site range in condition ratings from excellent to poor; however, the comments provided in the specimen tree table indicates that even the trees rated as excellent have existing conditions, including trunk damage, top damage, and dieback, that would make preservation difficult given the extent of the proposed development within the M-X-T Zone. Preserved trees with existing conditions within this development would likely end up dying due to stress and needing to be removed during or shortly after construction.

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

An existing stressed specimen tree within a proposed development area would not be required to be protected in similar applications. These trees are recommended for removal to prevent the developer from coming back in the future to request the removal of a dead tree within the project limits.

The proposed development of the site is in keeping with similar projects within the area.

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

See criteria (B).

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

This request is not based on conditions or circumstances which are solely the result of actions by the applicant. The removal of the specimen trees is primarily due to their health.

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

This request is based on the health of the specimen trees. This request is not based on a condition relating to land or a building use on a neighboring property.

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

The proposed Clinton Market Place South development will not adversely affect water quality because the review of the project will be subject to the requirements of the Maryland Department of the Environment, the Prince George's County Soil Conservation District, and the approval of a stormwater management (SWM) concept plan by DPIE.

Based on the level of design information currently available, and the limits of disturbance shown on the TCP1, a determination that the removal of ST-1, ST-2, ST-3, ST-6, ST-7, ST-9, ST-15, and ST-20 can be made at this time. Staff acknowledges that the removal of the 8 specimen trees are necessary due to the poor health of the trees.

Preservation of Regulated Environmental Features

The site contains regulated environmental features. According to the TCP1, impacts to the PMA are proposed for SWM structures. An SOJ has been received for the proposed impacts to the PMA and stream buffer. As part of this application, staff performed a site visit to evaluate the existing features of the site. During the Subdivision and Development Review Committee meeting on July 12, 2018, it was determined that possible changes that were to occur to the subdivision layout and impacts could not be fully evaluated at this time. The impacts to the regulated environmental features will be reviewed in greater detail during the review of the PPS.

Stormwater Management

An unapproved SWM concept plan was submitted with the application. The SWM concept plan shows the use of environmentally-sensitive design elements to address water quality requirements. The approved SWM 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, SWM; Section 172, Watershed Management Planning.

Erosion and Sediment Control

No information with respect to erosion and sediment control was submitted with the subject application; however, it should be noted that the site is located within a Tier II catchment area (Piscataway Creek), as designated by the Maryland Department of the Environment. Tier II streams are high-quality stream segments that have an existing water quality that is significantly better than the minimum water quality standards. As part of the State's antidegradation requirements, the applicant may be required by the Soil Conservation District to provide expanded stream buffers and/or enhanced protection measures as part of the erosion and sediment control design.

- g. **Prince George's County Department of Parks and Recreation (DPR)**—In a memorandum dated August 19, 2019 (Zyla to Hurlbutt), incorporated herein by reference, DPR provided comments summarized, as follows:

Per Section 24-134(a) of the Subdivision Regulations, at the time of PPS, the residential portion of this subject property will be subject to the mandatory dedication of approximately 1.34 acres of parkland. The applicant has proposed to provide private recreational facilities. Given the proposed limited green space areas interspersed within the residential portions of the proposed development, and the high need for recreational facilities in the surrounding community, the applicant should consider allocating more area for private recreational facilities on-site. In addition, at the time of PPS, the applicant should dedicate a 0.25 acre triangular-shaped piece of property adjacent to Small Drive. This acquisition will provide public frontage onto Small Drive for vehicular access into the adjacent M-NCPPC park property, as well as provide a future trail connection into Cosca Regional Park.

DPR has determined that private on-site recreational facilities are appropriate for the residential portion of this development. The applicant provided conceptual information on proposed private recreational facilities that will be constructed with the development and available to the residents. At the time of PPS, the applicant should provide private on-site recreational facilities, as well as convey a small portion of property to meet the mandatory dedication of parkland requirement. These two items will help serve the recreational needs of the residents within this proposed community. The final location and list of recreational amenities will be reviewed by the Urban Design Section at the time of DSP review and approval.

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

- h. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on the subject application.
 - i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 25, 2019 (Giles to Hurlbutt), incorporated herein by reference, DPIE offered numerous comments that were provided to the applicant and will be addressed in their separate permitting process. They also indicated that the property is adjacent to dead end roads, Small Drive and Gwynndale Drive, and should connect to these roadways.
 - j. **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.
 - k. **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.
 - l. **Maryland State Highway Administration (SHA)**—At the time of the writing of this technical staff report, SHA did not offer comments on the subject application.
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 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. As required by Section 27-276(b)(4) for approval of a CSP, 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 reduced to the extent practicable and re-evaluated in greater detail at the time of PPS.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Conceptual Site Plan CSP-18005, Type 1 Tree Conservation Plan TCP1-007-2019, and a Variance to Section 25-122(b)(1)(G) for the removal of eight specimen trees, for Clinton Market Place South, subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made or information shall be provided:
 - a. Clearly label all bearings and distances for the subject Parcel 83 on all sheets of the CSP.

- b. Revise Sheet 3 of the CSP to clearly mark the property boundaries of Parcel 83 only, consistent with the boundaries shown on the other sheets of the CSP.
 - c. Revise General Note 20 to state that mandatory park dedication will be determined at the time of preliminary plan of subdivision.
 - d. The Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - (1) Add “TCP1-007-2019” to the approval block and to the worksheet.
 - (2) Ensure all woodland conservation areas meet the minimum requirements to be counted as credits.
 - (3) Have the revised plan signed and dated by the qualified professional preparing the plan.
 - e. Revise the CSP to show potential access arrows connecting to Gwynndale Drive and Small Drive.
 - f. Revise the legend on the CSP cover sheet to remove “...and/or two-family attached.”
2. Prior to issuance of any building permits within the subject property, unless modified at the time of preliminary plan of subdivision pursuant to Section 27-546(d)(9) of the Prince George’s County Zoning Ordinance:
- a. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

MD 223 at Brandywine Road/Old Branch Avenue:

 - (1) On the northbound approach, provide three approach lanes with exclusive through, right-turn, and left-turn lanes.
 - (2) On the westbound approach, provide three approach lanes with exclusive through and left-turn lanes and a shared through/right-turn lane.
 - (3) On the eastbound approach, provide four approach lanes with two through lanes and exclusive right-turn and left-turn lanes.

If the above-listed improvements are to be provided pursuant to the “Brandywine Road and MD 223 Intersection” project in the current Prince George’s County Capital Improvement Program, the applicant shall, in cooperation with the Prince George’s County Department of Permitting, Inspections and Enforcement and/or the Prince George’s County Department of Public Works and Transportation, demonstrate the construction and/or financial participation. This information shall be supplied to the Transportation Planning Section at the time of preliminary plan of subdivision.

ITEM: 6

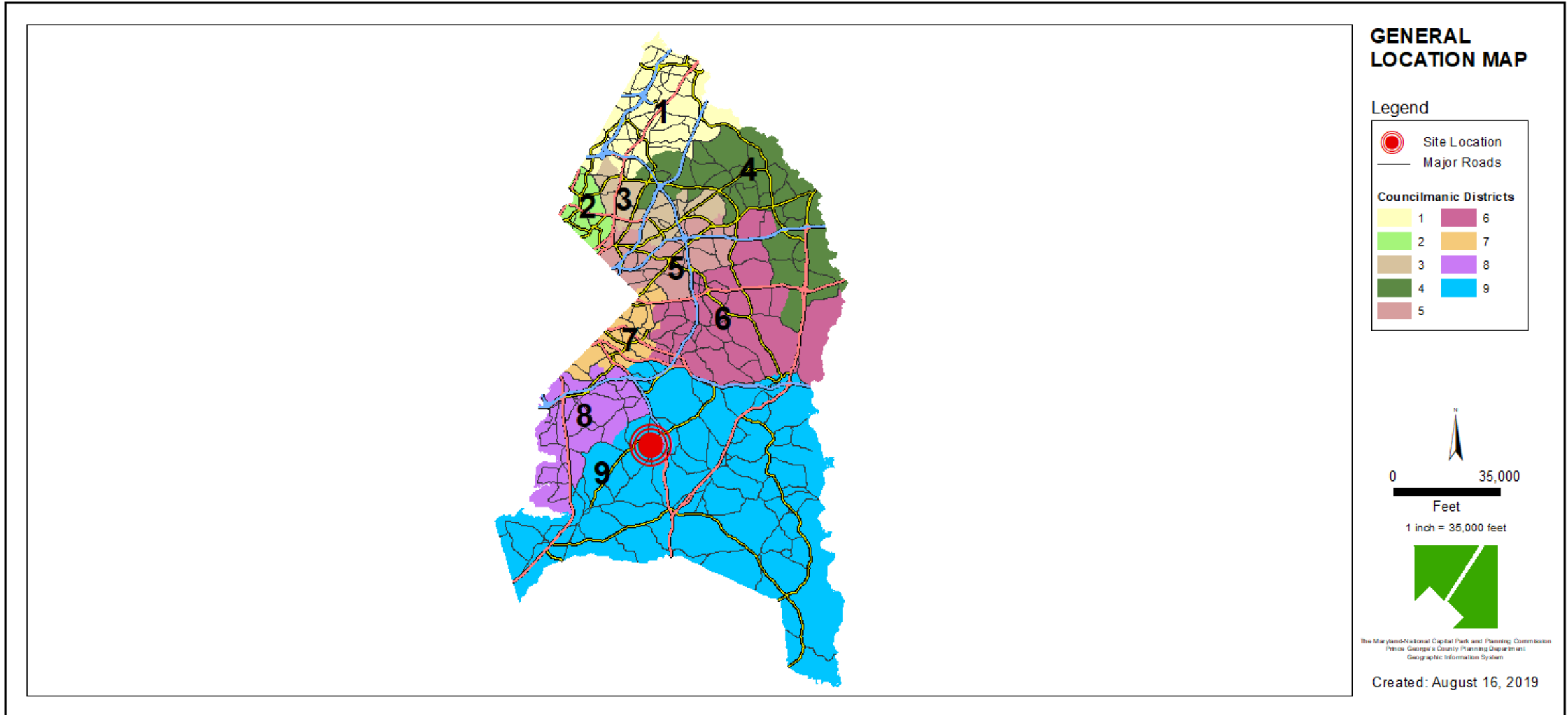
CASE: CSP-18005

CLINTON MARKET PLACE SOUTH

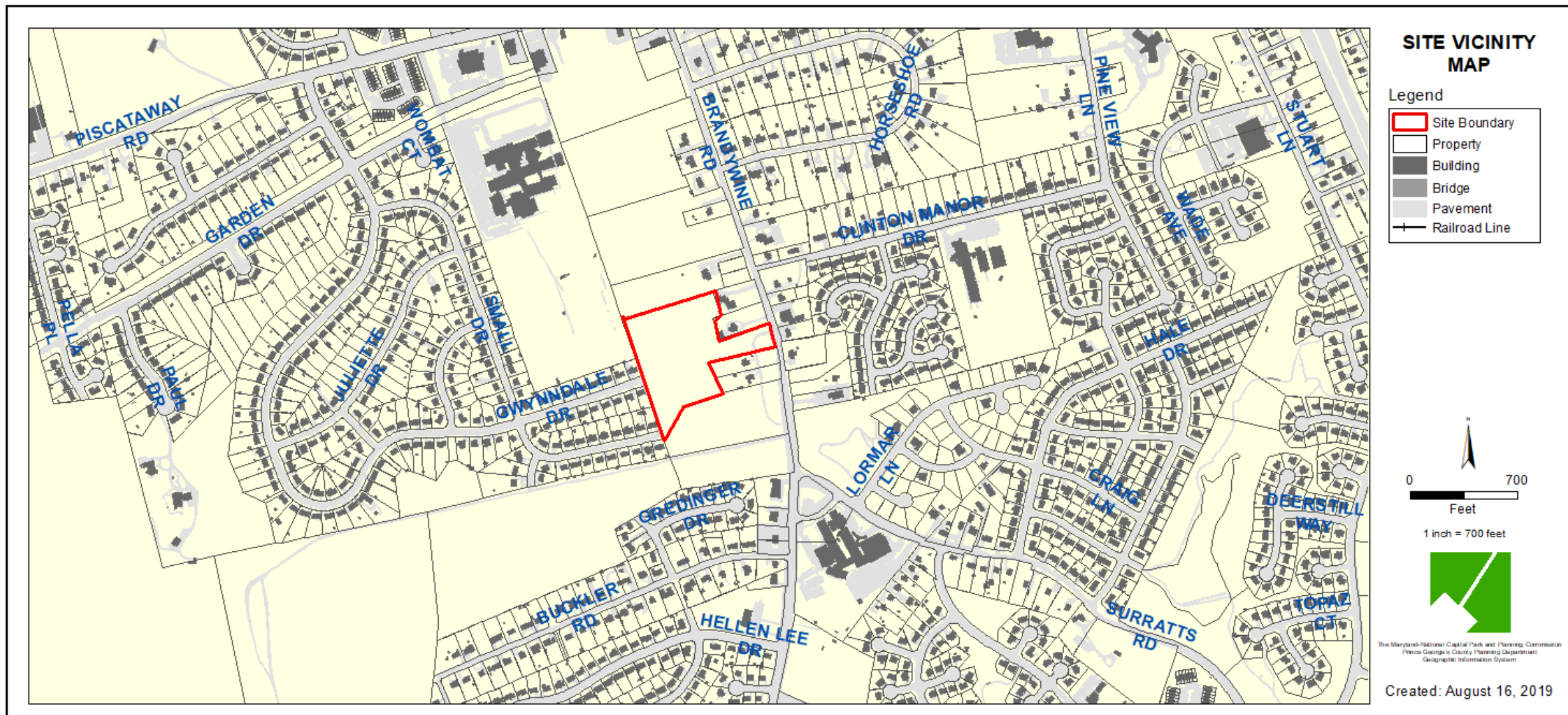
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



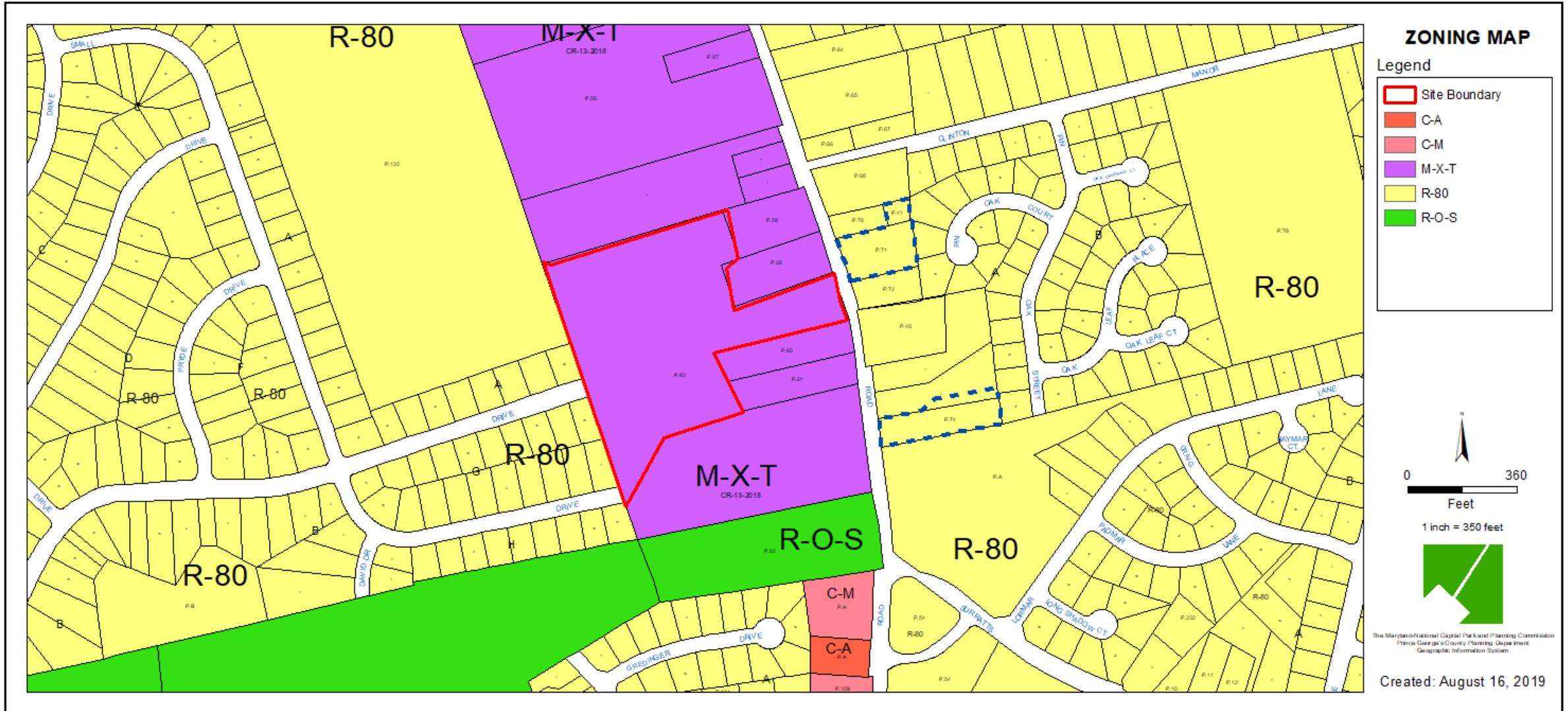
GENERAL LOCATION MAP



SITE VICINITY



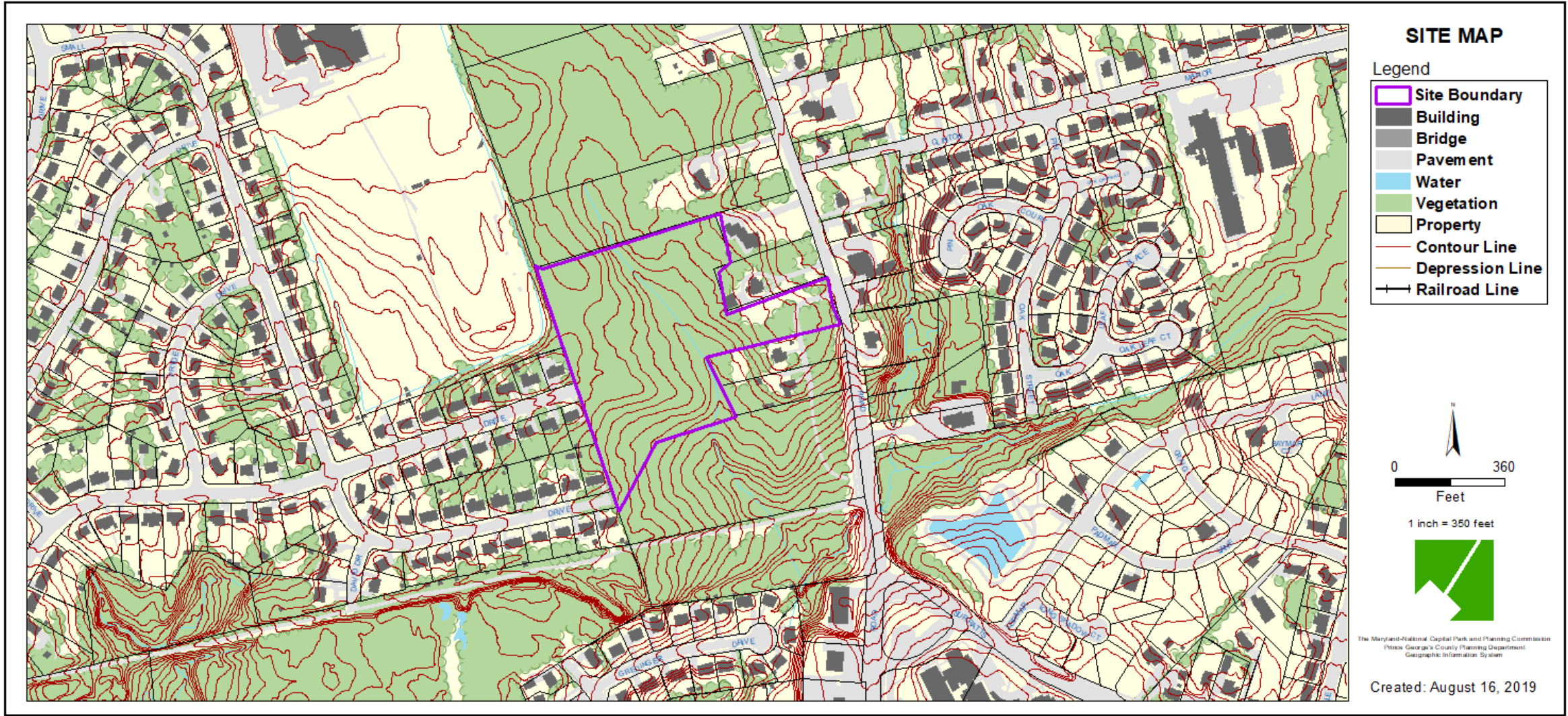
ZONING MAP



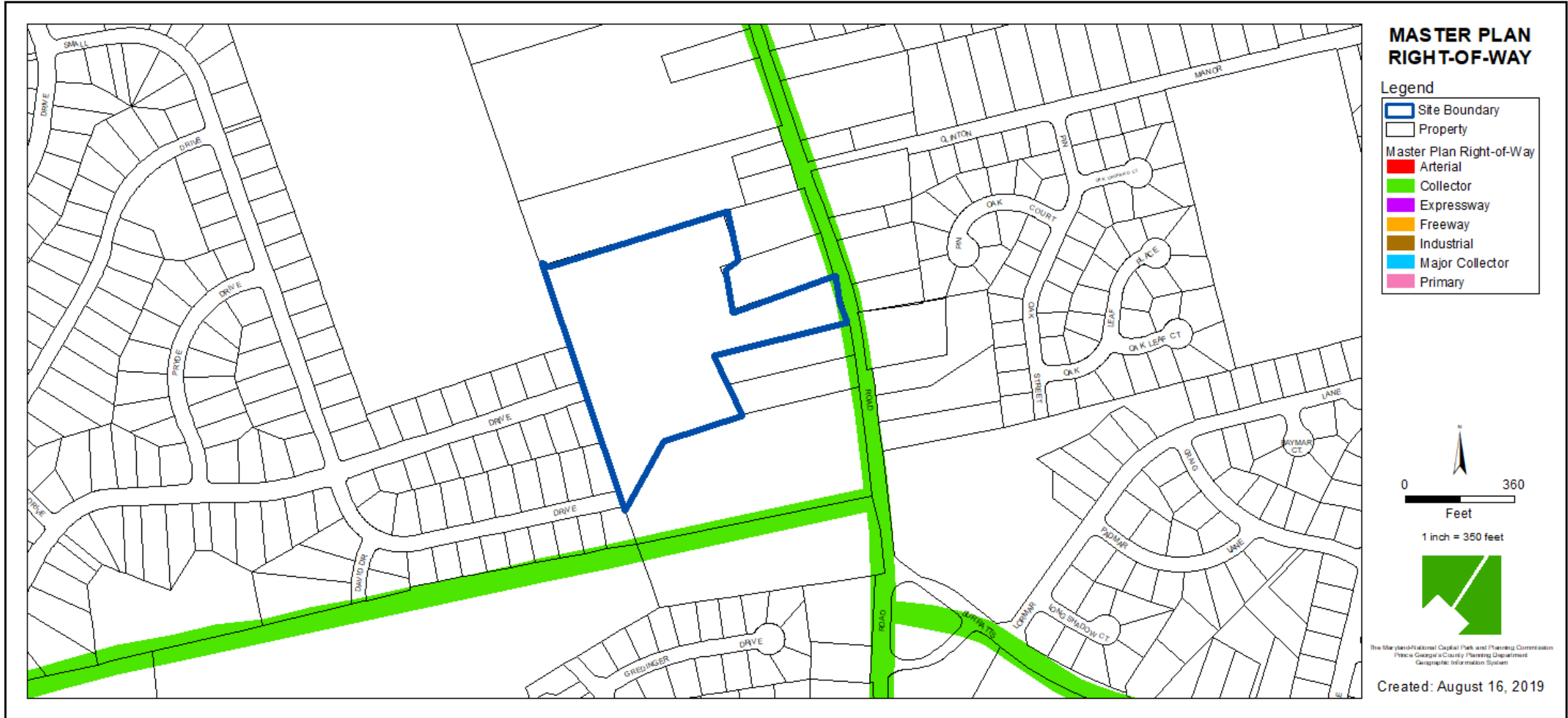
AERIAL MAP



SITE MAP



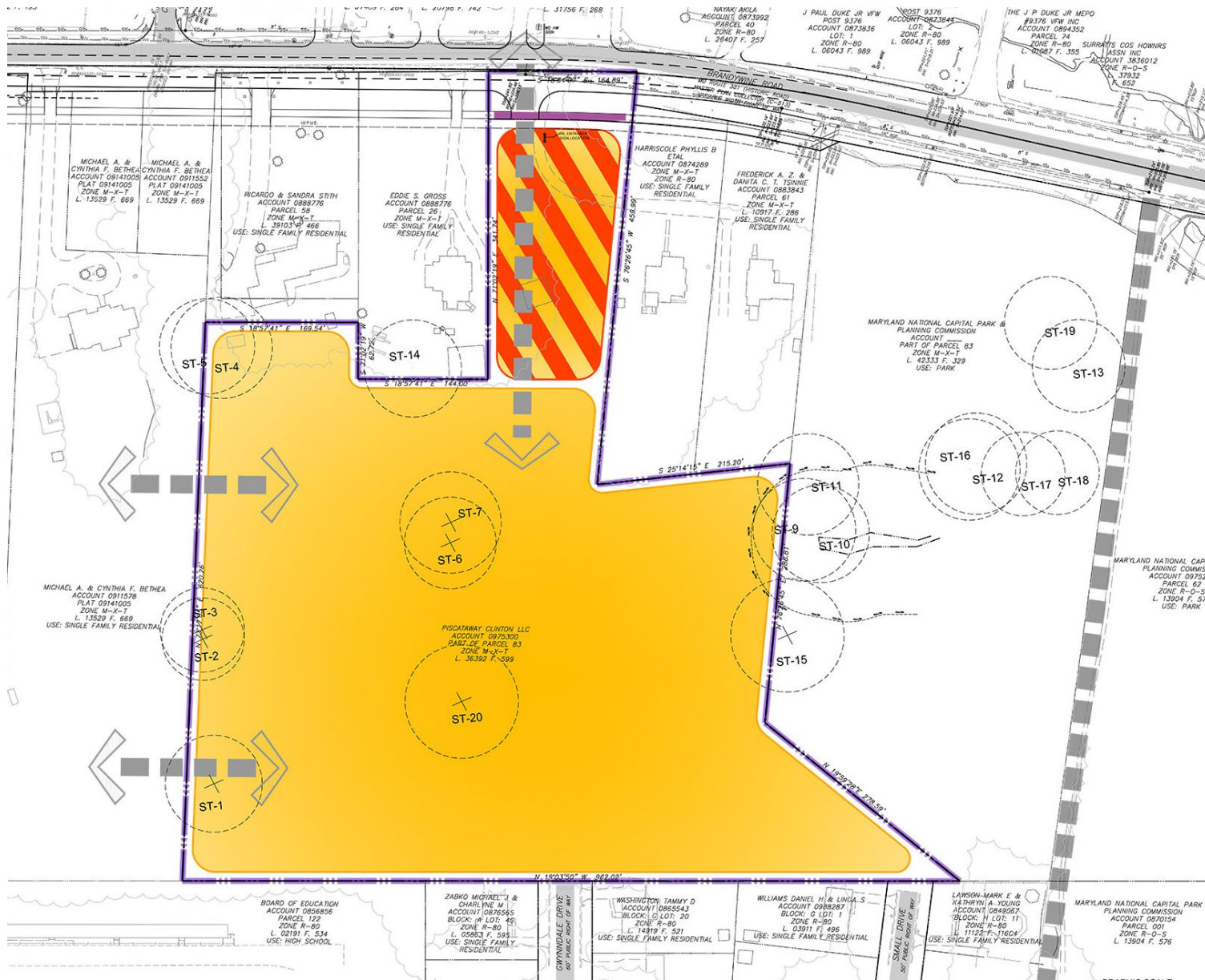
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



CONCEPTUAL SITE PLAN



CSP LEGEND

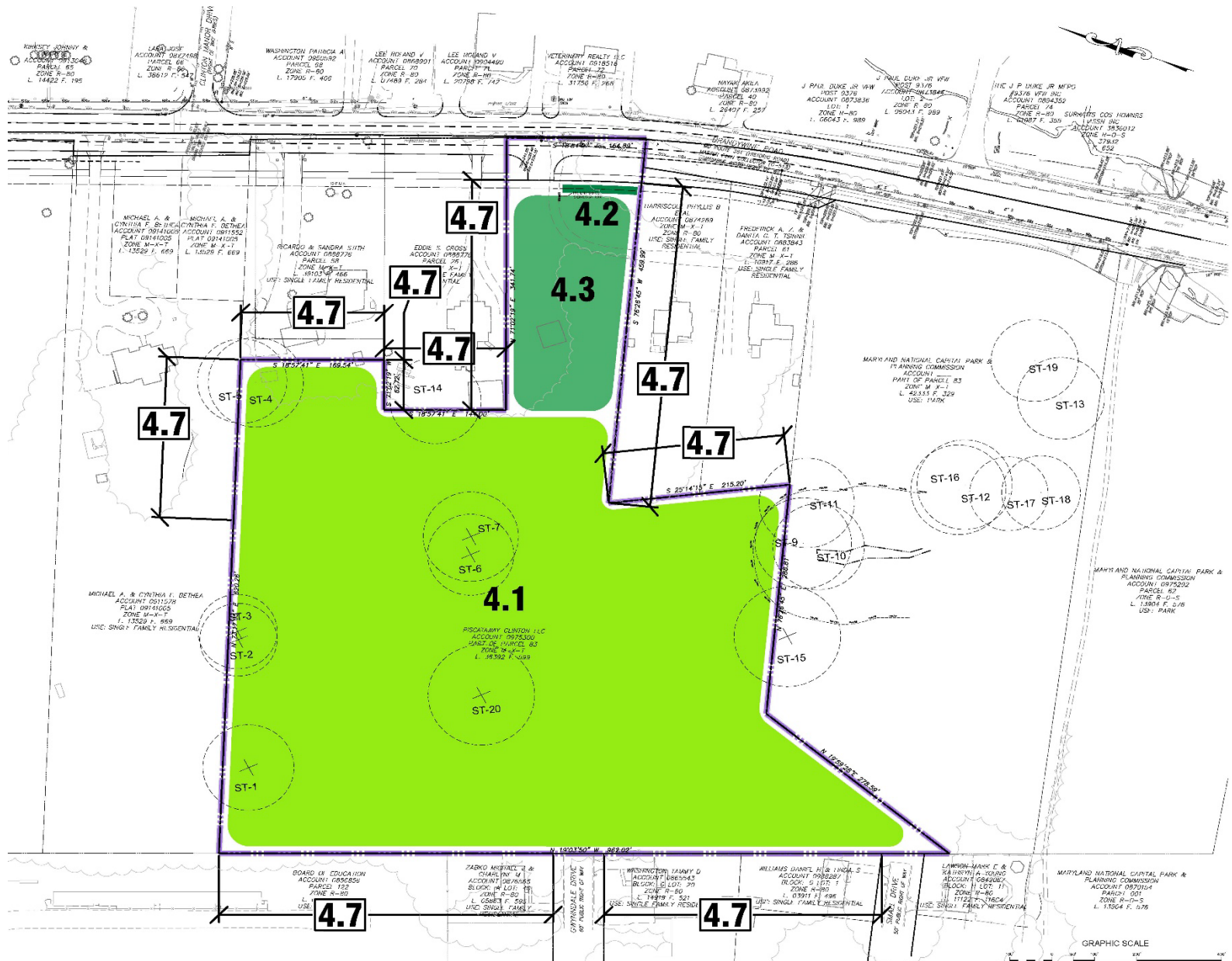
-  SUBJECT PROPERTY BOUNDARY
-  EXISTING ROAD
-  PROPOSED PRIVATE ROAD
-  PROPOSED E SIDEWALK
-  PROPOSED SITE ACCESS
-  RESIDENTIAL (SINGLE FAMILY ATTACHED)
-  RESIDENTIAL (SINGLE FAMILY ATTACHED) OR COMMERCIAL RETAIL AREA
-  PROPOSED MNCPPC DEDICATION



ILLUSTRATIVE



LANDSCAPE PLAN



- 4.1 RESIDENTIAL REQUIREMENTS
- 4.2 REQUIREMENTS FOR LANDSCAPE STRIPS ALONG STREETS
- 4.3 PARKING LOT REQUIREMENTS
- 4.7 BUFFER YARD LABELS
- PROPERTY BOUNDARY

Note: 4.9-1 Sustainable Landscaping & 4.10 Street Trees for Private Street requirements to be satisfied at the time of Site Plan.

GRAPHIC SCALE



CIRCULATION AND PHASING

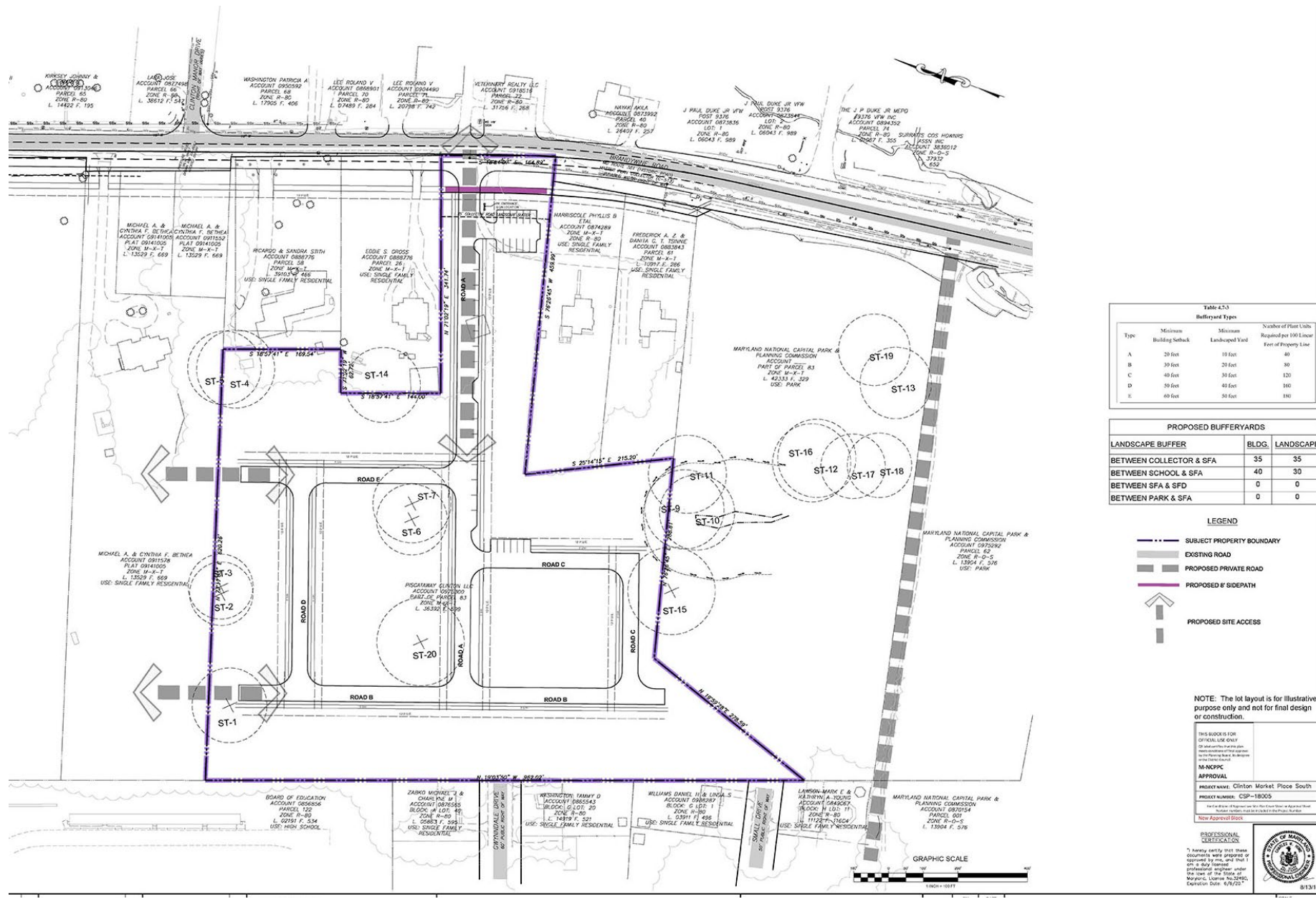


Table 4.2.3
Bufferyard Types

| Type | Minimum Building Setback | Minimum Landscaped Yard | Number of Plant Units Required per 100 Linear Feet of Property Line |
|------|--------------------------|-------------------------|---|
| A | 20 feet | 10 feet | 40 |
| B | 30 feet | 20 feet | 80 |
| C | 40 feet | 30 feet | 120 |
| D | 50 feet | 40 feet | 160 |
| E | 60 feet | 50 feet | 200 |

PROPOSED BUFFERYARDS

| LANDSCAPE BUFFER | BLDG. | LANDSCAPE |
|-------------------------|-------|-----------|
| BETWEEN COLLECTOR & SFA | 35 | 35 |
| BETWEEN SCHOOL & SFA | 40 | 30 |
| BETWEEN SFA & SFD | 0 | 0 |
| BETWEEN PARK & SFA | 0 | 0 |

LEGEND

- SUBJECT PROPERTY BOUNDARY
- EXISTING ROAD
- PROPOSED PRIVATE ROAD
- PROPOSED SIDEWALK
- PROPOSED SITE ACCESS

NOTE: The lot layout is for illustrative purpose only and not for final design or construction.

THIS BOOK IS FOR OFFICIAL USE ONLY. It shall not be used for any purpose other than that for which it was prepared.

M-NCPPC APPROVAL

PROJECT NAME: Clinton Market Place South
PROJECT NUMBER: CSP-18005

DATE: 8/19/2019

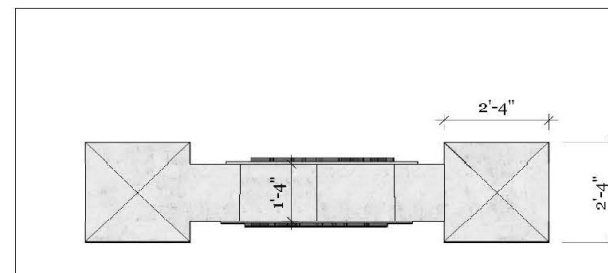
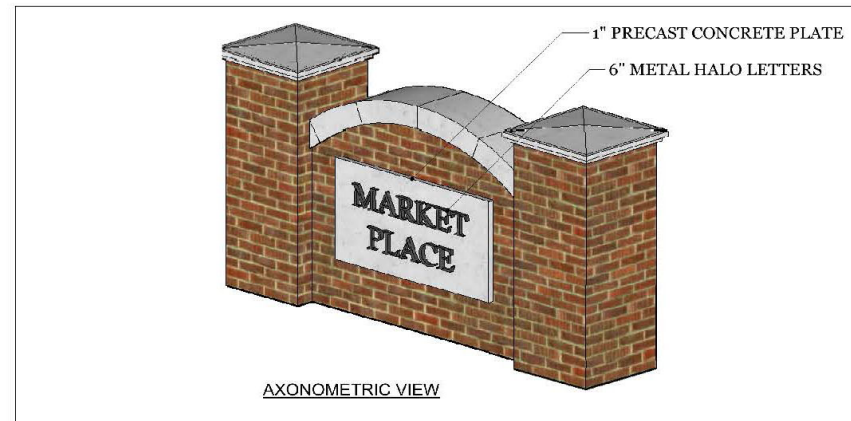
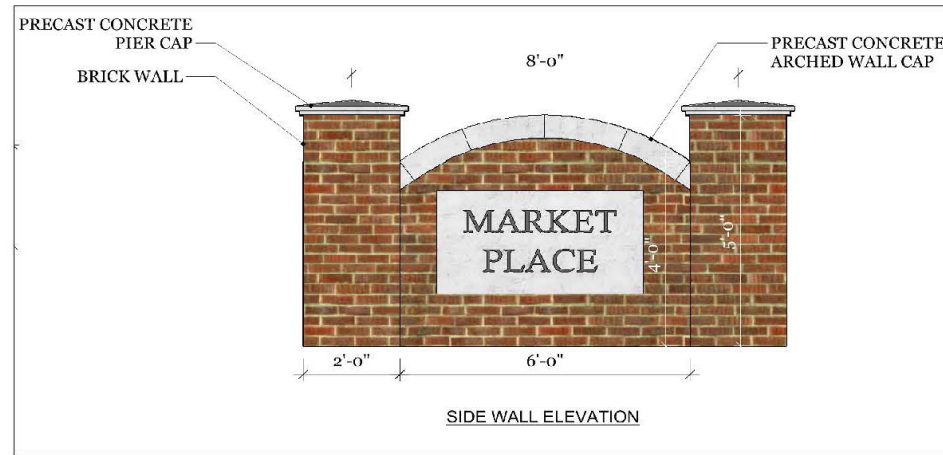
PROFESSIONAL CERTIFICATION

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.

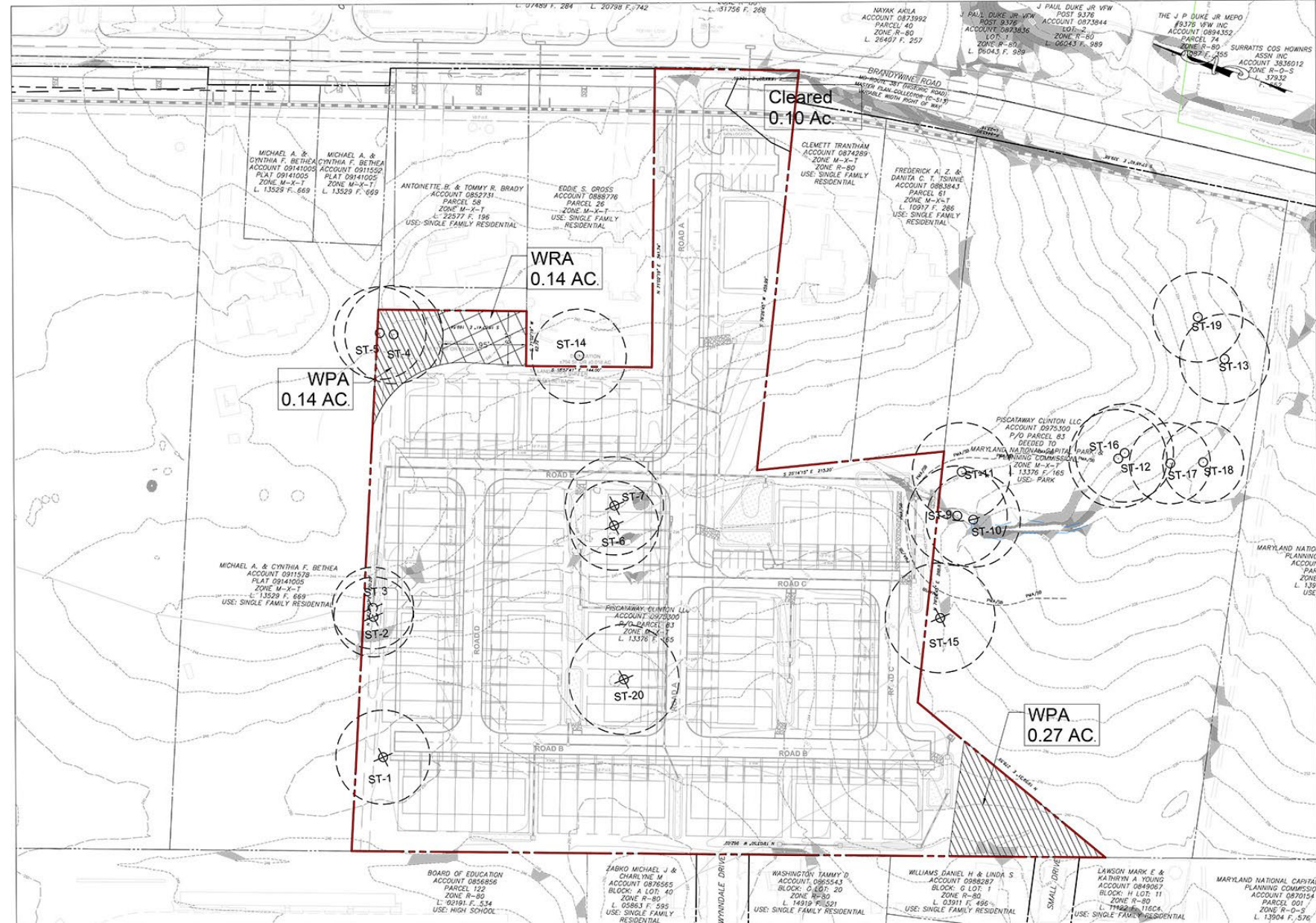
Signature: [Signature]
Expiration Date: 8/19/27



CONCEPTUAL SIGN



TREE CONSERVATION PLAN



**STATEMENT OF JUSTIFICATION
CSP-18005
Clinton Market Place South**

APPLICANT: Piscataway Clinton LLC
10100 Business Parkway
Lanham, MD 20001

ATTORNEY/AGENT: Matthew C. Tedesco, Esq.
McNamee, Hosea, Jernigan, Kim, Greenan & Lynch, P.A.
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax

CIVIL ENGINEER: Rodgers Consulting
1101 Mercantile Lane, Suite 280
Largo, Maryland 20774
(301) 948-4700

REQUEST: Conceptual Site Plan (CSP-18005) to develop a mixed use development of residential and commercial uses.

I. DESCRIPTION OF PROPERTY

1. Location – Located on the west side of Brandywine Road, 300 feet north of its intersection with Surratts Road.
2. Use – Mixed use development consisting of approximately 60-100 townhouse dwelling units and 5,000 to 20,000 square feet of commercial/retail spaces (proposed).
3. Incorporated Area – None.
4. Council District – 9.
5. Parcel – 83.
6. Total Area – 9.61 acres.
7. Tax Map/Grid – 116/C-4.
8. Zoned: M-X-T.
9. Zoning Map – 212SE06.

II. APPLICANT'S PROPOSAL

The applicant is requesting the approval of Conceptual Site Plan (CSP-18005) for the property located at 9405 Brandywine Road, Clinton, MD 20735. The application proposes a mixed use development with residential and commercial uses.

CSP-18005 application is requesting to develop approximately 60-100 townhouse dwelling units and approximately 5,000 to 20,000 square feet of commercial/retail space (proposed).

The proposed Development Summary for CSP-18005 is as follows:

| | EXISTING | PROPOSED |
|--------------------|-----------------|---------------------------------|
| Zone | M-X-T | M-X-T |
| Use(s) | Vacant | Residential & Commercial/Retail |
| Acreage | 9.61 | 9.61 |
| Dwelling Units | 0 | Townhouses – 60-100 |
| Lots | 0 | 60-100 |
| Parcels | 1 | 5-10 |
| Square Footage/GFA | 0 | 5,000-20,000 |
| Floor Area Ratio | 0 | See Table Below |

RESIDENTIAL GROSS FLOOR AREA:

60-100 TOWNHOMES

150,000 - 250,000 SF

COMMERCIAL GROSS FLOOR AREA:

5,000 – 20,000 SF

TOTAL GROSS FLOOR AREA

+/- 155,000 – 270,000 SF TOTAL

FLOOR AREA RATIO BASE DENSITY

0.37 – 0.65 FAR BASE DENSITY

The proposed Development Standards for CSP-18005 are as follows:

| | SFA | Commercial |
|---|------------|-------------------|
| Lot Size | 1,200 SF | N/A |
| Minimum Width at Front Street Right-of-Way | 15' | N/A |
| Maximum Lot Coverage | N/A | N/A |
| Minimum Front Setback from Private Right-of-Way | 10' | 10' |
| Minimum Front Setback From Street | N/A | 10' |
| Minimum Side Setback | None | 10' |
| Minimum Rear Setback | 10' | 10' |
| Minimum Residential Building Height | 50' | N/A |
| Minimum Commercial Building Height | N/A | 40' |

*The applicant requests that variations/modifications to any of the above-referenced standards may be permitted by the Planning Board at the time of detailed site plan, if circumstances warrant.

III. COMMUNITY

Clinton Market Place South consists of approximately 9.61 acres of land in the M-X-T Zone, and is located west of Brandywine Road, 300 feet north of its intersection with Surratts Road. To the north of the subject property is single-family detached residential dwellings in the M-X-T Zone. To the south of the property is a 5.8361 acre portion of Parcel 83 that will be deeded to the Maryland-National Capital Park and Planning Commission for future parkland in the M-X-T Zone, and beyond an existing park (Cosca Regional Park) in the R-O-S Zone. To the west of the property is Surrattsville Senior High School in the R-80 Zone, and existing single family detached residences in the R-80 Zone. The right-of-way of Brandywine Road is to the east, and beyond single family detached residences and a veterinary hospital in the R-80 Zone.

The subject property is located in the 2013 *Approved Central Branch Avenue Sector Plan* and within the *Subregion V Master Plan*. Council Resolution CR-13-2018, Amendment Four, rezoned the subject property from R-80 Zone to the M-X-T Zone.

IV. PREVIOUS APPROVALS

Overall, the property is not subject to prior Development Review Division approvals, with the exception of Mandatory Referral MR-1506F related to a WSSC Transmission Main. However, the alignment shown on PGAtlas is not the current alignment for the 42" water transmission main, as it is now to be constructed within the right-of-way of Brandywine Road. On March 6, 2018, Council Resolution CR-13-2018 approved three (3) specified minor amendments (known as Minor Amendments Four, Five, and Six in CR-062-2017) to the 2013 Subregion 5 Master Plan and Sectional Map Amendment, for purposes of aligning current land use and development policies with the approved comprehensive plan vision applicable to said properties within the Central Branch Avenue Corridor Revitalization Sector Plan, as well as the current General Development Plan for the County, Plan Prince George's. The property included in CSP-18005 is located within Minor Amendment Four. Amendment Four rezoned the property to the M-X-T Zone.

V. CRITERIA FOR APPROVAL OF A CONCEPTUAL SITE PLAN & DESIGN GUIDELINES

The following Sections of the Prince George's County Zoning Ordinance are applicable to this application.

Sec. 27-276. Planning Board procedures.

(b) Required findings.

(1) The Planning Board may approve a Conceptual Site Plan if it finds that the Plan 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. If it cannot make this finding, the Planning Board may disapprove the Plan.

COMMENT: Based on the points and reasons provided herein, in addition to the evidence filed in conjunction with this application, the applicant contends that the CSP represents the 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 the intended uses.

(2) The Planning Board may approve a Conceptual Site Plan for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone if it finds that the property and the Plan satisfy all criteria for M-X-T Zone approval in Part 3, Division 2; the Plan and proposed development meet the purposes and applicable requirements of the M-X-T Zone; the Plan meets all requirements stated in the definition of the use; and the Plan shows a reasonable alternative for satisfying, in a high-quality, well-integrated mixed-use community, all applicable site design guidelines.

COMMENT: Not applicable. Clinton Market Place South is not a Mixed-Use Planned Community, as that term is defined in Section 27-107.01(a)(151.1) of the Zoning Ordinance.

(3) The Planning Board may approve a Conceptual Site Plan for a Regional Urban Community in the M-X-T Zone if it finds that proposed development meet the purposes and applicable requirements of the M-X-T Zone and the Plan meets all requirements stated in the definition of the use and Section 27-544 of this Code.

COMMENT: Not applicable. Clinton Market Place South is not a Regional Urban Community as that term is defined in Section 27-107.01(a)(197.1) of the Zoning Ordinance.

(4) 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).

COMMENT: The site has an approved NRI-088-07. Therefore, regulated environmental features are subject to the regulations of Subtitle 25, and are subject to the Woodland Conservation Ordinance, which will be met.

Sec. 27-546. Site plans.

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

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

COMMENT: The District Council previously determined that CSP-18004 was in conformance with the requirements of Part 10, Division 2, of the Zoning Ordinance with the review and approval of Council Resolution CR-013-2018. Regardless, as a result of the rezoning to the M-X-T Zone, all future development will be required to obtain a DSP, which will further ensure the development is conformance with any applicable purposes of this Division.

(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;

COMMENT: On March 6, 2018, the District Council adopted CR-13-2018, which, among other things, rezoned the property to the M-X-T Zone (to wit: Amendment Four). This action occurred after October 1, 2006.

(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;

COMMENT: CSP-18005 proposes a mix of single-family attached residential and commercial development. The single-family attached development will consist of townhomes. The site will be accessed by a proposed private road with direct access from Brandywine Road. Internally, private roads will provide access to the development. As it relates to massing and bulk, generally, the proposed commercial retail area will be located close to Brandywine Road, while residential attached development will be located to the west.

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

COMMENT: The proposed development will implement the vision of the approved *2013 Central Branch Avenue Corridor Revitalization*. Commercial uses are proposed along Brandywine Road where they are adjacent to other existing M-X-T Zoned properties that may be redeveloped over time. The residential component of this application is set back from Brandywine Road, as the development along Brandywine Road transitions from commercial to single family residential. Appropriate buffering in accordance with the *Prince George's County Landscape Manual* requirements will be provided.

(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;

COMMENT: Sustainability and quality were driving factors in the preparation of this application. The commercial uses are located along the Collector Roadway, attracting both local and passerby customers, but also serving as the focal point for the residential component of the development by providing convenient service oriented shopping in a walkable setting. Sidewalks connect the development to Brandywine Road. The specifics of the arrangement and design of the buildings will be further examined at the time of Detailed Site Plan.

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

COMMENT: It is intended that the development associated with this CSP will be staged and developed as separate entities, with separate plans of development moving forward dependent on market demands and trends. Two phases of development are proposed with CSP-18005. The first phase proposes residential townhomes, which is located in the interior portion of the property. The second phase is proposed as the commercial component, which is located in the eastern portion of the property, fronting on Brandywine Road.

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

COMMENT: CSP-18005 proposes two phases of development: residential townhouses and commercial. Each of these areas will include and provide convenient accessible pedestrian systems.

(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

COMMENT: At the time of DSP, it is expected that the areas of the development that will be used for pedestrian activities or as gathering places for people will provide 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).

(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, 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.

COMMENT: A traffic study addressing this finding has been submitted with this application.

(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.

COMMENT: Not applicable. The subject review is for a conceptual site plan. Findings of adequacy will be made again at the time of Preliminary Plan of Subdivision.

(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.

COMMENT: Not applicable.

Section 27-274. Design Guidelines

Generally, Section 27-274 provides design guidelines regarding parking, loading, and circulation; lighting; views; green area; site and streetscape amenities; grading; service areas; public spaces; and architecture. It is worth noting that every sub-part of Section 27-274(a) uses the word “should” when describing each of the guidelines. Thus, none of the design guidelines are mandatory; instead, they are as they appear, guidelines used to promote the purposes of the zone. Consequently, the Planning Board is authorized to approve a conceptual site plan so long as the plan promotes the development in accordance with the principles for the orderly, planned, efficient, and economic development contained in the Sector Plan; and explains the relationship among proposed and existing uses, illustrates approximate locations where buildings and other proposed improvements may be placed, and generally describes recreational facilities, building architecture, and street furniture to be used on the final plan. Ultimately, a future detailed site plan will be filed that will show much more details and the Planning Board is authorized to approve said future detailed site plan so long as the plan represents a *reasonable alternative to satisfying the guidelines* – without requiring unreasonable costs or detracting substantially from the utility of the proposed development for its intended (and *permitted*) use. (Emphasis added).

Generally, as guidelines, that applicant and its consultants, as much as practical, have designed the site in conformance with said guidelines, but due to not yet having a builder, is limited in the amount of detail that can be shown. As contemplated in Section 27-272, said detail and specificity at the time of conceptual site plan is not required; however, generally, the applicant has endeavored to satisfy the following design guidelines to the extent practical:

- The parking lot will be designed to provide safe and efficient vehicular and pedestrian circulation within the site;
- Parking spaces will be designed to be located near the use that it serves;
- Parking aisles will be oriented and designed to minimize the number of parking lanes crossed by pedestrians;
- Plant materials will be added to the parking lot for the commercial use to avoid large expanses of pavement;
- Any loading space will be located to avoid conflicts with vehicles or pedestrians;
- Any loading area will be clearly marked and separated from parking areas;
- Light fixtures will be designed to enhance the site’s design character;
- Luminosity and location of exterior fixtures will enhance user safety and minimize vehicular /pedestrian conflicts;

- Lighting will be designed to enhance building entrances and pedestrian pathways;
- The pattern of light pooling will be directed to the site;
- The site will comply with the Landscape Manual or will seek Alternative Compliance for any requirements that cannot be met by proposing landscaping that will be equal to or better than what would be required;
- Public amenities including outdoor seating, bike racks, benches, etc. will be proposed where feasible; and
- Building architecture and materials will be high quality and visually interesting.

Specifically, the applicant offers the following:

(1) General.

(A) The Plan should promote the purposes of the [Detailed] Site Plan.

COMMENT: The purposes of the Detailed Site Plan are found in Sections 27-281(b) and (c).

Section 27-281. Purpose of Detailed Site Plans.

(b) General purposes.

(1) The general purposes of Detailed Site Plans are:

(A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;

(B) To help fulfill the purposes of the zone in which the land is located;

(C) To provide for development in accordance with the site design guidelines established in this division; and

(D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.

(c) Specific purposes.

(1) The specific purposes of Detailed Site Plans are:

(A) To show the specific location and delineation of buildings and structures , parking facilities, streets, green areas, and other physical features and land uses proposed for the site;

(B) To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;

(C) To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and

(D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this

Subtitle.

COMMENT: This Conceptual Site Plan will promote the purposes found in Section 27-281. Specifically, this plan helps to fulfill the purposes of the M-X-T Zone by proposing a mixed use development consisting of a mix of residential units and commercial retail use(s), which are permitted in the M-X-T Zone. The site plan gives an illustration as to the approximate location and delineation of all proposed buildings, parking, streets, green areas, and other similar physical features and land uses proposed for the site.

In addition to the purposes set forth in Section 27-281, Section 27-274 further requires the Applicant demonstrate the following:

(2) Parking, loading, and circulation

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site.**
- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians.**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers.**

COMMENT: The proposed Conceptual Site Plan illustrates that all parking and loading areas are located and designed to provide safe and efficient vehicular and pedestrian circulation throughout the entire site.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character.**

COMMENT: This Conceptual Site Plan anticipates activities taking place in the evening and will provide adequate lighting levels for safe vehicular and pedestrian movements. The site lighting will provide the new residents and future patrons of the commercial component with a bright, safe atmosphere while not causing a glare or light bleeding onto adjoining properties, as the applicant would anticipate using full cut-off light fixtures. Although a specific detail of all residential and commercial lighting has not yet been identified, some possible examples of public lighting may include the following:



(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

COMMENT: This Conceptual Site Plan complies with the design guidelines outlined in sub-part (4). This plan is designed to preserve, create, or emphasize views from the public roads and the adjoining property. All buildings will be designed to provide a modern, clean and strong presence along road frontages. Other views and public areas will be emphasized through the anticipated use of trails and sitting areas along with sidewalks to collectively connect the various components of the project. Possible examples of these views and use of public areas are provided below in subpart 9.

(5) Green Area.

- (A) On site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use.**

COMMENT: As shown on the Tree Conservation Plan, this Conceptual Site Plan intends to retain/provide forest conservation areas, provide green space in environmental areas, and provide a wooded buffer along the western boundary. In addition, as described below, in addition to the use of the stormwater management facility being utilized as a passive green area with a trail system and benches, the applicant is also proposing a recreational facility area that will provide additional open area for use by the residents of this community.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site.**

COMMENT: The Conceptual Site Plan and Landscape Plan submitted with this application comply with the design guidelines outlined in sub-part (6). The proposed site and streetscape amenities will contribute to an attractive, coordinated development. That is, the site fixtures will be durable high quality material and will be attractive, which will enhance the site for the future residents and patrons. Some possible examples of site fixtures and anticipated streetscape are provided below.



(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.**

COMMENT: This Conceptual Site Plan complies with the design guidelines outlined in sub-part (7). All grading and landscaping will help to soften the overall appearance of the improvements once constructed. The proposed development will address the needs and expectations of the modern consumer. To the extent practical, all grading will be designed to minimize disruption to existing topography.

(8) Service Areas.

- (A) Service areas should be accessible, but unobtrusive.**

COMMENT: Service areas, like loading areas to serve the commercial retail development, will be conveniently located next to the commercial building, but screened from view. Where possible, service areas serving multiple buildings will be designed so that the number of service areas can be limited.

(9) Public Spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

COMMENT: The overall massing of buildings and attention to scale for this project, which are primarily residential in nature, will help create pedestrian and public areas that will be convenient to the residents and patrons. Other public spaces to create pedestrian and public areas that will be convenient to the residents and patrons may also include something similar to those depicted below:



(10) Architecture.

- (A) When architectural considerations are references for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the**

- specific zone in which it is to be located.**
- (C) **These guidelines may be modified in accordance with section 27-277.**

COMMENT: Architectural plans are not required at the time of CSP and none have been prepared with this application since a builder has not yet been identified. However, the Conceptual Site Plan complies with the design guidelines outlined in sub-part (10). At the time of Detailed Site Plan, the applicant will endeavor to ensure that all architecture for the residential and commercial buildings will provide a high quality building materials and provide a variety of architectural elements. Further, although it is dependent upon the ultimate builder for the project, where possible, the applicant will endeavor to provide sustainable construction techniques, improve energy efficiency, and resource conservation. It will be the goal of this community, where possible, to reduce material waste and improve energy efficiency while at the same time creating enhanced value and savings for the future residents.



(11) Townhouses and Three-Story Dwellings.

- (A) **Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**
- (B) **Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**
- (C) **Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or**

preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.

- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.
- (E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.
- (F) Attention should be given to the aesthetic appearance of the offsets of buildings.

COMMENT: The layout of the townhouses for Clinton Market Place South has been designed in an effort to, as much as possible, minimize the views of the rear of the units. The majority of units adjacent to the proposed public road have initially been designed to be parallel to the road so the backs of units do not front on the road. Landscaping will be provided in common areas which, along with street trees, will further screen and/or soften the units from the right-of-way. It is anticipated and expected that the future builder of the residential units will provide high quality architecture that will provide a variety of architectural elements to promote individuality or aesthetically pleasing appearances with offsets of buildings.



VI. PRIVATE RECREATIONAL FACILITIES

In determining the private recreational facilities for this development, it is necessary to also analyze the types of facilities within the nearby vicinity of the development. The property is in close proximity to Surrattsville High School (adjacent property to the west) and Cosca

Regional Park (adjacent to the south). Surrattsville High School has tennis courts, baseball/softball fields, track, a football field, and a soccer field. Cosca Regional Park features boat rentals, camping, pavilion and picnic areas with shelters, tennis courts and tennis bubble, the Clearwater Nature Center, and numerous baseball fields.

VII. CONCLUSION

Based on the foregoing, as well as all of the development plans filed in conjunction with this application, the applicant respectfully requests the approval of CSP-18005.

Respectfully submitted,

MCNAMEE HOSEA

By: 
Matthew C. Tedesco, Esq.

Date: April 12, 2019

Clinton Market Place - South

SUPPLEMENTAL STATEMENT OF JUSTIFICATION FOR IMPACTS TO REGULATED ENVIRONMENTAL FEATURES

February 18, 2019

DESCRIPTION AND LOCATION OF SUBJECT PROPERTY

The site, located at property 9405 Brandywine Road in Prince Georges County, Maryland (The “Property”) is approximately 9.61± acres total. Found on Tax Map 116, Grid C4 and is known as Parcel 83. The Property, located on a portion of Parcel 83, is included in the previously approved NRI, NRI -88-07, rev. 01.

This Property is envisioned as an extension of the proposed commerce and residential community established within Clinton Market Place North.

The Property has a fairly consistent grade gradually sloping toward the southern quadrant with a linear tract of land connecting to Brandywine Road. The property is primarily early to mid-successional woodland comprised of deciduous and conifer trees including yellow poplar, black locust, Virginia pine, and red maple. Woodland characteristics within the Property were compared and noted to have similar attributes observed within Clinton Market Place North. 0.08 acres (3,485 sf) of Primary Management Areas (PMA) was identified on the southern portion and off of the Property where a regulated stream was observed and noted on the previously approved NRI.

The proposed development will follow the vision of the approved 2013 Central Branch Avenue Corridor Revitalization Sector Plan. The vision for this Property (including the Northern and Southern portions of Clinton Market Place) is a well-designed, transit supported, commercial and residential mixed-use community accenting the Piscataway and Brandywine Road intersection.

Previous plan approvals include the approved Natural Resource Inventory Plan (NRI-088-01) completed by others.

a) GENERAL DESCRIPTION OF PROPOSED USE AND REQUEST

The Applicant's proposal, for South portion of Clinton Market Place, includes removing the invasive species, declining and or damaged specimen trees, and developing the Property with a horizontal and vertical mixed-use development including 94 townhomes and 50,000square feet of Retail.

The Applicant requests approval of impacts to regulated environmental features totaling 0.05 acres of stream/PMA buffer. The impacts involve the proposal of a storm water outfall to effectively convey storm water run-off off site.

b) DESCRIPTION OF EXISTING REGULATED ENVIRONMENTAL FEATURES ON-SITE

The Property contains a total of 0.08 acres of Primary Management Area ("PMA"). The PMA and stream buffer within the site does not contain any portion of the regulated stream associated with the buffer. The PMA occurs along the southern portion above the existing stream identified off site.

c) DESCRIPTION OF APPLICABLE CODE

Section 27-276(b)(4) of the Prince George's County Code (the "County Code") requires that proposed Conceptual Site Plan of subdivision conform to the following:

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\(b\)\(5\)](#).

As described in detail below, the Conceptual Site Plan application preserves regulated environmental features in a natural state to the fullest extent possible, and thus, is in conformance with Section 24-130(b)(5) of the County Code.

d) SPECIFIC DESCRIPTION OF PROPOSED IMPACTS AND JUSTIFICATION OF AVOIDANCE AND MINIMIZATION

As noted in Section C, the Conceptual Site Plan application is required to preserve regulated environmental features in a natural state to the fullest extent possible. Part C, Section 2.0 of the Environmental Technical Manual contains guidance for determining whether "fullest extent

possible” has been satisfied, as follows:

The determination of “fullest extent possible” is a three-step process that starts with avoidance of impacts. Then, if the impacts are unavoidable and necessary to the overall development of the site (as defined below) and cannot be avoided, the impacts must be minimized. In the third step, if the cumulative, minimized impacts are above the designated threshold, then mitigation is required for the impacts proposed.

The table below summarizes the proposed impacts to regulated environmental features on the Property, and these impacts are also reflected on the PMA Impacts Exhibit, attached.

Table 1: PMA Impact(s) Summary Table

| Impact ID | Impact type / and duration | Total acreage or square footage of PMA impact | Linear feet (LF) of stream bed impact | Acreage or square footage of wetland and wetland buffer impact | Acreage or square footage of 75’ stream buffer impact | 100 Year Floodplain Impacts Total AC or SF |
|------------------|-----------------------------------|--|--|---|--|---|
| A | Stormwater outfall | 0.05 Ac. or 2,058 SF | 0 | 0 | 0.05 acres or 2,058 SF | 0 |

| Impact Summary Table | | | | | |
|---|------------------------|--|---|--|------------------------|
| Total linear feet of stream bed impact | 0 | Total wetland and wetland buffer impact | 0 | Total acreage or square footage of 75' stream buffer impact | 0.04 acres or 2,058 SF |
| Total PMA Impact | 0.04 acres or 2,058 SF | | | Total 100 Year Floodplain Impacts Total AC or SF | 0 |

The Concept Site Plan application avoids and subsequently minimizes the impacts listed above to the fullest extent possible, as follows:

Impact A: PMA Impact – Storm water outfall

Impact A identified in the above table pertains to the storm water outfall impact necessary to mitigate storm water safely offsite. The impact occurs on the southern portion of the site above a regulated stream identified outside of our limits of disturbance and site boundary. The identified impact is approximately 0.05 acres. In order to adequately route storm water generated on site from the proposed storm water facilities, a storm water outfall is proposed to be located within the established PMA area and stream buffer. Alternatives layouts have been considered and the proposed storm water outfall has been sensitively located at the point of least impact to the site and its impact is unavoidable for the development of the property.

e) MITIGATION AND RESTORATION

The identified impact to the established PMA, again, amounts to 0.05 acres and is necessary to property route storm water safely off site. Environmental Technical Manual requires mitigation in the event of significant impacts to regulated streams, wetlands, and 100-year floodplains. Notably, significant impacts are defined as the cumulative impacts that would result in the disturbance on-site of 200 or more linear feet of stream beds or one-half acre of disturbance to

wetlands and wetland buffer areas. The identified PMA impacts are less than the threshold amounts, and therefore, no mitigation is required at this time.

CONCLUSION

The proposed limited impacts satisfy the three criteria for approval found in the Environmental Technical Manual. Avoidance is not feasible given need to effectively convey storm water runoff to mimic existing drainage patterns on-site and to place the outfall at the lowest point of the site. After further alternative review, the impacts are the minimum necessary to carry out the development, and mitigation is not required.

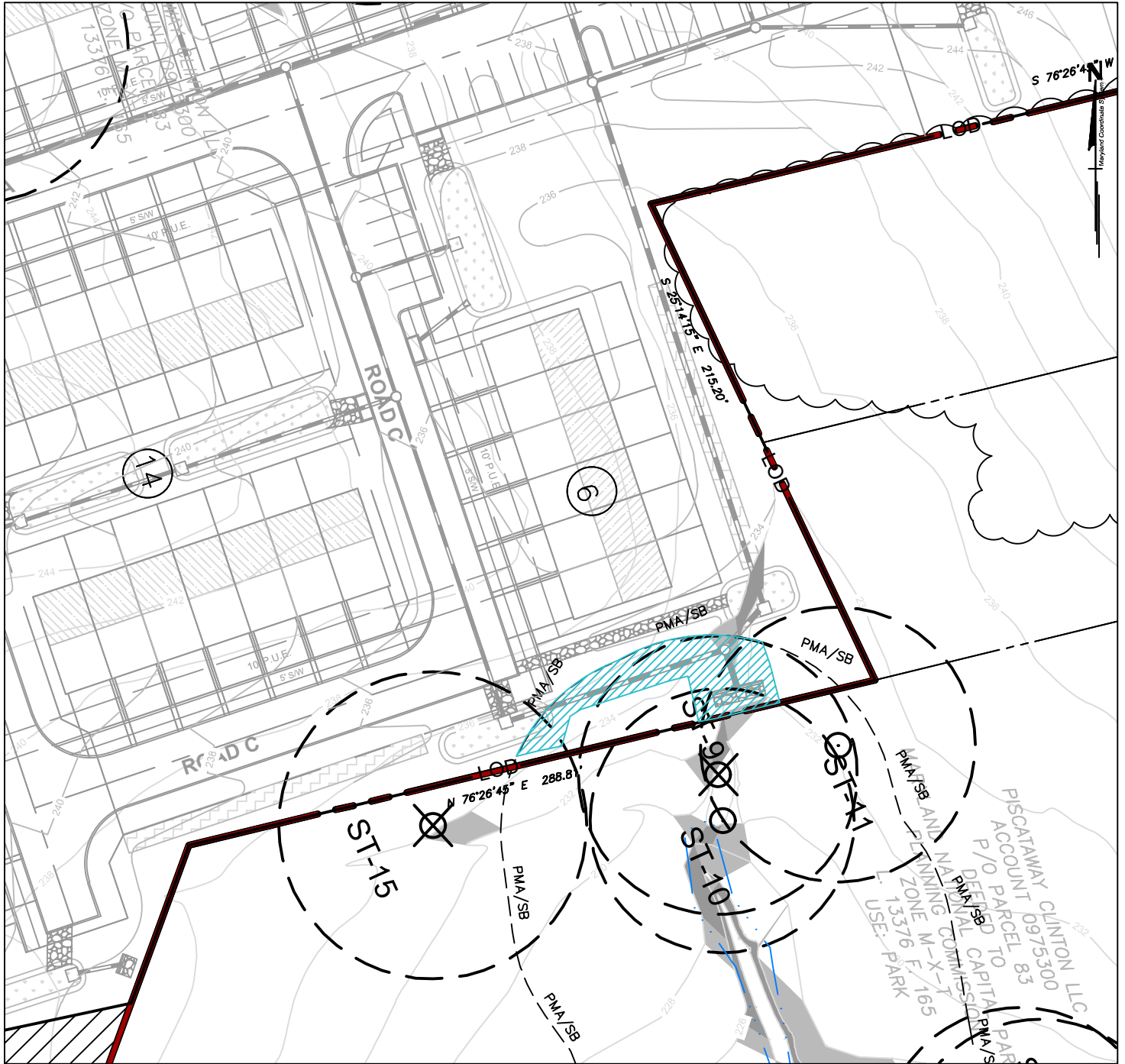
The proposed project is well-designed, requiring only minimal impacts. The Applicant, therefore, respectfully requests approval of the requested impacts.

Thank you for your consideration of this request and feel free to call or email with any questions or to discuss these matters. I can be reached at (240) 912-2189 or Sallison@rodgers.com.

Sincerely,



Steven Allison, PLA, ISA Certified Arborist
Rodgers Consulting, Inc.



 PMA Impacts

A PMA Impact = 2,058 SF
 Total PMA Impact = 2,058 SF or
 0.05 acres within site boundary

APPLICANT / DEVELOPER / OWNER:
 Clinton Market Place - South
 c/o Kenneth H. Michael
 Chairman of the Board
 NAI The Michael Companies
 10100 Business Parkway
 Lanham, MD 20706

PMA/
 Stream Buffer
 Impact
 Exhibit



19847 Century Boulevard
 Suite 200
 Germantown, Maryland 20874
 P: 301.948.4700 (Main)
 P: 301.253.6600 (Frederick)
 P: 301.948.6256
 www.rodgers.com

| | |
|-----------|---------------------------|
| SCALE: | 1" = 60' |
| JOB No: | 1279A1 |
| DATE: | 01-24-19 |
| SHEET No: | CSP-18005_Backup 20 of 64 |

CSP#18005

TCP1-XXX-XXXX

Statement of Justification

Clinton Market Place – South

Variance: Removal of Specimen Trees

February 18, 2019

INTRODUCTION

The site, located at property 9405 Brandywine Road in Prince Georges County, Maryland (The “Property”) is approximately 9.61± acres total. Found on Tax Map 116, Grid C4 and is known as Parcel 83. The Property, located on a portion of Parcel 83, is included in the previously approved NRI, NRI -88-07, rev. 01. This Property is envisioned as an extension of the proposed commerce and residential community established within Clinton Market Place North.

The Property has a fairly consistent grade gradually sloping toward the southern quadrant with a linear tract of land connecting to Brandywine Road. The property is primarily early to mid-successional woodland comprised of deciduous and conifer trees including yellow poplar, black locust, Virginia pine, and red maple. Forest stand characteristics within the Property were compared and noted to have similar attributes observed within Clinton Market Place North having moderate to low Retention Potential with forest structure ranging from moderate to excellent within the observed stands. 0.08 acres (3,481 sf) of Primary Management Areas (PMA) was identified on the southern portion and off of the Property where a regulated stream was observed and noted on the previously approved NRI.

Twenty specimen trees were observed and identified to be within or 100 feet beyond the properties boundary in the previously approved NRI (NRI-88-07, rev. 01) containing all of Parcel 83. Of the twenty identified, we found an opportunity to preserve five specimens (25% of total specimen trees) including a specimen noted as having a condition rating of excellent (94).

The proposed development will follow the vision of the approved 2013 Central Branch Avenue Corridor Revitalization Sector Plan. The vision for this Property (including the Northern and Southern portions of Clinton Market Place) is a well-designed, transit supported, commercial and residential mixed-use community accenting the Piscataway and Brandywine Road intersection.

The Applicant’s proposal, for both North and South portions of Clinton Market Place, includes removing the invasive species, declining and or damaged specimen trees, and developing the Property with a horizontal and vertical mixed-use development including 60,000 square feet of commercial along with approximately 290 townhouses.

To achieve and promote the vision of the approved *2013 Central Branch Avenue Corridor Revitalization*, removal of nine (9) specimen trees is required on Clinton Market Place South. The removal of these trees requires a variance from Section 25-122(g) of Subtitle 25 of the Prince George’s County Code which requires these trees be preserved. Justification for the variance request is provided below.

REQUIRED FINDINGS FOR SPECIMEN TREE VARIANCES

The observed specimen trees located for our Property are shown on the Approved NRI/FSD (NRI / 88 / 07, rev .01) and are identified as:

| No. | Common Name | Scientific Name | DBH (inches) | Condition Rating | Condition Comments | Disposition |
|-----|------------------|--------------------------------|--------------|------------------|--|-------------|
| 1 | white oak | <i>Quercus alba</i> | 36 | Good (81) | Trunk & top damage, dieback | Remove |
| 2 | white oak | <i>Quercus alba</i> | 30 | Excellent (91) | Top damage, dieback | Remove |
| 3 | white oak | <i>Quercus alba</i> | 31 | Good (82) | Trunk & top damage, dieback | Remove |
| 4 | white oak | <i>Quercus alba</i> | 37 | Fair (78) | Trunk & top damage, dieback, cavity | Retain |
| 5 | white oak | <i>Quercus alba</i> | 35 | Excellent (94) | Dieback | Retain |
| 6 | white oak | <i>Quercus alba</i> | 34 | Poor (56) | Root, trunk & top damage, significant dieback | Remove |
| 7 | white oak | <i>Quercus alba</i> | 38 | Fair (75) | Leaning, trunk & top damage, dieback | Remove |
| 8 | | | | | Prior tree not found, may be new #14 | Remove |
| 9* | yellow poplar | <i>Liriodendron tulipifera</i> | 38 | Good (81) | Top damage, dieback | Remove |
| 10* | yellow poplar | <i>Liriodendron tulipifera</i> | 36 | Poor (62) | Root, trunk & top damage, dieback | Retain |
| 11* | yellow poplar | <i>Liriodendron tulipifera</i> | 38 | Good (81) | Top damage, dieback | Retain |
| 12* | yellow poplar | <i>Liriodendron tulipifera</i> | 36 | Poor (59) | Located beyond 100' from site boundary; Girdling roots, root, trunk & top damage, dieback | Retain |
| 13* | southern red oak | <i>Quercus falcata</i> | 34 | Poor (68) | Located beyond 100' from site boundary; Root, trunk & top damage, dieback | Retain |
| 14* | white oak | <i>Quercus alba</i> | 36 | | Top damage, dieback | Retain |
| 15* | yellow poplar | <i>Liriodendron tulipifera</i> | 42 | Poor (68) | V-fork (3); root, trunk & top damage, dieback | Remove |
| 16* | yellow poplar | <i>Liriodendron tulipifera</i> | 32 | Good (87) | Located beyond 100' from site boundary; Top damage, dieback - likely old #12 | Retain |
| 17* | yellow poplar | <i>Liriodendron tulipifera</i> | 31 | Good (81) | Located beyond 100' from site boundary; Trunk & top damage, dieback | Retain |
| 18* | yellow poplar | <i>Liriodendron tulipifera</i> | 31 | Good (81) | Located beyond 100' from site boundary; Root, trunk & top damage, dieback | Retain |
| 19* | southern red oak | <i>Quercus falcata</i> | 33 | Fair (72) | Located beyond 100' from site boundary; Root, trunk & top damage, dieback | Retain |
| 20 | white oak | <i>Quercus alba</i> | 42 | Poor (50) | Root, trunk & top damage, dieback | Remove |

*Tree denoted with an asterik is located off-site within 100-feet of the property boundary.
Specimen tree location, condition, and tables taken from previously approved NRI's - NRI/087/07 rev 01 & NRI /088/07 rev 01.

These trees identified as in decline and or damaged, must be removed to provide the intended residential development for the area serving Clinton Market Place North as well as Brandywine Road and its business intersection.

Section 25-122(b)(1)(G) requires the preservation of specimen trees.

- (G) 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.**

A variance to Section 25-122(b)(1)(G) is requested.

REQUIRED FINDINGS

Section 25-119(d) sets forth the following requirements for approvals of variances to requirements of Subtitle 25 – Trees and Vegetation.

(d) Variances

- (1) An applicant may request a variance from this Division as part of the review of a TCP where owing to special features of the site or other circumstances, implementation of this subtitle would result in unwarranted hardship to an applicant. To approve a variance, the approving authority shall find that:**

- (A) Special conditions peculiar to the property have caused the unwarranted hardship;**

RESPONSE: The identified 9 specimen trees slated for removal all display forms of declining health or contain existing damage including various ailments such as root and trunk damage and crown dieback. The trees slated for removal are located throughout the site and accommodations have been made to preserve specific trees that were on or near our site boundary. Due to their location on the site, there is no reasonable way to develop the Property in a manner that does not impact these trees position and their critical root zones.

By understanding the physiology and forest biology of existing interior trees and their current microclimate; we evaluated the potential unintended impacts associated with removing surrounding woodland from these specimen trees. Microclimate changes including increased sun exposure and wind can negatively impact a formally interior dwelling tree and alter its growth trend. These future impacts were taken into account when assessing the trees disposition.

We did find opportunity to pull in the limit of disturbance after careful review of specimen locations to preserve many of the highest quality trees within the boundary areas. By preserving these native mature trees on the periphery we create a buffer for the offsite woodland and add value to the development and its future residents.

The removal of specific specimen trees is necessary for the intended residential development for the revitalization of the Clinton area. Development impacts to the Property for townhouses provides needed residential opportunities in line with the vision of the approved Central Branch Avenue Corridor Revitalization Sector Plan. The trees locations and various degrees of health and the corridor sector plans recommendation to develop the Property are conditions peculiar to this Property and would cause an undue hardship to the Applicant. If the variance is denied, the Property cannot be developed in the manner envisioned by the corridor sector plan.

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

RESPONSE: Again, the Property is in the M-X-T Zone. The opportunity this portion of the Property provides to the community aligns with the residential/transportation oriented development envisioned by the zoning. Creating a residential connection to the Brandywine, Piscataway intersection will provide increased residential access for the transient and potential local commuters within the region. Denying the variance would deprive the Applicant the ability to develop the Property in accordance with identified zoning intent and recommendation, a right commonly enjoyed by others in the area.

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

RESPONSE: Similarly to the Finding (B) above, the variance confers no special privileges on the applicant that would be denied to other applicant. This Property is recommended for mixed use development that includes transportation oriented residential development. The variance is necessary if the applicant is to be permitted to develop the Property in a manner outlined in the aforementioned zoning as well as the Approved Central Branch Avenue Corridor Revitalization – sector plan. Allowing the Applicant to develop the Property in accordance with County planning documents does not confer upon the Applicant any special privilege.

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

RESPONSE: The request is based on the specimen trees form, various health conditions including existing damage and approximate locations in regards to the areas of the Property best suited for the zoning intended for a residential community. The thoughtful development of this Property is in accordance with the type of mixed use development currently zoned for the property.

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

RESPONSE: Again, the request arises from the opportunity to increase access to residential development envisioned by the Approved Central Branch Avenue Corridor Revitalization –sector plan and the apportioned M-X-T Zoning. This is not a condition relating to land or a building use on a neighboring property.

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

RESPONSE: The in development Stormwater Management Concept Plan will provide water quality measures in the form of micro-bioretenion and grass swale facilities. These facilities are intended to effectively manage and treat stormwater runoff through retention and phytoremediation. These types of stormwater facilities improve water quality similar to healthy trees, shrubs, and herbaceous vegetation. One of the main purposes of the stormwater management concept plan is to provide water quality through various stormwater facility designs ensuring that the removal of the tree(s) will not adversely affect water quality.

CONCLUSION

Over the past several decades, Prince George’s County has been formulating policies to plan for dense, mixed-use transit-oriented development near Metro stations and emerging communities, as described in the Approved Central Branch Avenue Corridor Revitalization –sector plan This type of mixed use development encourages transit use in a most efficient, sensible manner, thus reducing the opportunity for future environmental impacts

Section 25-119(d)(4) states that a variance granted under these findings are not to be considered zoning variances. It is a specific variance meant to recognize special circumstances relating to the removal of specimen trees only. In this case, there are special circumstances relating to the Property. The variance—to allow the removal of specimen trees—is necessary to

CSP#18005
February 18, 2019

develop the Property in a manner envisioned by the Approved Central Branch Avenue Corridor Revitalization Sector Plan.

Having satisfied all requirements for approval, the Applicant respectfully requests approval of this variance to allow removal of these specimen trees.

Thank you for your consideration of this request and feel free to call or email with any questions or to discuss these matters. I can be reached at (240) 912-2189 or Sallison@rodgers.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'S. Allison', with a long horizontal line extending to the right.

Steven Allison, PLA, ISA Certified Arborist

Rodgers Consulting, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2018 Legislative Session

Resolution No. CR-13-2018
Proposed by Council Member Franklin
Introduced by Council Members Franklin and Davis
Co-Sponsors _____
Date of Introduction March 6, 2018

RESOLUTION

1 A RESOLUTION concerning

2 The Subregion 5 Master Plan and Sectional Map Amendment

3 For the purpose of approving, pursuant to the Land Use Article, Annotated Code of Maryland, as
4 well as the Zoning Ordinance for Prince George's County, being also Subtitle 27, Prince
5 George's County Code, as an Act of the Prince George's County Council, sitting as the District
6 Council for that portion of the Maryland-Washington Regional District in Prince George's
7 County, Maryland, certain specified minor amendments for certain parcels of land within the
8 2013 Subregion 5 Master Plan and Sectional Map Amendment, as set forth herein and proposed
9 via Council Resolution CR-062-2017, in order to realize certain specific transportation policy
10 goals and to facilitate the respective implementation of approved land use and development
11 strategies within applicable comprehensive plans.

12 WHEREAS, pursuant to the authority conferred by the Maryland General Assembly upon
13 this local legislative body via the Regional District Act ("RDA"), more specifically, within Titles
14 21 and 22, Land Use Article, Annotated Code of Maryland, the County Council of Prince
15 George's County, Maryland, sitting as the District Council for that portion of the Maryland-
16 Washington Regional District in Prince George's County ("District Council"), approved the
17 2013 *Subregion 5 Master Plan and Sectional Map Amendment* via adoption of Council
18 Resolution 080-2013 ("CR-080-2013") and Council Resolution 081-2013 ("CR-81-2013"),
19 respectively, on July 24, 2013; and

1 WHEREAS, in accordance with its local zoning procedures, the District Council approved
2 certain comprehensive land use and development policies for the physical development of land
3 within the plan area boundaries via its adoption of CR-080-2013 on July 24, 2013; and

4 WHEREAS, as expressly authorized within the local zoning laws, the District Council
5 concurrently approved certain specific zoning proposals to realize the development policy vision
6 within a Sectional Map Amendment (“SMA”) for the geographic area of the County included
7 within the plan boundaries via adoption of CR-081-2013, on July 24, 2013; and

8 WHEREAS, prior to its July 24, 2013, approval of the 2013 *Subregion 5 Master Plan and*
9 *Sectional Map Amendment*, on April 2, 2013, the District Council considered and approved
10 certain land use and development policies as to certain land dually sited within the *Central*
11 *Branch Avenue Corridor Revitalization Sector Plan* and a portion of the Subregion 5 master plan
12 area; and

13 WHEREAS, the District Council takes administrative notice that the 2013 *Central Branch*
14 *Avenue Corridor Revitalization Sector Plan* states its purpose, which is to respond to public
15 comments at workshops urging that land use and development policies for the Clinton
16 Commercial Core focus areas be updated to address public concerns about poor connectivity,
17 lack of quality retail choices, traffic congestion, and a lack of prior plan implementation; and

18 WHEREAS, the District Council also finds that, in rendering its final decision to approve
19 the *Central Branch Avenue Corridor Revitalization Sector Plan*, the approved land use and
20 development policy addressed the public’s concerns raised and approved comprehensive goals
21 and implementation strategies to facilitate redevelopment, make vital transportation
22 improvements to promote economic development and better connectivity within the Clinton
23 Commercial Core focus area of the plan; and

24 WHEREAS, as approved by the District Council, the 2013 *Central Branch Avenue*
25 *Corridor Revitalization Sector Plan* further calls for specific strategies to implement the current
26 land use and development policies for the subject properties within the downtown Clinton
27 Commercial Core focus area, including updated zoning and accelerated rezoning in the mixed-
28 use areas of the plan, to realize and redevelop the Clinton focus area with high-quality
29 development and desirable mix of uses; and

30 WHEREAS, despite the comprehensive development policy approved on April 2, 2013, by
31 the District Council to update the recommendations for the Clinton Commercial Core focus area,

1 the *Central Branch Avenue Corridor Revitalization Sector Plan* did not include a concurrent
2 Sectional Map Amendment, in accordance with the local zoning procedures, to approve detailed
3 zoning proposals for purposes of realizing the sector plan policy vision; and

4 WHEREAS, although the Council approved funding for a subsequent Sectional Map
5 Amendment process to approve specific zoning proposals consistent with the approved 2013
6 comprehensive plan, to date the Planning Board has not initiated any Sectional Map Amendment
7 process for the Central Branch Avenue Corridor Revitalization Plan area; and

8 WHEREAS, as a result, and notwithstanding overlapping area plan designations as to
9 certain properties dually-situated within the Subregion 5 Master Plan and Central Branch Avenue
10 Corridor Revitalization Sector Plan areas, the District Council hereby finds that there is a need to
11 harmonize the development and land use policies within the 2013 *Subregion 5 Master Plan and*
12 *SMA* with those of the 2013 *Central Branch Avenue Revitalization Corridor Sector Plan* for
13 certain properties in the general vicinity of Old Branch Road/Woodyard Road, as identified
14 herein; and

15 WHEREAS, the District Council further finds that, as recounted in the 2013
16 comprehensive plan and prior applicable master plans for the Subregion 5 plan area, there are
17 continuing regional transportation challenges along the US 301 and MD 5 corridors, resulting
18 from commuter traffic moving both into and returning from Charles County, that continue stymie
19 the potential for development in the southern area of the County within the master plan area
20 boundaries; and

21 WHEREAS, the District Council further finds that the 2013 *Central Branch Avenue*
22 *Corridor Revitalization Sector Plan* calls for an expedited rezoning process to achieve parity
23 between the zoning and land use development policies approved for the subject properties; and

24 WHEREAS, on July 7, 2015, and as is permitted pursuant to the its authority set forth in its
25 local law and the public general laws of the State, including Section 1-207, General Provisions
26 Article, Annotated Code of Maryland, as well as longstanding precedent established by the
27 Maryland Courts, the District Council approved a new, limited minor amendment process to the
28 text of its local laws via enactment of CB-035-2015, which is codified as Section 27-642 of the
29 Zoning Ordinance; and

30 WHEREAS, in order to realize the Central Branch Avenue and Subregion 5 plan visions,
31 particularly those relevant to transportation improvements in the Brandywine and Clinton areas

1 of the County, Section 27-642 of the Zoning Ordinance provides a specific process to consider
2 and approve certain targeted adjustments when justifiable and appropriate—here—to align the
3 land use and zoning classification for specified land located in the plan area with current County
4 development policies; and

5 WHEREAS, the District Council finds that the proposed changes in the Clinton
6 Commercial Core focus area will augment efforts to facilitate a public-private partnership to
7 funds millions in transportation improvements, especially the improvement of the MD-223/Old
8 Branch Avenue/Brandywine Road intersection in downtown Clinton, as approved in the current
9 Capital Improvement and Operating and Expense Budgets for the County, more specifically, *CIP*
10 *No. FD660002, Brandywine Road & MD 223 Intersection*; and

11 WHEREAS, as approved by the District Council within the 2013 *Subregion 5 Master Plan*
12 *and Sectional Map Amendment*, the land use and development policies for the area of the plan
13 described as the “Brandywine Community Center” call for a “mix of residential and commercial
14 land uses”; and

15 WHEREAS, District Council also finds that, in accordance with the prescriptions of the
16 Land Use Article, Annotated Code of Maryland, the current General Plan for the County, *Plan*
17 *Prince George’s 2035*, designates the plan area that includes the Brandywine Community Center
18 as “Town Center” with a corresponding mix of residential and commercial uses, which is not
19 consistent with the prescriptions governing the uses of land and requirements for development
20 under the current zoning classification for the subject property; and

21 WHEREAS, the proposed land use brings the subject properties into conformance with the
22 both the generalized future land use recommendation for the area within the current General
23 Development Plan for the County, *Plan Prince George’s 2035*, and the 2013 *Subregion 5 Master*
24 *Plan and Sectional Map Amendment*, which respectively call for mixed use zoning and land use
25 for the area of the subject properties known as the Brandywine Community Center; and

26 WHEREAS, on July 18, 2017, pursuant to its comprehensive planning and zoning authority
27 conferred by the Maryland General Assembly upon this local legislative body via the RDA, Land
28 Use Article, and Section 1-207, General Provisions Article, Annotated Code of Maryland, as
29 well as the provisions of its local zoning laws, namely Section 27-642 and Part 13 of the Zoning

1 Ordinance, the District Council unanimously adopted Council Resolution CR-062-2017, thereby
2 initiating certain proposed minor amendments to the 2013 *Subregion 5 Master Plan and*
3 *Sectional Map Amendment*; and

4 WHEREAS, as required by the procedures specified at law, CR-062-2017 included a
5 statement of the date for a joint public hearing to occur on October 10, 2017, to receive public
6 comments and other testimony in a record of joint public hearing testimony on the eight (8)
7 proposed minor amendments to the 2013 *Subregion 5 Master Plan and Sectional Map*
8 *Amendment*; and

9 WHEREAS, in accordance with the applicable prescriptions of state and local law, the
10 District Council and the Prince George's County Planning Board of the Maryland-National
11 Capital Park and Planning Commission conducted a duly-advertised joint public hearing on
12 October 10, 2017, in order to seek testimony and other public comment as to the proposed minor
13 amendments within a record of joint public hearing testimony; and

14 WHEREAS, after the close of the joint public hearing record on October 20, 2017, the
15 Planning Department technical staff prepared a digest of the testimony within the hearing record
16 for presentation of its analysis to the Prince George's Planning; and

17 WHEREAS, on November 2, 2017, the Planning Board conducted a public work session to
18 review the testimony within the public hearing record as well as associated technical staff
19 recommendations thereon; and

20 WHEREAS, after completing its review of the hearing record, the Planning Board
21 transmitted the public hearing record of testimony, together with its recommendation and the
22 assessments prepared by the Technical Staff on November 9, 2017; and

23 WHEREAS, on January 30 and February 27, 2018, respectively, the Council held public
24 meetings, convened as the Committee of the Whole, to be briefed by the Council's Zoning and
25 Legislative Counsel and the Planning Department Technical Staff regarding the testimony and
26 other exhibits within the joint public hearing record; and

27 WHEREAS, after respective procedural and substantive presentation by legal counsel to the
28 Council and Planning Board technical staff, as well as questions and other discussion regarding
29 the record of hearing testimony for the proposed minor amendments, the Council noted specific
30 support within several exhibits within the record of joint public hearing testimony that support
31 the proposed zoning changes for the properties that are the subject of proposed Minor

1 Amendments Four and Five and, in contrast, only general opposition within the hearing record
2 for Amendments Four and Five; and

3 WHEREAS, at the February 27, 2018, meeting of the Council convened as Committee of
4 the Whole and, having reviewed the testimony within the joint public hearing record in light of
5 applicable comprehensive plans for the area, the Council further noted the existence of current
6 applicable land use and development policies calling for mixed use residential and commercial
7 development for properties within Brandywine Community Center, which must facilitate the
8 critical transportation improvements in the Brandywine area; and

9 WHEREAS, upon concluding its discussion regarding the eight (8) proposed minor
10 amendments to the 2013 *Subregion 5 Master Plan and Sectional Map Amendment*, the Council
11 voted unanimously 7–0 to direct staff to prepare a Resolution of Approval as to proposed Minor
12 Amendments Four, Five, and Six, respectively; and to expressly reject the remaining proposed
13 minor amendments within CR-062-2017 by Disapproval of proposed Minor Amendments One,
14 Two, Three, Seven, and Eight, respectively; and

15 WHEREAS, it is the additional finding of the Council that the approval of the subject
16 proposed Minor Amendments 4, 5, and 6 shall not, by way of such modifications to zoning
17 classification, be deemed to supplant or otherwise exempt potential future development
18 proposals for the affected properties from conformance with all land use and development
19 regulations imposed by the Zoning Ordinance, particularly, all required public participation and
20 entitlement processes including, but not limited to, any applicable preliminary plan applications,
21 site plan applications, and association notification procedures.

22 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
23 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
24 Regional District in Prince George's County, Maryland, that, in accordance with provisions of
25 the Land Use Article and the General Provisions Article, Annotated Code of Maryland, as well
26 as Part 13 of the Zoning Ordinance for Prince George's County, being also Subtitle 27 of the
27 Prince George's County Code, the proposed Minor Amendments Four, Five, and Six to the 2013
28 *Subregion 5 Master Plan and Sectional Map Amendment*, as recited below, be and the same are
29 hereby APPROVED.
30

MINOR AMENDMENT NUMBER FOUR:

Amend the zoning classification for property located in the southwest quadrant of the intersection of Piscataway Road and Brandywine Road, from the C-S-C, C-O, and R-80 Zones, respectively, to the M-X-T Zone, as follows:

Lot 2 Tax Account Nos. 0975334, 0975342; Parcel 225 Tax Account No. 0906164; Parcel 212 Tax Account No. 0906172; Parcel 213 Tax Account No. 0906180; Parcel 226 Tax Account No. 0906198; Parcel 85 Tax Account No. 0906214; Parcel 59 Tax Account No. 0975276; Parcel 47 Tax Account No. 0912592; Parcel 46 Tax Account No. 0906156; Parcel 48 Tax Account No. 0864934; Lot 1 Tax Account No. 0912980; Parcel 56 Tax Account No. 0912972; Parcel 57 Tax Account No. 0915991; Lots 1-3 Tax Account No. 0911578; Parcel 58 Tax Account No. 0852731; Parcel 26 Tax Account No. 0888776; Parcel 83 Tax Account No. 0975300 ;Parcel 60 Tax Account No. 0874289; and Parcel 61 Tax Account No. 0883843.

MINOR AMENDMENT NUMBER FIVE:

Amend the zoning classification for property located on the east side of Old Branch Avenue, approximately 1,100 feet north of its intersection with Piscataway Road/Woodyard Road (MD 223) and north side of Woodyard Road (MD 223) from the C-S-C, C-O, R-55, and R-80 Zones, respectively, to the M-X-T Zone, as follows:

Parcel 37 Tax Account No. 0975268; Parcel 198 Tax Account No. 0983858; Parcel 149 Tax Account No. 0980540; Parcel 191 Tax Account Nos. 0872051 and 3245958; Parcel 187 Tax Account No. 0872044; Parcel 151 Tax Account No. 0980557; and Lot 1 Tax Account No. 0872077.

MINOR AMENDMENT NUMBER SIX:

Amend the zoning classification for property located on the west side of MD 5/US 301, approximately 1,900 feet north of its intersection with Chadds Ford Drive from the R-R to the M-X-T Zone, as follows:

Parcel 21, Tax Account No. 1182377; and Parcel 23, Tax Account Nos. 1180801 and 1180793.

BE IT FURTHER RESOLVED that, in accordance with provisions of the Regional District Act, Division II, Land Use Article and the General Provisions Article, Annotated Code of Maryland, as well as Part 13 of the Zoning Ordinance for Prince George’s County, being also

1 Subtitle 27 of the Prince George’s County Code, proposed Minor Amendments One, Two,
2 Three, Seven, and Eight, as proposed via the District Council’s adoption of CR-062-2017 on July
3 18, 2017, be and the same are hereby DISAPPROVED.

4 BE IT FURTHER RESOLVED that the Clerk of the Council shall transmit a copy of this
5 Resolution to the Prince George’s County Planning Board of the Maryland-National Capital Park
6 and Planning Commission in accordance with the prescriptions of Section 27-642 of the County
7 Zoning Ordinance.

8 BE IT FURTHER RESOLVED that the provisions of this Resolution are hereby declared to
9 be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence,
10 clause, phrase, or word of this Resolution is declared invalid or unconstitutional by a court of
11 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
12 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
13 Resolution, since the same would have been enacted or adopted without the incorporation in this
14 Resolution of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph,
15 subparagraph, subsection, or section.

Adopted this 6th day of March , 2018.

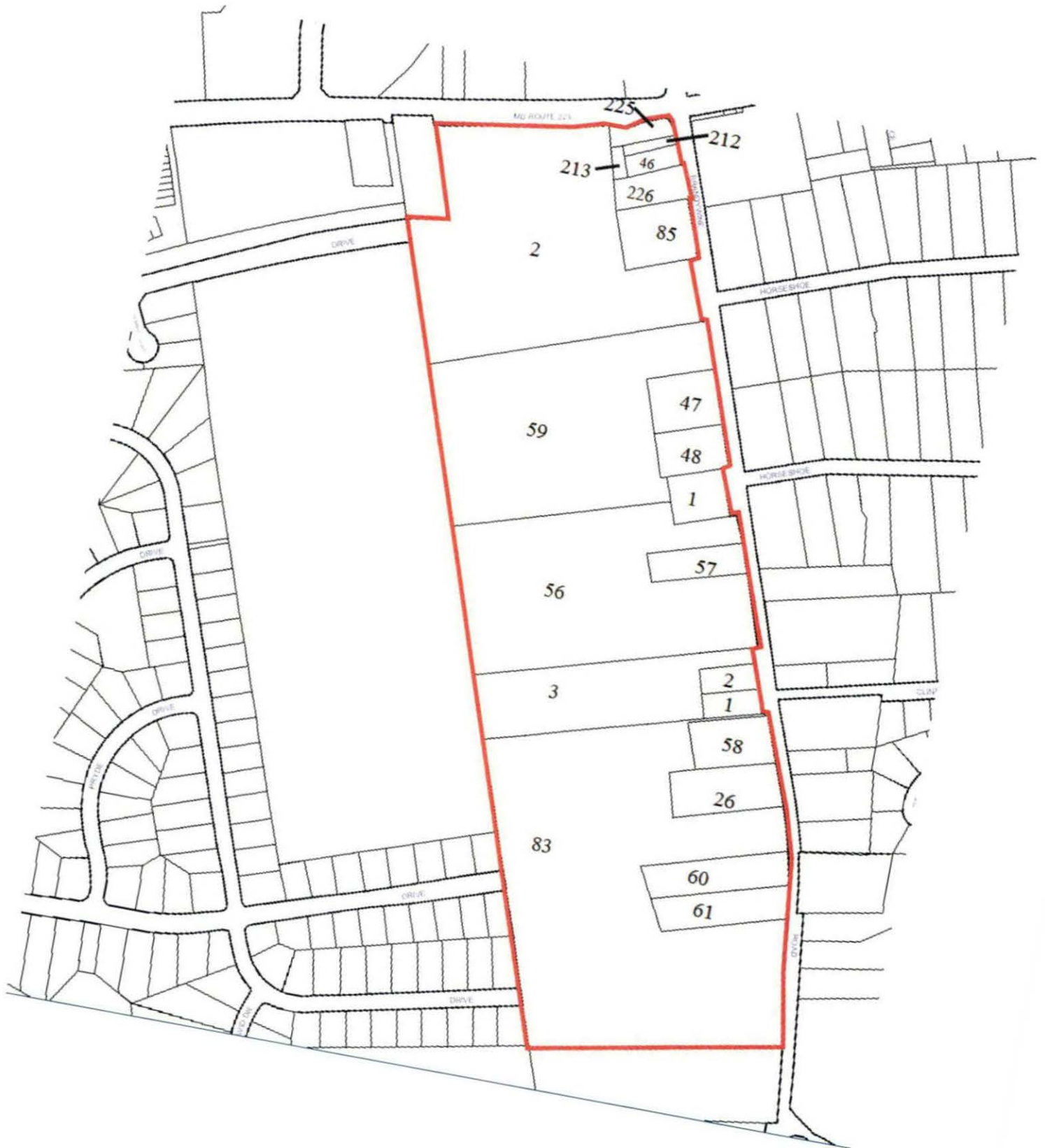
COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Dannielle M. Glaros
Chair

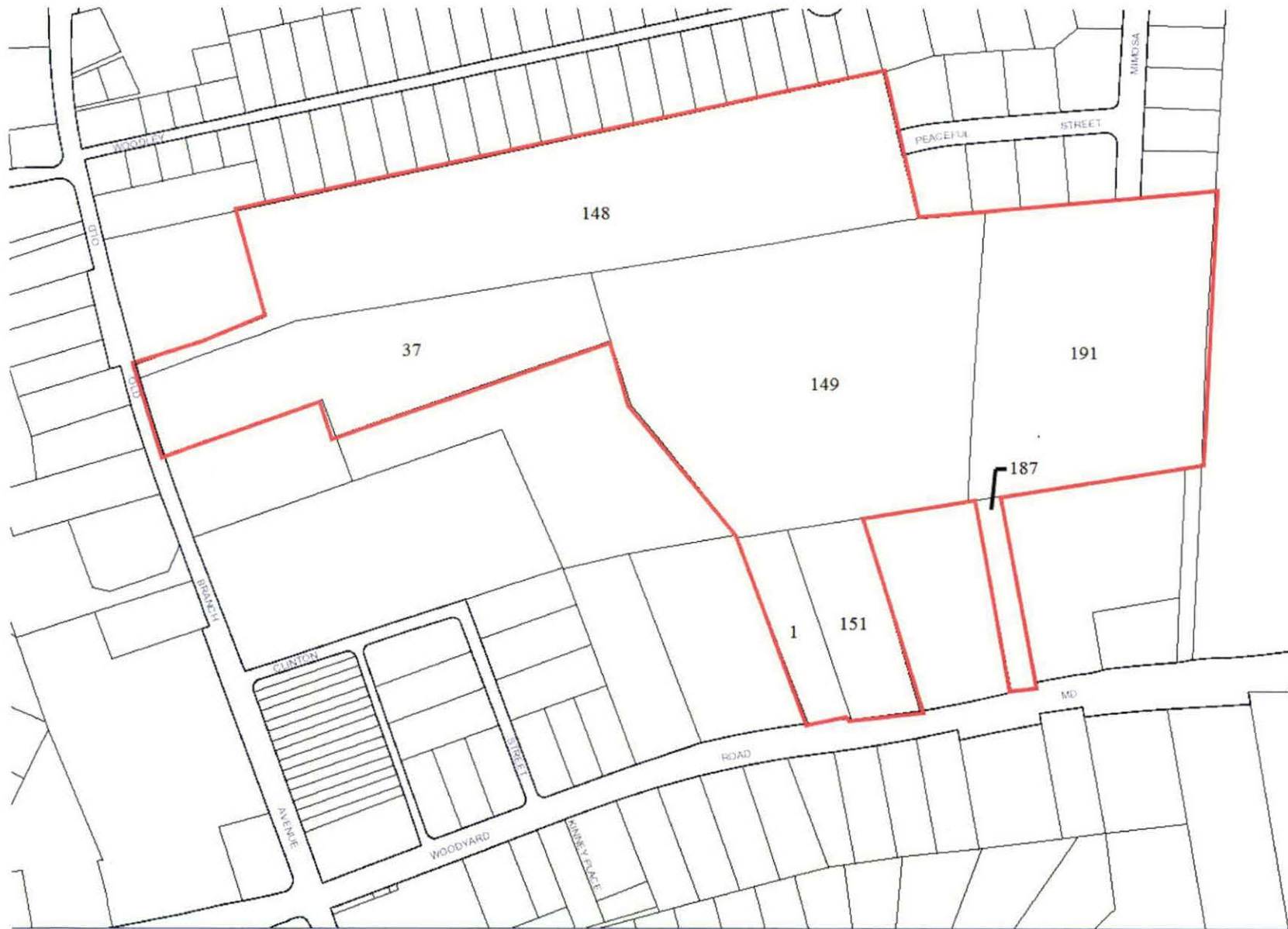
ATTEST:

Redis C. Floyd
Clerk of the Council

Amendment #4



Amendment #5





Amendment #6

ACCOKEEK

ROAD

P. 21

P. 23

5

& MD. ROUTE

DRIVE

JESS

BLVD.

June 24, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Urban Design Section, Development Review Division

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

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: CSP-18005: Clinton Market Place South

Findings

The subject property comprises 9.61 acres at 9405 Brandywine Road located on the west side of the road, 300 feet north of its intersection with Surratt's Road. The subject property is undeveloped. The subject application proposes a mixed-use development with residential and commercial uses. The subject property is Zoned M-X-T.

The 1879 Hopkins map indicates that Noble Thompson was residing on or near the subject property at that date. The 1894 Hopkins map shows Eugene White residing in the vicinity at that date. There is a medium to high probability that historic or prehistoric archeological resources will be identified on the subject property.

Conclusions

In accordance with the Planning Board's directives, as described in the *Guidelines for Archeological Review*, May 2005, and consistent with Subtitle 24-104, 121(a)(18), and 24-135.01, the subject property should be the subject of a Phase I archeological investigation to identify any archeological sites that may be significant to the understanding of the history of human settlement in Prince George's County, including the possible existence of slave quarters and slave graves, as well as archeological evidence of the presence of Native American people.

Recommendation

Historic Preservation staff recommends approval of CSP-18005 with the following conditions:

1. Prior to acceptance of the Preliminary Plan, Phase I (Identification) archeological investigations, according to the Planning Board's *Guidelines for Archeological Review* (May 2005), are recommended on the above-referenced property 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 staff archeologist prior to commencing Phase I work. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is requested prior to approval.

2. Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to the acceptance of any detailed site plan, ground disturbance or the approval of any grading permits, the applicant shall provide a plan for:
 - i.) Evaluating the resource at the Phase II level, or
 - ii.) Avoiding and preserving the resource in place.
3. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated at the Maryland Archaeological Conservation Lab in St. Leonard, Maryland, prior to any ground disturbance or the approval of any grading permits.
4. Depending upon the significance of findings (at Phase I, II, or III level), the applicant shall provide interpretive signage. The location and wording should be subject to approval by the staff archeologist prior to the issuance of any building permits.

August 12, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Master Planner, Development Review Division

VIA: Scott Rowe, AICP, CNU-A, Supervisor, Community Planning Division ^{BSR}
David A. Green, MBA, Master Planner, Community Planning Division ^{dg}

FROM: Thomas Lester, Senior Planner, Long-Range Planning Section, Community Planning Division ^{TEL}

SUBJECT: **CSP-18005 Clinton Market Place South**

FINDINGS

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: West side of Brandywine Road, 300 feet north of its intersection with Surratts Road

Size: 9.61 acres

Existing Uses: Vacant

Proposal: Mixed-use development consisting of 60-100 townhouses and 5,000-20,000 square feet of commercial/retail space

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is located in the Established Communities policy area. The vision for Established Communities is context-sensitive infill and low- to medium-density development.

Master Plan: The 2013 *Approved Central Branch Avenue Corridor Revitalization Sector Plan* recommends Open Space on the subject property.

Planning Area: PA 81A

Community: Clinton and Vicinity

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

SMA/Zoning: Council Resolution CR-13-2018, Minor Amendment Four, reclassified the subject properties from R-80 (One-Family Detached Residential) zone to the M-X-T (Mixed Use-Transportation Oriented) zone.

MASTER PLAN CONFORMANCE AT SUBDIVISION

The Community Planning Division finds that, pursuant to Section 24-121(a)(5), at the time of submittal of the preliminary plan of subdivision for the subject property, conformance to the approved sector plan will not be required because Council Resolution CR-13-2018, Minor Amendment Four, reclassified the subject property from R-80 (One-Family Detached Residential) zone to the M-X-T (Mixed Use-Transportation Oriented) zone. Staff finds this event renders the Open Space future land use recommendations of the Sector Plan no longer appropriate.

c: Long-range Agenda Notebook

August 22, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Urban Design Review Section, Development Review Division
FROM:  Tom Masog, Transportation Planning Section, Countywide Planning Division
SUBJECT: **CSP-18005: Clinton Market Place South**

Proposal

The applicant is seeking a conceptual site plan (CSP) approval for the purpose of developing a mixed-use retail and residential development.

Background

The site is subject to the general conceptual site plan findings included in Section 27-276; this section contains no specific transportation-related finding but does require that general access and circulation be reviewed as a part of the site design guidelines.

The site is also subject to findings related to the M-X-T Zone in Section 27-546. A rezoning to the M-X-T Zone was approved under Council Resolution CR-13-2018 as a part of three zoning changes processed as a minor amendment to the sectional map amendment within the *Subregion 5 Master Plan and Sectional Map Amendment*. The Council Resolution only rezones the subject site; it carries no additional conditions.

It shall be noted that this site will need to go through the preliminary plan of subdivision (PPS) process, and transportation adequacy will be further reviewed at that time. The traffic study for this project does not exactly match the maximum range of uses described on the site plan; the applicant has indicated that it would not be feasible for the site to be developed with the maximum of residential and the maximum of retail. The traffic study has utilized a reasonable mix of uses, and this will be further tested at the time of PPS with a revised traffic study and adequacy test based on the actual mix of uses that the applicant proposes at that time. The Transportation Planning Section will not establish a trip cap condition on this application but will do so for the PPS. Multiple trip caps on different applications governing the same property create a potential for conflicting findings during later stages of review. Adequacy is fully tested and determined at time of PPS through the application of Section 24-124 of the Subdivision Regulations, and a traffic study may be submitted with a slightly different mix of uses than was tested at CSP. The trip cap for the site will be based on the PPS entitlement.

A traffic study has been submitted with this application. The traffic study was referred to the Department of Public Works and Transportation (DPW&T) and the Department of Permitting, Inspections and Enforcement (DPIE), as well as the Maryland State Highway Administration (SHA).

The subject property is located within Transportation Service Area (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:

Links and Signalized Intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Analysis of Traffic Impacts

The application is a conceptual site plan for a mixed-use development consisting of the following uses having the following trip generation (with the use quantities shown in the table as described in the submitted traffic study):

| Trip Generation Summary: CSP-18005: Clinton Market Place South (CMPS) | | | | | | | | |
|---|--------------|-------------|--------------|-----------|-----------|--------------|-----------|------------|
| Land Use | Use Quantity | Metric | AM Peak Hour | | | PM Peak Hour | | |
| | | | In | Out | Tot | In | Out | Tot |
| Retail | 7,500 | square feet | 4 | 3 | 7 | 38 | 42 | 80 |
| Less Pass-By (60 percent per Guidelines) | | | -2 | -2 | -4 | -23 | -25 | -48 |
| Net Trips for Retail | | | 2 | 1 | 3 | 15 | 17 | 32 |
| Townhouse | 100 | units | 56 | 14 | 70 | 28 | 52 | 80 |
| Total Proposed Trips | | | 58 | 15 | 73 | 43 | 69 | 112 |

The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, and links in the transportation system:

- MD 223 at Brandywine Road/Old Branch Avenue (signalized)
- MD 223 at CMPN site access (proposed to be signalized)
- Brandywine Road at Horseshoe Road/CMPN site access (proposed to be signalized)
- Brandywine Road at Clinton Market Place South (CMPS) site access (unsignalized)

The submitted study has been written to analyze the subject site and another nearby site that is controlled by the same applicant. That approach is deemed acceptable. For purposes of the analysis, the other nearby site (which has been previously approved as CSP-18004 for Clinton Market Place North) is part of background for this application.

Existing Traffic:

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

| EXISTING TRAFFIC CONDITIONS | | | | |
|--|-----------------------------------|-------|------------------------------------|---|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| | MD 223 at Old Branch/Brandywine | 1,385 | 1,359 | D |
| MD 223 at CMPN site access | future | | | |
| Brandywine Road at Horseshoe/CMPN site access | 701 | 744 | A | A |
| Brandywine Road at CMPS site access | future | | | |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond normal range of the procedure and should be interpreted as a severe inadequacy. | | | | |

Background Traffic:

The intersection of MD 223 and Old Branch Avenue/Brandywine Road is programmed for improvement with 100 percent construction funding within the next six years in the current Prince George’s County Capital Improvement Program (CIP), with the requirement for developer funding and, as such, it is computed into total traffic and not background traffic. The traffic study also assumes that “a public street connection will be constructed between MD 223 and Brandywine Road” in the southwestern quadrant of this intersection, and it utilizes a diversion for this connection. However, no evidence of the public street connection can be found in the CIP description, nor can the dedication be found on any plats. Therefore, this public street connection cannot be considered under background traffic, although it can be considered under total traffic, as the applicant is proposing such a connection.

Background traffic has been developed for the study area using 26 approved, but unbuilt, developments within the study area. There is an underlying PPS (4-78245) on this site, and that plan is included as a part of background. A 1.0 percent annual growth rate for a period of six years has been assumed. The critical intersections, when analyzed with background traffic and existing lane configurations, operate as follows:

| BACKGROUND TRAFFIC CONDITIONS | | | | |
|--|-----------------------------------|-------|------------------------------------|---|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| | MD 223 at Old Branch/Brandywine | 1,749 | 1,832 | F |
| MD 223 at CMPN site access | 790 | 897 | A | A |
| Brandywine Road at Horseshoe/CMPN site access | 979 | 1,098 | A | B |
| Brandywine Road at CMPS site access | future | | | |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. | | | | |

Total Traffic:

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the "Transportation Review Guidelines," including the site trip generation as described above, operate as follows:

| TOTAL TRAFFIC CONDITIONS | | | | |
|--|-----------------------------------|-------|------------------------------------|----|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| | MD 223 at Old Branch/Brandywine | 1,771 | 1,875 | F |
| MD 223 at CMPN site access | 794 | 902 | A | A |
| Brandywine Road at Horseshoe/CMPN site access | 997 | 1,123 | A | B |
| Brandywine Road at CMPS site access | 15.6* | 29.6* | -- | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy. | | | | |

An inadequacy in both peak hours is noted in the table above at the MD 223 and Old Branch Avenue/Brandywine Road intersection. The intersection of MD 223 and Old Branch Avenue/Brandywine Road is programmed for improvement with 100 percent construction funding within the next six years in the current CIP, with the requirement for developer funding. With that improvement in place, the intersection would operate with a critical lane volume (CLV) of 1,159 and LOS C in the AM peak hour. In the PM peak hour, the intersection would operate with a CLV of 1,205 and LOS C. The improvements included within the "Brandywine Road and MD 223 Intersection" project in the current CIP include the following:

- (1) On the northbound approach, three approach lanes with exclusive through, right-turn, and left-turn lanes.

- (2) On the westbound approach, three approach lanes with exclusive through and left-turn lanes and a shared through/right-turn lane.
- (3) On the eastbound approach, four approach lanes with two through lanes and exclusive right-turn and left-turn lanes.

It is determined, therefore, that the CIP project with partial developer funding will result in acceptable operations at this intersection. Therefore, the applicant will be required to provide funding toward this improvement, with the level of construction and/or financial participation to be determined in cooperation with the Prince George's County Department of Permitting, Inspections and Enforcement and/or the Prince George's County Department of Public Works and Transportation, and supplied at the time of preliminary plan of subdivision.

Plan Comments

Brandywine Road is a Master Plan collector facility with a proposed width of 80 feet. The right-of-way is acceptable as shown on the conceptual site plan.

The conceptual plan is largely acceptable as shown. However, as a means of improving general community access, allowing access for the adjacent community to Brandywine Road and improving the delivery of public services to the neighborhood, the plan must be modified to show an access arrow to the west at Gwynndale Drive. This access can be reviewed further at the time of preliminary plan of subdivision and detailed site plan.

Given the density of residential portion of the site and the degree to which residences are served by private roadways, fire vehicle access will need to be checked at PPS and at detailed site plan. The conceptual plan provides no dimensions on alleys or private streets, and while that is in keeping with the conceptual nature of the plan, it raises concerns about general access and circulation that will need to be addressed at later stages of review.

There are no prior underlying plans having transportation-related conditions.

Conclusion

From the standpoint of transportation, it is determined that this plan is acceptable and meets the findings required for a conceptual site plan as described in the Zoning Ordinance if approved with the following conditions:

1. Prior to the issuance of any building permits within the subject property, unless modified at the time of PPS pursuant to Section 27-546(d)(9):
 - a. The following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency (with improvements designed, as deemed necessary, to accommodate bicycles and pedestrians):

MD 223 at Brandywine Road/Old Branch Avenue:

- (1) On the northbound approach, provide three approach lanes with exclusive through, right-turn, and left-turn lanes.
- (2) On the westbound approach, provide three approach lanes with exclusive through and left-turn lanes and a shared through/right-turn lane.
- (3) On the eastbound approach, provide four approach lanes with two through lanes and exclusive right-turn and left-turn lanes.

If the above-listed improvements are to be provided pursuant to the “Brandywine Road and MD 223 Intersection” project in the current Prince George’s County Capital Improvement Program, the applicant shall, in cooperation with the Prince George’s County Department of Permitting, Inspections and Enforcement and/or the Prince George’s County Department of Public Works and Transportation, demonstrate the construction and/or financial participation. This information shall be supplied to the Transportation Planning Section at the time of preliminary plan of subdivision.

2. Revise the conceptual site plan to show an access arrow along the west side of the subject property to Gwynndale Drive.

August 15, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Master Planner, Urban Design Section

VIA: Sherri Conner, Supervisor, Subdivision and Zoning Section *yc*

FROM: Christopher Davis, Senior Planner, Subdivision and Zoning Section *CD*

SUBJECT: CSP-18005, Clinton Market Place South

The subject property is located on Tax Map 116 in Grid C4, and is known as Parcel 83, recorded among the Prince George's County Land Records in Liber 36392 folio 599. The property is 9.61 acres and is located within the Mixed Use Transportation Oriented (M-X-T) Zone. The property is located on the west side of Brandywine Road, approximately 200 feet north of its intersection with Surratts Road.

The subject Parcel 83 is an acreage parcel which has never been the subject of a preliminary plan of subdivision or a final plat. While the 2014 deed labeled on the CSP, and found in Liber 36391 at folio 599, describes the subject property as 15.67 acres, a 2019 deed has been submitted with this CSP, found in Liber 42333 at folio 329, which describes that Parcel 83 has been legally subdivided by this deed to convey 5.84 acres to the Maryland-National Capital Park and Planning Commission for public use, in accordance with Section 24-107(c)(5) of the Subdivision Regulations. As a result of this subdivision, Parcel 83 has retained an acreage of approximately 9.61 acres.

The applicant has submitted this conceptual site plan (CSP) for the approval of a mixed-use development consisting of approximately 60–100 single-family attached dwelling units and 5,000–20,000 square feet of commercial/retail development.

Plan Comments

1. A preliminary plan of subdivision (PPS) will be required pursuant to Section and 24-107 of the Subdivision Regulations.
2. Additional right-of-way along MD 381 (Brandywine Road) may be required at the time of PPS.
3. Circulation through the site, appropriate connectivity to the abutting streets of Gwynndale Drive and/or Small Drive, and the spatial relationship of the uses to each other and the abutting properties will be further reviewed at the time of PPS.
4. A 10-foot public utility easement will need to be provided on both sides of any proposed public roads and either side of a proposed private road at the time of PPS.

5. At the time of PPS, all private roads proposed must show a minimum pavement width of 22 feet pursuant to 24-128(b)(7) of the Subdivision Regulations.

Recommended Conditions

1. Prior to certification of the CSP, the following revision shall be made to the plans:
 - a. Clearly label all bearings and distances for the subject Parcel 83 on all sheets of the CSP.
 - b. Revise sheet 3 of the CSP to clearly mark the property boundaries of Parcel 83 only, consistent with the boundaries shown on the other sheets of the CSP.
 - c. Revise General Note 20 to state that mandatory park dedication will be determined at the time of PPS.

This referral is provided for the purposes of determining conformance with 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.

August 22, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Development Review Division

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division
Ben Ryan, Transportation Planning Section, Countywide Planning Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division ^{BBW}
Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: Conceptual Site Plan Review for Master Plan Trail Compliance

The following conceptual site plan (CSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* (MPOT) and/or the appropriate area master plan in order to provide the appropriate recommendations.

Conceptual Site Plan Number: CSP-18005

Name: Clinton Market Place South

Type of Master Plan Bikeway or Trail

| | | | |
|-------------------|---------------|---------------------------|---------------|
| Municipal 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> </u> | M-NCPPC - Parks | <u> </u> |
| HOA | <u> </u> | Bicycle Parking | <u> X </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* and/or the appropriate area master/sector plan in order to implement planned trails, bikeways, and pedestrian improvements. Staff recommendations based on current or proposed conditions are also included in this memo.

The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*.

Background and Preliminary Comments:

The subject application is located on Brandywine Road just north of Surratts Road. Residential and retail uses are proposed on Parcel 83. Two master plan trails/bikeways impact the subject site, with "dual route" recommendations along Brandywine Road and C-514. Bike/pedestrian facilities along C-514 will be provided at the time of road construction. The definition of a dual route is below.

Dual routes are roads that contain an off-road bicycle and pedestrian facility and an on-road bicycle facility. An appropriate on-road component of a dual route facility would be a shared-use roadway, where bicyclist share the road with vehicles, or a painted bike lane. Even a wide, outside curb lane or a paved road shoulder can be used by bicyclists. Off-road components of a dual route facility would be either a sidepath or wide sidewalk that could be used by bicyclist, equestrians and pedestrians. Dual routes are planned along most of the major roadways where four or more travel lanes are proposed (Subregion 5 Master Plan, page 115).

Comment: Staff recommends continuous sidewalk along the site's entire frontage of Brandywine Road, unless modified by Prince Georges County Department of Public Works and Transportation (DPW&T) or the Department of Permitting, Inspections and Enforcement. The planned bike lane along Brandywine Road per the *Approved Countywide Master Plan of Transportation*, warrants a bikeway signage fee to accommodate future bicycle improvements. Additional dedication of right of way will be reviewed at the time of preliminary plan of subdivision. The additional right of way will provide additional space for the master plan bicycle lanes.

The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Street Section includes the following policies regarding sidewalk construction and the accommodation of pedestrians and provisions of Complete Streets:

Policy 1:

Provide standard sidewalks along both side 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.

Comment: Staff recommends sidewalk access be provided to all residential units and both sides of all internal roads, excluding alleys, consistent with the Complete Streets policies of the MPOT. Provision of sidewalks will be reviewed in further detail during the subject site's future application for a preliminary plan of subdivision and/or detailed site plan. Additionally, bicycle parking will be recommended at the time of detailed site plan to further accommodate all modes of transportation.

The MPOT also includes several policies for providing a continuous network of sidewalks, bikeways, and trails that increase opportunities for residents to make some trips by walking or bicycling:

Policy 2:

Provide adequate pedestrian and bicycle linkages to schools, parks, recreation areas, commercial areas, and employment centers.

Policy 9:

Provide trail connections within and between communities as development occurs, to the extent feasible and practical.

The subject application proposes park dedication at the southern edge of the subject property.

Comment: Trails or walking paths are appropriate in, and connecting to, this park. This will be reviewed further at the time of preliminary plan of subdivision and detailed site plan. Additionally, the submitted development application does not provide any connection between the subject site and the neighborhoods immediately west. General pedestrian and bicycle circulation and access could be improved by an additional connection along Gwynndale Drive. This access will be reviewed further at the time of preliminary plan of subdivision.

Conclusion

Due to nature of the subject application (conceptual site plan), no recommendations are made at this time. Details regarding bicycle improvements and pedestrian access will be addressed at the time of preliminary plan and detailed site plan.

Countywide Planning Division
Environmental Planning Section

301-952-3650

August 19, 2019

MEMORANDUM

TO: Jeremy Hurlbutt, Master Planner, Urban Design Section

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section *MKR*

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section *MKR for CS*

SUBJECT: **Clinton Market Place South; CSP-18005; TCP1-007-2019
(9405 Brandywine Road)**

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 June 11, 2019. Verbal comments were provided in a Subdivision Development Review Committee meeting on July 12, 2019. Revised information was received on August 14, 2019. The Environmental Planning Section recommends approval of CSP-18005 and TCP1-007-2019 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-088-07-01 | N/A | Staff | Approved | 5/1/2015 | N/A |
| CSP-18005 | TCP1-007-2019 | Planning Board | Pending | Pending | Pending |

Proposed Activity

The applicant is requesting approval of a Conceptual Site Plan and a Type 1 Tree Conservation Plan (TCP1-007-2019) for the construction of a mixed-use development consisting of 94 townhouse dwelling units and 50,000 square feet of 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 CSP and there are no previous tree conservation plan approvals.

Site Description

This 9.61-acre site is zoned M-X-T and is located on the west side of Brandywine Road in Clinton. A review of the available information indicates that the only regulated environmental feature identified

on-site is a stream buffer located along the southern property line. The soil types found on-site according to the United States Department of Agriculture Natural Resources Conservation Services (USDA NRCS) Web Soil Survey (WSS) are Beltsville silt loam, Croom-Marr complex, and Grosstown – Hoghole – Urban land complex. Marlboro. Christiana Clays do not occur on or in the vicinity of this site. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), there are no rare, threatened, or endangered species found to occur on or near this property. The on-site stormwater drains to the south to an off-site stream system and to the east towards Brandywine Road. This site is in the Piscataway Creek watershed which flows into the Potomac River. The site has frontage on Brandywine Road, which is identified as a Master Plan Collector Roadway and a historic roadway. 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 almost the entire site is located within the Regulated and Evaluation Areas.

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-088-07-01, was approved on May 1, 2015, and provided with this application. The site contains a stream buffer and Primary Management Area (PMA) from an off-site stream system. There are specimen trees scattered throughout the property. 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 (TCP1-007-2019) was submitted with the CSP application.

Based on the TCP1 submitted with this application, the site contains 8.55 acres of woodland and has a woodland conservation threshold of 1.44 acres (15 percent). The Woodland Conservation Worksheet proposes the removal of 8.14 acres on the net tract area for a woodland conservation requirement of 4.25 acres. The requirement is proposed to be met with 0.41 acres of woodland preservation, 0.14 acres of reforestation, and 3.70 acres of off-site woodland preservation. The reforestation is proposed to supplement one of the preservation areas so that it meets the minimum size requirements to be counted as woodland conservation. The other woodland preservation area does not appear to consistently meet the minimum width requirement. The woodland conservation areas must meet the minimum requirements to be counted as credit.

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

- a. Add "TCP1-007-2019" to the approval block and to the worksheet.
- b. Ensure all woodland conservation areas meet the minimum requirements to be counted as credits.

- c. 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 Environmental Technical Manual.”

The specimen tree table lists 19 specimen trees that are located both on-site (eight) and (eleven) that are located just off-site. One of the specimen trees (ST-8) was identified on the NRI and was not located during this investigation, but the specimen tree ST-14 is believed to be the missing tree. The eight on-site specimen trees were identified with the ratings of excellent (specimen trees 2, and 5), good (specimen trees 1, and 3), fair (specimen trees 4, and 7), and poor (specimen trees 6 and 20) and the 11 adjacent specimen trees identified with the ratings of good (specimen trees 9, 11, 16, 17 and 18), fair (specimen tree 19), poor (specimen trees 10, 12, 13, and 15) and one specimen (14) tree not rated. The current design proposes to remove seven specimen trees (eight on-site specimen trees 1, 2, 3, 6, 7, 20 and two off-site specimen trees 9 and 15) for the development.

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 June 11, 2019.

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 removal of all eight specimen trees located on-site. Details specific to the individual trees have also been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

| ST # | COMMON NAME | Diameter (in inches) | RATING | CONDITION | DISPOSITION |
|------|---------------|----------------------|-----------|--------------------------------------|---------------|
| 1 | White Oak | 36 | Good | Trunk/Top Damage/Dieback | To be removed |
| 2 | White Oak | 30 | Excellent | Top Damage/Dieback | To be removed |
| 3 | White Oak | 31 | Good | Trunk/Top Damage/Dieback | To be removed |
| 6 | White Oak | 34 | Poor | Root Trunk/Top Damage/Dieback | To be removed |
| 7 | White Oak | 38 | Fair | Leaning/ Trunk/Top Damage/Dieback | To be removed |
| 9 | Yellow Poplar | 38 | Good | Top Damage/Dieback | To be removed |
| 15 | Yellow Poplar | 42 | Poor | Root/Trunk/Top Damage/Dieback | To be removed |
| 20 | White Oak | 42 | Poor | Root/Trunk/Top Damage/Dieback | To be removed |

Statement of Justification request:

A variance from Section 25-122(b)(1)(G) is requested for the clearing of eight specimen trees on-site. The site consists of 9.61 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 94 townhouse dwelling units, and 50,000 square feet of commercial/retail space. This variance is requested to the WCO 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.

The text in **BOLD**, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

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

The eight specimen trees on-site range in condition ratings from excellent to poor; however, the comments provided in the specimen tree table indicates that even the trees rated as excellent have existing conditions including trunk damage, top damage, and dieback, that would make preservation difficult given the extent of the proposed development within the M-X-T zone. Saving a tree with existing stress conditions within this development would likely end up dying due to stress and needing to be removed during or shortly after construction.

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

The protection of an existing stressed condition specimen tree within a proposed development area would not be required to be protected in similar applications. These trees are recommended for removal to prevent the developer from coming back in the future to request the removal of a dead tree within their project limits. The proposed development of the site is in keeping with similar projects within the area.

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

See criteria (B).

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

This request is not based on conditions or circumstances which are solely the result of actions by the Applicant. The removal of the specimen trees is primarily due to their health. The request is not the result of actions by the applicant.

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

This request is based on the health of the specimen trees. This request is not based on a condition relating to land or a building use on a neighboring property.

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

The proposed Clinton Market Place South development will not adversely affect water quality because the review of the project will be subject to the requirements of the Maryland Department of the Environment (DoE), the Prince George's County Soil Conservation District (PGSCD), and the approval of a stormwater management (SWM) concept plan by the Department of Permitting, Inspections, and Enforcement (DPIE).

Recommended Finding: Based on the level of design information currently available, and the limits of disturbance shown on the TCP1, a determination that the removal of Specimen Tree #1, 2, 3, 6, 7, 9, 15 and 20 can be made at this time. Staff acknowledges that the removal of the eight specimen trees are necessary due to the poor health of the trees.

Preservation of Regulated Environmental Features/Primary Management Area

The site contains Regulated Environmental Features (REF). According to the TCP1, impacts to the PMA are proposed for stormwater management structures. A statement of justification has been received for the proposed impacts to the PMA and stream buffer. As part of this application, staff performed a site visit to evaluate the existing features of the site. During the Subdivision Development Review Committee (SDRC) meeting on July 12, 2018 it was determined that possible changes that were to occur to the subdivision layout and impacts could not be fully evaluated at this time. The impacts to the regulated environmental features will be reviewed in greater detail during the review of the Preliminary Plan application.

Stormwater Management

An unapproved SWM Concept plan was submitted with the application. The SWM concept plan shows the use of Environmentally Sensitive Design (ESD) elements to address water quality requirements.

The approved SWM 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.

Erosion and Sediment Control

No information with respect to erosion and sediment control was submitted with the subject application; however, it should be noted that the site is located within a Tier II catchment area (Piscataway Creek) as designated by the Maryland Department of the Environment (MDE). Tier II streams are high quality stream segments that have an existing water quality that is significantly better than the minimum water quality standards. As part of the State's antidegradation requirements, the applicant may be required by the Soil Conservation District (SCD) to provide expanded stream buffer and/ or enhanced protection measures as part of the erosion and sediment control design.

Summary of Recommended Findings and Conditions

Recommended Findings:

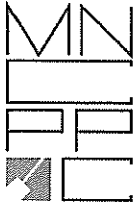
1. Based on the level of design information currently available, and the limits of disturbance shown on the TCP1, a determination that the removal of Specimen Tree #1, 2, 3, 6, 7, 9, 15 and 20 can be made at this time. Staff acknowledges that the removal of the eight specimen trees are necessary due to the poor health of the trees.

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 shall be reduced to the extent practicable and re-evaluated in greater detail at the time of Preliminary Plan of Subdivision.

Recommended Conditions:

1. Prior to certification of the conceptual site plan, the TCP1 shall be revised as follows:
 - a. Add "TCP1-007-2019" to the approval block and to the worksheet.
 - b. Ensure all woodland conservation areas meet the minimum requirements to be counted as credits.
 - c. Have the revised plan signed and dated by the qualified professional preparing the plan.

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



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


Department of Parks and Recreation


6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: August 19, 2019

TO: Jeremy Hurlbutt, Senior Planner
Urban Design Section
Development Review Division
Planning Department

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

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

SUBJECT: **CSP-18005, Clinton Market Place South**

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 2013 Approved Subregion 5 Master Plan and Sectional Map Amendment, County Council Resolution CR-13-2018, the Approved Central Branch Avenue Corridor Revitalization Sector Plan, the Land Preservation, Parks and Recreation Program (LPPRP) for Prince George's County, and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, as they pertain to public parks and recreational facilities.

FINDINGS:

The subject property is located on the west side of Brandywine Road (MD Route 381), 300 foot north of its intersection with Surratts Road in Clinton, Maryland. It

is a wooded 9.61 acre parcel zoned M-X-T (Mixed Use - Transit Oriented). The applicant proposes 60-100 townhomes on the main portion of the property and 5,000-20,000 square feet of commercial/retail space for the area of the property closest to Brandywine Road. Located in the middle of the development is a central green area with proposed recreational facilities, which will serve as the focal point for the community.

Per Section 24-134 (a) of the Prince George's County Zoning Ordinance, at the time of Preliminary Plan of Subdivision, the residential portion of this subject property will be subject to the mandatory dedication of approximately 1.34 acres of parkland. The applicant has proposed to provide private recreational facilities. Given the proposed limited green space areas interspersed within the residential portions of the proposed development, and the high need for recreational facilities in the surrounding community, the applicant should consider allocating more area for private recreation facilities onsite. In addition, at the time of Preliminary Plan of Subdivision, the applicant should dedicate a 0.25 acre triangular-shaped piece of property adjacent to Small Drive. This acquisition will provide public frontage onto Small Drive for vehicular access into the adjacent M-NCPPC park property, as well as provide a future trail connection into Cosca Regional Park.

DPR has determined that private onsite recreational facilities are appropriate for the residential portion of this development. The applicant provided conceptual information on proposed private recreational facilities that will be constructed with the development and available to the residents. At the time of Preliminary Plan of Subdivision, the applicant should provide private on-site recreation facilities, as well as convey a small portion of property to meet the mandatory dedication of parkland requirement. These two items will help serve the recreational needs of the residents within this proposed community. The final location and list of recreational amenities will be reviewed by the Urban Design Section staff at the time of Detailed Site Plan review and approval.

RECOMMENDATION:

The staff of the Park Planning & Development Division of DPR recommends to the Planning Board approval of the above referenced Concept Site Plan CSP-18005, subject to the following recommendations:

- 1) At the time of Preliminary Plan of Subdivision, the applicant should allocate area for private on-site recreation facilities to meet the mandatory dedication of parkland requirement and to serve the recreational needs of the residents within this proposed community.
- 2) At the time of Preliminary Plan of Subdivision, the applicant should convey to the M-NCPPC 0.25 +/- acres of parkland as shown as DPR Exhibit 'A'. The land should be conveyed prior to the signature of the record plat for the subdivision.



Legend

- Site Boundary
- Existing Contours
- Existing Buildings
- Existing Tree Line
- Slope Steep 15% or greater
- Limits of Disturbance
- Cleared (Woodland cleared)
- WPA (Woodland preservation)
- WRA (Woodland Rehabilitation/ Afforestation)
- Stream Buffer
- Primary Management Area (PMA)
- Regulated Stream (Intermittent/Perennial)
- Specimen Tree To Be Removed
- Specimen Tree To Be Retained

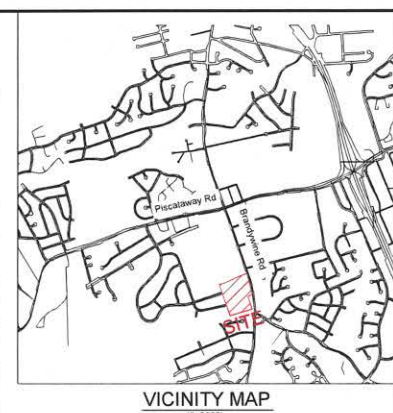


EXHIBIT 'A'

CSP-18005 DPR 8/15/19

Standard Woodland Conservation Worksheet for Prince George's County

| SECTION I: Establishing Site Information | Column 1 | Column 2 | Column 3 | Column 4 |
|--|----------|----------|----------|----------|
| 1.1 Property Description or Subdivision Name | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.2 Gross Acreage | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.3 Woodland | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.4 Woodland Cleared Land | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.5 Total Woodland | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.6 Total Woodland to be Preserved | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.7 Total Woodland to be Cleared | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.8 Total Woodland to be Afforested | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.9 Total Woodland to be Restored | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.10 Total Woodland to be Managed | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.11 Total Woodland to be Preserved | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.12 Total Woodland to be Cleared | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.13 Total Woodland to be Afforested | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.14 Total Woodland to be Restored | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.15 Total Woodland to be Managed | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.16 Total Woodland to be Preserved | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.17 Total Woodland to be Cleared | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.18 Total Woodland to be Afforested | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.19 Total Woodland to be Restored | 0.00 | 0.00 | 0.00 | 0.00 |
| 1.20 Total Woodland to be Managed | 0.00 | 0.00 | 0.00 | 0.00 |

General Information Table

| Layer Category | Layer Name | Value |
|----------------|-----------------------------------|------------|
| Zone | Zoning (Zone) | M-X-T |
| Zone | Aviation Policy Area (APA) | N/A |
| Administrative | Tax Grid | 11B-C4 |
| Administrative | WSSC Grid | 212508 |
| Administrative | Planning Area (Plan Area) | 81A |
| Administrative | Election District (ED) | 9 |
| Administrative | Councilmanic District (CD) | 9 |
| Administrative | General Plan 2002 Tier (Tier) | Developing |
| Administrative | Traffic Analysis Zone (TAZ-COG) | 1365 |
| Administrative | PG Traffic Analysis Zone (TAZ-PG) | 2600 |

Site Statistics

| Site Statistics | Total |
|--|-------|
| Gross Tract Area | 9.01 |
| Existing 300-year Floodplain | 0 |
| Net Tract Area | 9.01 |
| Existing woodland in Floodplain | 0 |
| Existing PMA and Total | 8.55 |
| Existing PMA | 0.08 |
| Regulated Streams LF | 0 |
| Riparian (Wooded) Buffer up to 300 feet wide | 1.95 |

Specimen Tree Table

| No. | Common Name | Scientific Name | DBH (inches) | Condition Rating | Condition Comments | Disposition |
|-----|------------------|-------------------------|--------------|------------------|--|-------------|
| 1 | White oak | Quercus alba | 16 | Good (G1) | Trunk & top damage, debark | Remove |
| 2 | White oak | Quercus alba | 16 | Good (G1) | Trunk & top damage, debark | Remove |
| 3 | White oak | Quercus alba | 17 | Fair (F2) | Trunk & top damage, debark, cavity | Retain |
| 4 | White oak | Quercus alba | 15 | Poor (P3) | Root, trunk & top damage, significant debark | Remove |
| 5 | White oak | Quercus alba | 14 | Fair (F2) | Leaning, trunk & top damage, debark | Remove |
| 6 | White oak | Quercus alba | 18 | Fair (F2) | Leaning, trunk & top damage, debark | Remove |
| 7 | White oak | Quercus alba | 18 | Fair (F2) | Leaning, trunk & top damage, debark | Remove |
| 8 | White oak | Quercus alba | 18 | Fair (F2) | Leaning, trunk & top damage, debark | Remove |
| 9 | Yellow poplar | Liquidambar styraciflua | 32 | Good (G1) | Trunk & top damage, debark | Retain |
| 10 | Yellow poplar | Liquidambar styraciflua | 36 | Good (G1) | Trunk & top damage, debark | Retain |
| 11 | Yellow poplar | Liquidambar styraciflua | 38 | Good (G1) | Trunk & top damage, debark | Retain |
| 12 | Yellow poplar | Liquidambar styraciflua | 36 | Good (G1) | Trunk & top damage, debark | Retain |
| 13 | Southern red oak | Quercus falcata | 16 | Poor (P3) | Trunk & top damage, debark | Retain |
| 14 | White oak | Quercus alba | 16 | Poor (P3) | Trunk & top damage, debark | Retain |
| 15 | Yellow poplar | Liquidambar styraciflua | 42 | Poor (P3) | Trunk & top damage, debark | Remove |
| 16 | Yellow poplar | Liquidambar styraciflua | 37 | Good (G1) | Trunk & top damage, debark | Retain |
| 17 | Yellow poplar | Liquidambar styraciflua | 31 | Good (G1) | Trunk & top damage, debark | Retain |
| 18 | Yellow poplar | Liquidambar styraciflua | 31 | Good (G1) | Trunk & top damage, debark | Retain |
| 19 | Yellow poplar | Liquidambar styraciflua | 31 | Good (G1) | Trunk & top damage, debark | Retain |
| 20 | White oak | Quercus alba | 13 | Fair (F2) | Trunk & top damage, debark | Retain |
| 21 | White oak | Quercus alba | 12 | Fair (F2) | Trunk & top damage, debark | Retain |

0.25 ac. +/- To BE DEDICATED To M-NCPPC AT TIME OF PPS

- Type 1 TCP NOTES:**
- This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements for Plan CSP-18005. If CSP-18005 expires, then this TCP1 also expires and is no longer valid.
 - The TCP1 will be modified by a Type 2 Tree Conservation Plan in conjunction with the approval of a detailed site plan, a specific design plan, and/or a grading permit application, whichever comes first.
 - The Type 2 Tree Conservation Plan will provide specific details on the type and location of protection devices, signs, reforestation, afforestation, and other details necessary for the implementation of the requirements on this site. The details and limits of disturbance shown on the TCP2 shall be consistent with all other plans for the site, including the stormwater management plan and the erosion and sediment control plan.
 - Changes to the type, location, or extent of the woodland conservation reflected on this plan are subject to the conformance provisions of Section 25-119(c) of the Woodland Conservation Ordinance.
 - Cutting, clearing, or damaging woodlands contrary to this plan, as modified by a Type 2 Tree Conservation Plan, or in the absence of an approved Type 2 Tree Conservation Plan, without the expressed written consent of the Prince George's County Planning Board or designee shall be subject to appropriate mitigation which may include restoration of the disturbed area and a fine not to exceed \$9.00 per square foot of woodland disturbed.
 - The developer or builder of the lots or parcels shown on this plan shall notify future buyers of any woodland conservation areas through the provision of a copy of the approved TCP2 at time of contract signing. Future owners of the property are also subject to this requirement.
 - The property is within Prince George's 2035 Environmental Strategy Area Two, formerly the developing tier and is zoned M-X-T, Mixed Use Transportation.
 - The site is not adjacent to a roadway designated as scenic, historic, a parkway or a scenic byway.
 - The site is not adjacent to a roadway classified as arterial or greater.
 - This plan is not grandfathered by CB-27-2010, Section 25-119(g).
 - TCP1 based on approved NRI by others - NRI-088-07 rev 01.

| REVISION | DATE | REVISION | DATE | REVISION | DATE |
|----------|------|----------|------|----------|------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Prepared For:
Piscataway Clinton LLC
c/o Kenneth H. Michael
Chairman of the Board
NAI The Michael Companies
10100 Business Parkway
Lanham, MD 20706

Clinton Market Place - South
9th Election District
Tax Map 116, Parcel 83
Prince George's County, Maryland

RODGERS CONSULTING
1101 Mercantile Ln, Suite 280, Largo, Maryland 20774
Ph: 201.948.0700 Fax: 301.948.6255 www.rodgers.com

BY: [Signature] DATE: 08/15/19
BASE DATA: [Signature] DATE: 08/15/19
DESIGNED: [Signature] DATE: 08/15/19
DRAWN: [Signature] DATE: 08/15/19
REVIEWED: [Signature] DATE: 08/15/19
RODGERS CONTACT: [Signature]

RELEASE FOR: [Signature] DATE: [Signature]

TYPE 1 TREE CONSERVATION PLAN

Scale: 1" = 60'
JOB No: 1279A1
DATE: August 2019

CSP-18005_Backup 61 of 64

MEMORANDUM

June 25, 2019

TO: Jeremy Hurlbutt, Urban Design Section
Development Review Division, M-NCPPC

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

RE: Clinton Market Place South
Conceptual Site Plan No. CSP-18005

CR: Brandywine Road

This memorandum is in response to the Conceptual Site Plan No. CSP-18005 referral which includes a revision to the stormwater management facilities. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located on the west side of Brandywine Road, 300 feet north of the intersection of Brandywine Road and Surratts Road.

Roadways

- Brandywine Road is a County-maintained roadway.
- For Brandywine Road, right-of-way dedication and road improvements in accordance with the Department of Public Works and Transportation's (DPW&T) Urban 4-Lane Collector Road Standards are required.
- Based on the Master Plan, Road C-514, which has not yet been constructed, fronts along the southern property line, and is planned with an 80-foot right-of-way. Right-of-Way dedication and construction is required for this road.
- Full-width, 2-inch mill and overlay will be required along roads in or near the property that will be disturbed for utility work.

- The property is adjacent to dead end roads, Small Drive and Gwynndale Drive. The project should connect to these roadways.
- Private roadways are to be designed, bonded and permitted in accordance with applicable County Codes, Standards and Specifications.
- The access to the site should be constructed as a commercial driveway apron in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act (ADA).
- Street construction or site development fine grading permits are required for improvements within public roadway right-of-way, and for the proposed private internal roadways. Maintenance of private streets is not the responsibility of Prince George's County.
- Conformance with 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, are required.
- In accordance with Section 23-141 of the County Road Ordinance, roadside trees will be required within the limits of the permit area.
- The nearby County streets will be utilized by construction vehicles and may not support heavy vehicular loads. The developer will be responsible for reconstructing any damaged streets in accordance with DPW&T's Specifications and Standards.

Environmental

- A floodplain lies close to the southern property line and it shall be delineated.
- No buildings shall be constructed within 25 feet of the floodplain.

Stormwater Management

- The proposed Conceptual Site Plan is consistent with the revised Stormwater Management Concept No. 38548-2018-0 which still is under review.
- All stormwater management (SWM) facilities/drainage (SD) systems, are to be constructed in accordance with DPW&T and the Department of the Environment's (DoE) requirements. Approvals of all facilities are required prior to permit issuance.
- An approved final erosion and sediment control plan is required prior to permit issuance.
- Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay in accordance with the established DPW&T's Policy and Specifications for Utility and Maintenance Permits are required.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required, by the applicant.
- A Geotechnical Report for the site, roads and stormwater management devices must be provided at the time of the submission of the concept and again at the time of grading permit.
- Applicant shall provide a signal warrant analysis at proposed entrances.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2060.

MCG:MA:csw

cc: Rene Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Piscataway Clinton, LLC, 10100 Business Parkway, Lanham,
Maryland 20706
McNamee Hosea, 6411 Ivy Lane, Suite 200, Greenbelt, MD 20770

Additional Back-up

For

CSP-18005

Clinton Market Place South

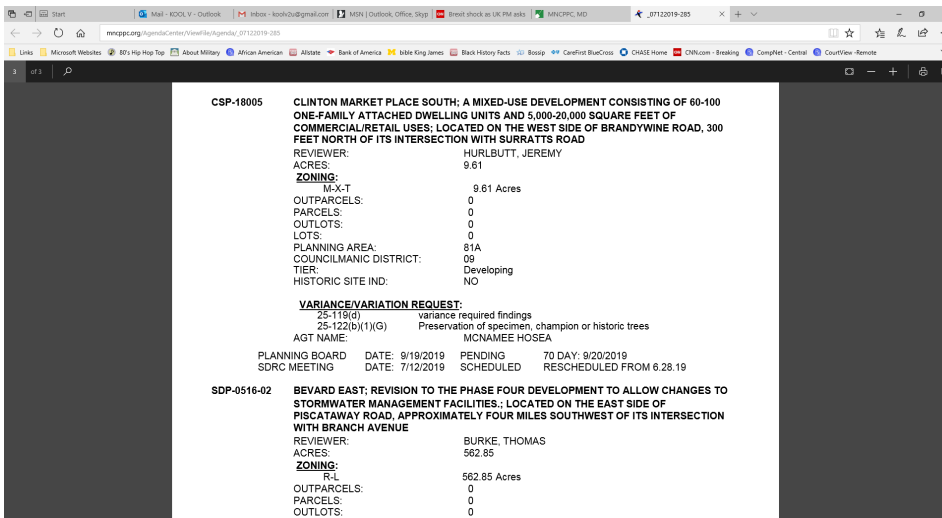
From: [KOOL V](#)
To: [Hurlbutt, Jeremy](#)
Subject: CSP-18005
Date: Wednesday, August 28, 2019 10:07:08 AM
Attachments: [image.png](#)

Good morning Mr. Hurlbutt. My name is Vavian Cox, and I am a resident of Clinton Md. I notice the hearing signs posted on Brandywine Rd near the intersection of Brandywine Rd and Surratts Rd, and was curious what was about to happen. So after a little research, I found the following screen shot below.

I find it frustrating that more development is being plan off of Brandywine Rd. With all the housing development that has occurred, it is sooo congested on this main artery, and now more development is in the works!! I don't know if you travel Brandywine Rd much, but my family and I do!! Traffic has gotten worst year after year because of OVER-DEVELOPMENT!! There is one lane for each direction, and traffic is backed up from Piscataway / Woodyard Rds, pass Surratts Rd going south on a regular basis, except for late nights.

If this type of development is being planned, what's the plan for the road??

I welcome your response to this question. I understand I'm on the outside looking in, but from my perspective, this is a bad idea for the residents of Clinton who no other option but travel Brandywine Rd.



Mr. Vavian E. Cox
Concerned Clinton Resident for over 28 years

EXHIBIT'S LIST

Regular Planning Board Meeting

SEPTEMBER 19, 2019

Exhibits Transmitted to Development Review Division

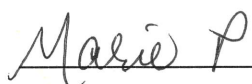
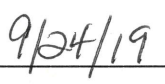
AGENDA ITEM #6 – CONCEPTUAL SITE PLAN

CSP-18005 CLINTON MARKET PLACE SOUTH

The following exhibits were accepted and entered into the record:

| | | |
|--|------------------------|---------|
| Additional Back-up | Citizen's Exhibit #1 | 2-pages |
| Memo from Kevin Kennedy | Applicant's Exhibit #1 | 2-pages |
| Roadway Improvement Plan | Applicant's Exhibit #2 | 1-page |
| Blakely Spotlight-Clintondale Newsletter | Citizen's Exhibit #2 | 1-page |

MARIE PROCTOR 9/24/2019

Sign and Date

REC'D BY PGCPB ON 9-19-2019
ITEM # 6 CASE # CSP-18005
EXHIBIT # Citizens Exhibit #1

Additional Back-up

For

CSP-18005

Clinton Market Place South

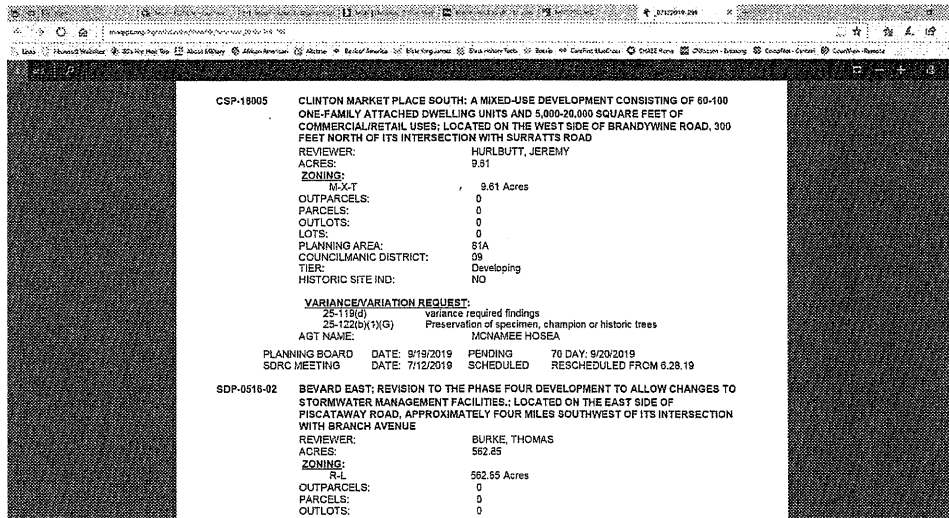
Colynas E. I.

From: KOOL V
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Mr. Vavian E. Cox
Concerned Clinton Resident for over 28 years

REC'D BY PGCPB ON 9-19-2019
ITEM # 6 CASE # CSP-18005
EXHIBIT # Applicants Exhibit #1

Matthew C. Tedesco

From: Kevin J. Kennedy <kkennedy@naimichael.com>
Sent: Wednesday, September 18, 2019 9:56 AM
To: 'koolv2u@gmail.com'
Cc: Matthew C. Tedesco
Subject: CSP-18005 - Clinton Marketplace South
Attachments: Brandywine-MD223 Road Improvement exhibit w landscape.pdf

Mr. Cox:

I'm reaching out to you regarding the above-referenced development review application. I understand that you e-mailed Park and Planning with questions regarding the case on August 28 and we received a copy of your questions on September 6. I apologize that it has taken me a couple of weeks to get back to you on this. Frankly, I was confused the hearing date for this case with another one and thought that we had a few more weeks with which to schedule time to meet with you and some of your fellow residents who asked for information about the project. In any event, as you have probably seen from the notification signs or informational mailings, the Planning Board hearing for the above-referenced Conceptual Site Plan is scheduled for tomorrow at the County Administration Building, located at 14741 Governor Oden Bowie Drive, in Upper Marlboro, Maryland 20740. The hearings start at 10 am and we can never be sure exactly when our case will be heard. Our team will be in the lobby of the building by 9:30 am tomorrow, should you wish to look at plans or go over any questions that you might have.

Since the hearing is tomorrow, I wanted to reach you by e-mail this morning to give you some information regarding the road improvement project that is planned for Brandywine and Piscataway Roads in the vicinity of our project, since the road and traffic seemed to be your primary concern expressed in your e-mail to the planning staff. Attached, please see a copy of an exhibit that we prepared and that we have shown at several public meetings related to the road improvement projects. As you can see from the exhibit, the overall road improvement project includes widening Brandywine Road to four lanes, adding a new bypass road to allow westbound and southbound traffic to avoid the major intersection backups, and expanding the existing major intersection at Brandywine Road, Old Branch Avenue, and Piscataway Roads to allow for more efficient traffic handling to get cars through that intersection more quickly. Several years worth of traffic analysis have confirmed that the proposed improvements will significantly improve the functioning of the major intersection and reduce backups along the roads that feed into it, even after taking into account the proposed future developments, of which our client's project is a very small part.

While the road improvements are technically a separate and much larger project than our client's CSP, we agree that the road improvements are necessary and urgent. That is why The Michael Companies and our client, Piscataway Clinton LLC, have been working with the County for the last several years to push the road improvements, and our client has already even advanced hundreds of thousands of dollars for the initial engineering and design of the proposed road expansions and intersection improvements to help spur the County along. Over the past 18 months, we also worked to assist Park and Planning with the demolition of the old office building that was at the corner of Brandywine Road and Piscataway road and getting that corner cleaned up and ready for the upcoming intersection expansion. Now, we are working with Councilmember Harrison's office, the County's Department of Permitting Inspections and Enforcement (this is the agency responsible for overseeing the design and permitting of County Roads projects), the Maryland State Highway Administration, as well as developers of other, much larger projects in the area, to finalize the funding and project schedule for the needed improvements. We were able to successfully get funding for the road improvement project into this year's County budget and will continue to work on that to advocate for the full funding and completion of the project over the next couple of years.

Please review the information at your earliest convenience and feel free to contact me by reply email or by phone at 240-320-4722 if you have any questions.

Thank you,

Kevin
Thank you,

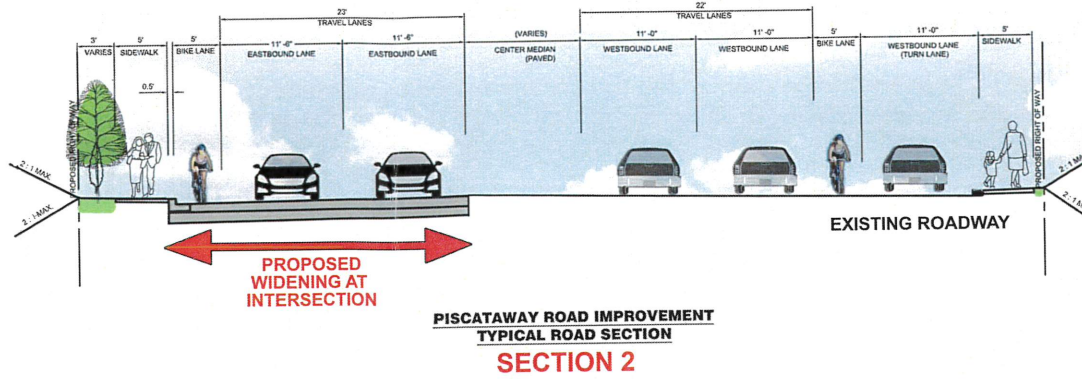
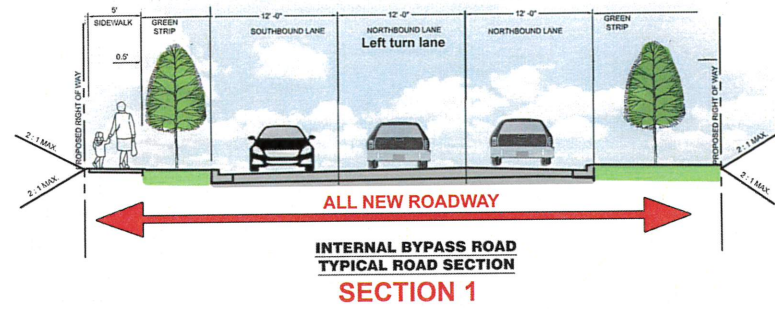
Kevin

Kevin J. Kennedy, Jr.
Senior Vice President – Development Division
NAI The Michael Companies, Inc.
Commercial Real Estate Services, Worldwide
10100 Business Parkway, Lanham, MD 20706
Tel: 301-459-4400 Direct: 301-918-2946 Fax: 301-459-1533

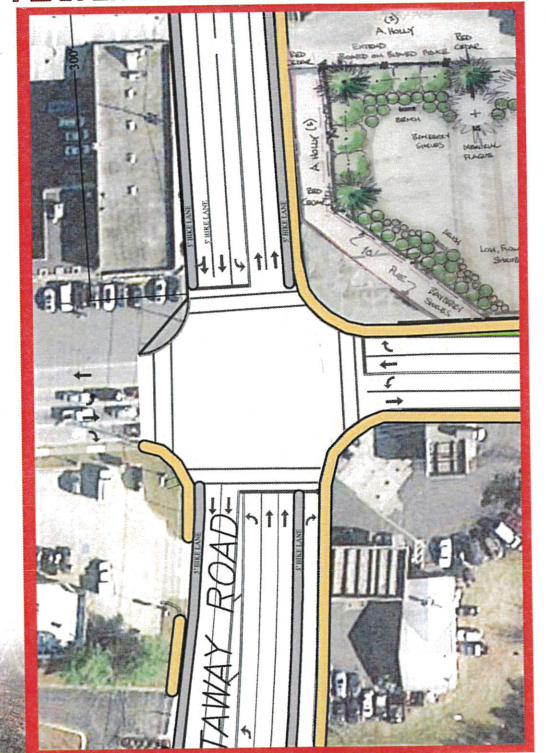
CLINTON DEVELOPMENT AND ROAD IMPROVEMENTS



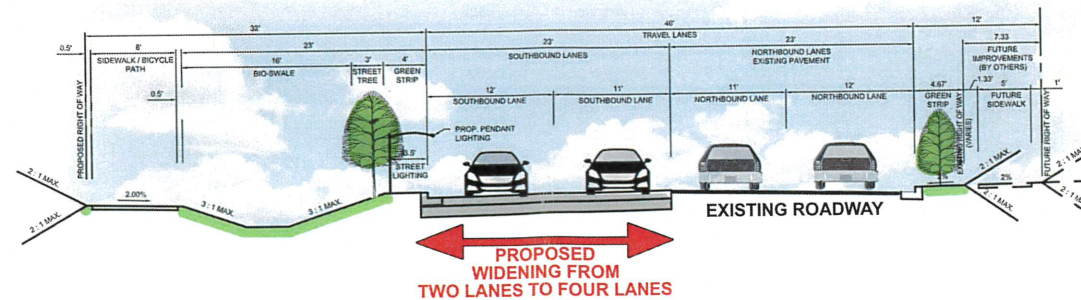
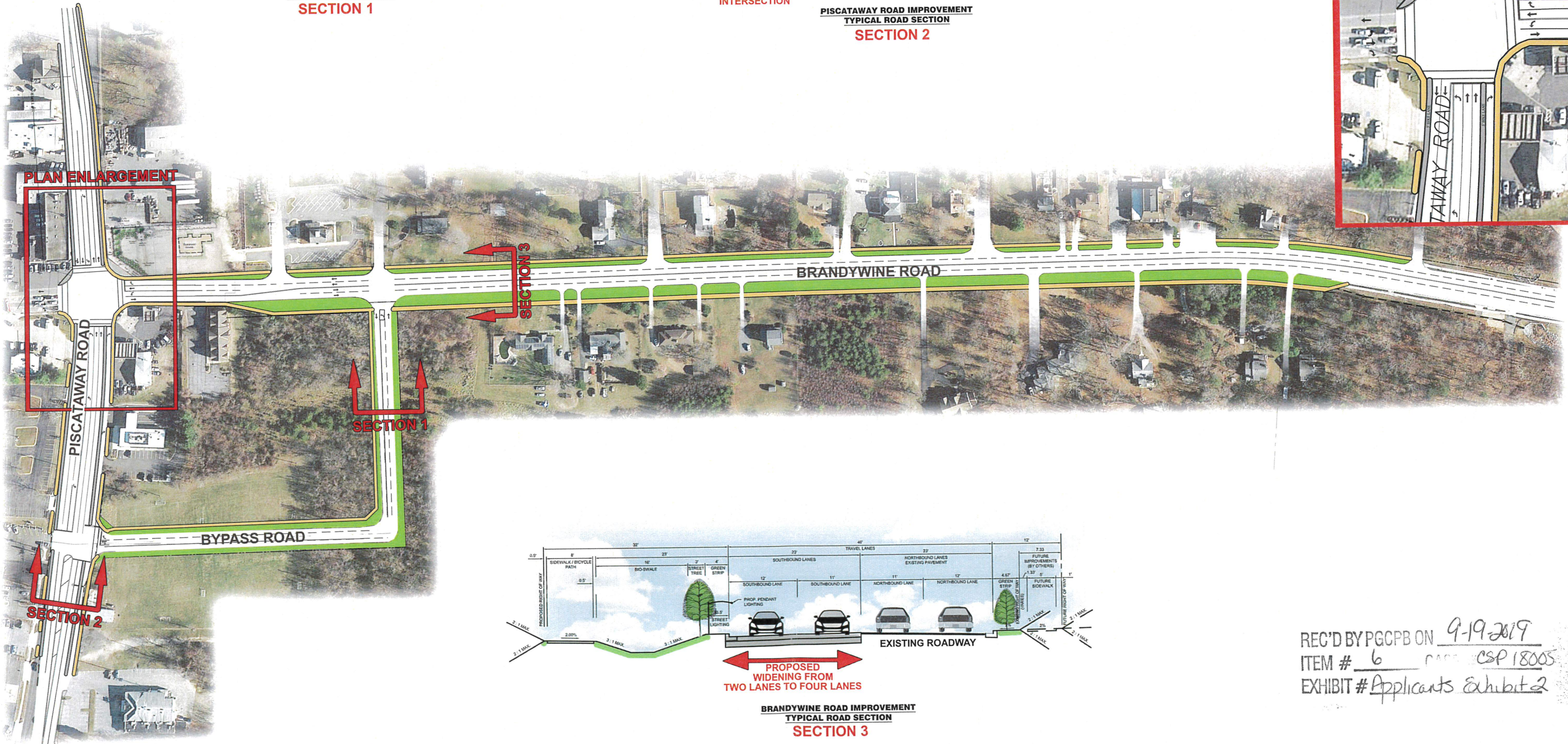
1" = 30'



PLAN ENLARGEMENT



PLAN ENLARGEMENT



REC'D BY PGCPB ON 9-19-2019
 ITEM # 6 CASE CSP 18005
 EXHIBIT # Applicants Exhibit 2

REC'D BY PGCPB ON 9-19-2019
EM # 6 CASE #
EXHIBIT # CSP-18605
Citizens Exhibit #2

BLAKELEY SPOTLIGHT

Clintondale Estates

Citizen Exhibit # 2

2019 Annual Newsletter

We Can Make It Happen

Community Pride

OK everyone; let's continue keeping our exterior home and yard improvements going to maintain the integrity of our neighborhood. Last year the "most prestigious looking home prize" went to 9001 Hardesty Drive. **This year it could be you!**

Also, when hosting private events, please ask your guests not to throw trash on neighborhood streets.

IT LOOKS TERRIBLE.

Pet Lovers.

Please restrict pet relief area to sidewalk grass only. Oh yes, don't forget the "POOPER SCOOPERS". **(IT'S THE LAW).**

Remember, the Bost Lane Swamp area is not a relief place for pets.



Operation Clean Sweep

The \$20.00 contribution per household is necessary for cleanup and maintenance of our corner entrance. When BCC members are working on the corner, many of you just ride by and offer no monetary support, or don't answer your door when we are collecting. **This is very sad. Please donate when we are working, collecting, OR use the attached envelop and place it under the doormats**

of 8915/9004 Hardesty, or 5906 Bost. Make sure your address is on it). We need your monetary support, and also volunteers to help with Operation Clean Sweep.

Contributions for 2018:

Hardesty Drive – 9004, 8911, 8900, 8913, 9001, 8907, 8905, 8913, 8915, 8902, 8906, 8904.

Barnes Drive – 5855, 5818, 5815, 5813, 5811, 5807, 5808, 5824, 5804, 5812.

Chad Way – 8906, 8909, 8911, 8915, 8907, 8904, 8905, 8910, 8914, 8916.

Bost Lane – 5906, 5905, 5710, 5800, 5907, 5908, 5902, 5804.

Osgood Court – 8803.

Elsie Court – 5903.

Thank you for giving, especially those who gave extra.

OBSERVATIONS

Speeding vehicles, including dirt bikes, are hazardous and noisy to everyone, especially the sick and elderly. Observe speed signs.

Our Neighborhood Watch is not operating at this time due to lack of male volunteers.

Therefore, all households are asked to serve as block captains. A couple of attempted break-ins have been reported. Use your alarm systems and outside lights daily. Keep your eyes and ears open. If you see any unusual activity on your block, call 911.

The District V Coffee Club

is a non-partisan public forum for all citizens, business owners, organizations, and public officials who share the goal of working together to build a stronger, safer community?

Presentations are made by District V police officers, representatives from other PG County departments, Md. State agencies and other organizations. Excellent to attend. The club meets every Wednesday at 9:00 am for one hour, at the Colony South Hotel. It gets crowded so COME EARLY to get a seat!

BLAKELEY COMMUNITY COMMITTEE (BCC)

**Vera Cook, President
Anita Smith, Vice-President
Nellie Satterfield, Member
Carol Price, Member
Terry Satterfield, Logistics
"AniSmi3@verizon.net"**

"We Care"

