SUPPLEMENTAL AGENDA ITEMS: 8, 9 & 10
AGENDA DATE: 10/24/2024

Note: Staff reports can be accessed at https://www.mncppc.org/883/Watch-Meetings

Amendment to a Basic Plan
Oak Creek Club – Landbay T

A-8427-01
A-8578-01
A-8579-01

REQUEST	STAFF RECOMMENDATION
This case was continued from the Planning Board hearing date of October 17, 2024 to October 24, 2024. Amendments to Basic Plans A-8427-01, A-8578-01 and A-8579-01, to increase residential density.	With the conditions recommended herein: • APPROVAL of Basic Plan Amendment A-8427-01 • APPROVAL of Basic Plan Amendment A-8578-01 • APPROVAL of Basic Plan Amendment A-8579-01

Location: At the northeast corner of the intersection of Mary Bowie Parkway and South Church Road.	
Gross Acreage:	8.09
Zone:	LCD
Prior Zone:	L-A-C/R-L
Reviewed per prior Zoning Ordinance:	Section 27-1704(h)
Dwelling Units:	0
Gross Floor Area:	0
Planning Area:	74A
Council District:	06
Election District:	07
Municipality:	N/A
200-Scale Base Map:	201SE12
Applicant/Address: Carrolton Oak Creek, LLC: 11785 Beltsville Drive Beltsville, MD 20705	
Staff Reviewer: Joshua Mitchum **Phone Number:** 301-952-4132 **Email:** Joshua.Mitchum@ppd.mncppc.org	

Planning Board Date:	10/24/2024
Planning Board Action Limit:	N/A
Staff Report Date:	09/17/2024
Date Accepted:	05/23/2024
Informational Mailing:	N/A
Acceptance Mailing:	N/A
Sign Posting Deadline:	08/06/2024

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

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Basic Plan Amendments A-8427-01, A-8578-01, and A-8579-01
Oak Creek Club – Landbay T

Zoning staff has reviewed the basic plan amendment application for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

The subject property is within the Legacy Comprehensive Design (LCD) Zone and was previously located within the Local Activity Center (L-A-C) and Residential Low Development (R-L) Zones. This application is being reviewed and evaluated in accordance with the Prince George's County Zoning Ordinance effective prior to April 1, 2022 ("prior Zoning Ordinance"), pursuant to Section 27-1704(h) of the Zoning Ordinance, which provides: "Property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received." Accordingly, staff has considered the following in reviewing this basic plan amendment application:

a. The requirements of Basic Plans A-8427, A-8578, and A-8579;

b. The 2014 *Plan Prince George's 2035 Approved General Plan*;

c. The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*;

d. The requirements of the prior Prince George's County Zoning Ordinance; and

e. Referral comments;

FINDINGS

1. **Location and site description:** The subject property is located on the east and west sides of Church Road, north of Oak Grove Road. The area specific to this amendment is the portion of the Oak Creek development on the east side of Church Road, north of Mary Bowie Parkway, and west of Bamberg Way. The subject area of amendment, currently zoned Legacy Comprehensive Design (LCD), is approximately 8.09 acres and is composed of part of Parcel B and Parcel 3, within the Oak Creek Club subdivision. Parcel 3 is recorded by deed

in the Prince George's County Land Records in Book 48450 page 299, and Parcel B is recorded in Plat Book REP 203 Plat 20. This application is being reviewed pursuant to the prior Prince George's County Zoning Ordinance, under which the area of amendment is zoned Local Activity Center (L-A-C) and Residential Low Development (R-L). The site is currently vacant and unimproved.

2. **History:** Basic Plans A-8427, A-8578, and A-8579 ("basic plans") were approved by the Prince George's County District Council on November 26, 1991 (CR-120-1991) for the subject property. The basic plans rezoned the property from the Residential-Agricultural (R-A) and Rural Residential (R-R) Zones to the R-L and L-A-C Zones, respectively.

On July 24, 2000, the District Council approved amendments to Basic Plans A-8427, A-8578, and A-8579 (Zoning Ordinance No. 11-2000) for the Oak Creek Club subdivision, which introduced an 18-hole golf course, subject to 49 conditions and 10 considerations.

Preliminary Plan of Subdivision (PPS) 4-01032 was approved by the Prince George's County Planning Board on September 6, 2001 (PGCPB Resolution No. 01-178(C)(A)). PPS 4-01032 approved 1,148 lots and 36 parcels for the development of 1,148 single-family residential dwelling units, 26,000 square feet of retail use, and an 18-hole golf course on the overall property. Further subdivision of the property for new residential lots will require a new PPS.

Comprehensive Design Plans CDP-9902 (for the R-L Zone) and CDP-9903 (for the L-A-C Zone) were approved by the District Council on May 13, 2002, to develop a maximum of 1,148 dwelling units on 923 acres of land, including a golf course, a clubhouse and a recreation center.

The first revision to CDP-9902, CDP-9902-01, was approved by the Planning Board on June 22, 2006, to reduce the attached single-family dwelling unit side yard setback from 5 feet to 0 feet.

A second revision, CDP-9902-02, was approved by the Planning Board on September 13, 2007 (PGCPB Resolution No. 07-172), to combine the community building and golf course clubhouse into a single facility, and to amend the location and the construction schedule for the recreational facilities.

A third revision, CDP-9902-03, was approved by the District Council on January 30, 2012, for amending prior Condition 27 regarding bonding and commencing construction of the golf course clubhouse.

A fourth revision, CDP-9902-05, was approved by the Planning Board on December 6, 2012 (PGCPB Resolution No. 12-110), to revise a prior condition of approval, to allow the approved clubhouse to be reduced in area from 25,000 square feet to 13,000 square feet.

The first revision to the above-referenced CDP-9903, CDP-9903-01, was approved by the Planning Board on September 13, 2007 (PGCPB Resolution No. 07-173 (C)), for a revision to a prior approved condition regarding the on-site recreational facilities.

A second revision, CDP-9903-02 was approved by the District Council on January 30, 2012, for a revision to a prior approved condition regarding the construction trigger of the approved golf course.

A third revision, CDP-9903-04 was approved by the Planning Board on December 6, 2012 (PGCPB Resolution No. 12-111), for a revision to reduce the proposed size of the approved golf course clubhouse. Amendments to CDP-9902 and CDP-9903 are anticipated for the increase to dwelling units, as proposed under these basic plan amendments, should they be approved.

PPS 4-01032 was approved by the Planning Board on September 6, 2001 (PGCPB Resolution No. 01-178(C)(A)). PPS 4-01032 approved 1,148 lots and 36 parcels for the development of 1,148 single-family residential dwelling units, 26,000 square feet of retail use, and an 18-hole golf course on the overall property. Further subdivision of the property for new residential lots will require a new PPS.

Numerous specific design plans have been approved for the Oak Creek Club development, as covered under the basic plans. Future development of the area proposed for increase of density under this application, if approved, will require specific design plan approval.

3. **Neighborhood and surrounding uses:** Neighborhood boundaries are normally defined by major roadways or environmental features. The following boundaries create the neighborhood for the subject property:

North — MD 214 (Central Avenue)

South — Oak Grove Road

East — New York Central Rail Line

West — Watkins Park Drive

The area immediately surrounding the subject area of amendment is comprised of the following roadways and existing development, which are all within the Oak Creek Club subdivision:

North — Vacant land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC), currently zoned LCD (prior R-L Zone).

South — Mary Bowie Parkway right-of-way.

East — Single-family detached residential dwelling units in the Lake View section of the Oak Creek Club subdivision. Currently zoned LCD (prior L-A-C).

West — Church Road right-of-way.

4. **Request:** The purpose of this request is to amend Basic Plans A-8427, A-8578, and A-8579, approved by the District Council on November 26, 1991, to allow for the additional

development of 36 single-family detached dwelling units. The request specifically asks for an increase in density through the modification of Condition 1 of the prior approved basic plans. No other conditions of the approved basic plans are proposed for amendment with this request. Furthermore, the request does not involve a change in the overall land area of the approved basic plans. The development area specific to the density increase proposed is identified on the proposed amended basic plan as Development Parcel/Landbay T. The area in which the increase in residential density is proposed is currently shown on the approved basic plan for single-family detached residential dwelling units, church, and day care uses. The applicant proposes amendment of this land-use area for single-family detached development only. However, additional land in the L-A-C Zone to the south of Mary Bowie Parkway is to retain the nonresidential future development component within Oak Creek Club, to satisfy the purposes of the L-A-C Zone.

This application was accepted by the Planning Department on May 23, 2024, and is being reviewed in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1704(h) of the Zoning Ordinance. This application is filed pursuant to Section 27-197(a) of the prior Zoning Ordinance.

Currently, Condition 1 of A-8427, A-8578 and A-8579 states the following:

1. In no event shall the maximum number of dwelling units exceed 1,096 in the R-L Zone, which equates to 1.3 dwelling units per adjusted gross acre, and 52 in the L-A-C Zone.

The revised condition is proposed, as follows:

1. In no event shall the maximum number of dwelling units exceed 1,108 in the R-L Zone, which equates to 1.4 dwelling units per adjusted gross acre, and 76 in the L-A-C Zone.

5. General Plan, Master Plan, and Sectional Map Amendment (SMA) Recommendations:

General Plan – The 2014 *Plan Prince George's 2035 Approved General Plan* (General Plan) classifies the subject property in the Established Communities plan area. The vision for Established Communities is to create the most appropriate and context-sensitive infill for low- to medium-density development.

Master Plan - The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* (master plan) recommends residential low and neighborhood mixed-use land uses on the subject property. The R-L portion of the subject property is designated as residential low. Residential low land uses are defined as residential areas between 0.5 and 3.5 dwelling units per acre, with primarily single-family detached dwellings. The L-A-C portion of the subject property is designated as neighborhood mixed-use. Neighborhood mixed-use is defined as traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities, with a residential density up to or equal to 48 dwelling units per acre.

6. **Development Proposal Analysis:** The applicant has filed these basic plan amendments and included a statement of justification (SOJ) dated August 2, 2024 (Hatcher to Mitchum), which sets forth the amendment sought by this application. The following provides further detail and analysis of the applicant's requested amendment.

The applicant proposes to increase the permitted residential density cap in the R-L and L-A-C Zones, to allow for the development of a maximum of 1,108 dwelling units in the R-L Zone, and a maximum of 76 dwelling units in the L-A-C Zone. The following table represents the prior approved dwelling unit types and development maximums for the L-A-C Zone, and the amendments proposed by the applicant:

A-4827, A-8578, A-8579	APPROVED	EVALUATED
Zone (R-L)	R-L	R-L
Total Acreage	892 acres	892 acres
Max. Dwelling Units	1096 units	**1,108 units**
Density Cap	1.3 d/u per acre	**1.4 d/u per acre**
Zone (L-A-C)	L-A-C	L-A-C
Total Acreage	33 acres	33 acres
Max. Dwelling Units	52 units	**76 units**

The table illustrates an increase of the density cap for the R-L Zone to 1.4 dwelling units per acre (an increase of 0.1), which increases the maximum permitted dwelling units to 1,108 units (an increase of 12 from 1,096). The application does not propose rezoning, or a change in the dwelling unit types.

7. **Basic Plan Compliance with the Zoning Ordinance:**

Section 27-197(a). Amendment of approved Basic Plan.

(1) If an amendment of an approved Basic Plan involves a change in land area or an increase in land use density or intensity for the overall area included in the approved Basic Plan, the Plan shall be amended only in accordance with all the provisions of this Subdivision which apply to the initial approval of the Basic Plan by Zoning Map Amendment application, except as provided in this Section.

The application does involve an increase in the residential dwelling unit density cap approved for the Oak Creek Club. The density will be added to the area noted on the submitted plan as Landbay T. The area is made up of a 100-foot buffer from Church Road that will remain, and vacant land in the R-L and L-A-C Zones. Landbay T is located east of Church Road, north of Mary Bowie Parkway, west of Bamberg Way and south of Parcel A (the park/school site owned by The Maryland-National Capital Park and Planning Commission). A condition is included herein for removal of the designation of the area as Landbay T, as this area was already designated for residential development under the approved basic plan.

The amendment requested requires that the criteria of an initial approval of a basic plan be met, per Section 27-195(b) of the prior Zoning Ordinance. The following is an analysis of the application's conformance to Section 27-195(b).

Section 27-195(b). Criteria for approval.

(1) Prior to approval of the application and Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A) The proposed Basic Plan shall either conform to:

(i) The specific recommendations of a General Plan map or Area Master Plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the development, and the impact which the development may have on the environment and surrounding properties;

(ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity or nonresidential buildings, and the location of land uses.

The master plan recommends residential low for the land area formally zoned R-L (Parcel B and the northern portion of Parcel 3) and neighborhood mixed-use for the land area formally zoned L-A-C (the southern portion of Parcel 3).

Residential low land uses are defined as residential areas between 0.5 and 3.5 dwelling units per acre with primarily single-family detached dwellings. Neighborhood mixed-use is defined as traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities, with a residential density up to or equal to 48 dwelling units per acre (pages 49–50).

The proposed development meets the definition for residential low, by staying below the maximum density recommended per the master plan residential low land-use classification (up to 3.5 dwelling units per acre).

With respect to the recommended neighborhood mixed-use land use, this basic plan amendment proposes only single-family homes in a location approved for residential, church, and day care uses. However, the option for nonresidential development is retained in the L-A-C zoned portion of the overall development that is south of Mary Bowie Parkway, on land that is currently vacant and nearest to the golf course, clubhouse, and recreational facilities. Therefore, the proposal conforms to the master plan recommendation for neighborhood mixed-use.

The proposed amendment to Condition 1 of the basic plans meets several of the purposes and recommendations of the General Plan and master plan. Furthermore, the increase in density from 1.3 dwelling units per acre to 1.4 dwelling units per acre does not represent a significant departure from the original condition of the prior approved basic plans.

The proposed amendments will increase residential density on a portion of the subject site that was previously intended to be developed with future residential and nonresidential uses. The applicant states that, due to the County's shifting land-use priorities, low- and medium-density residential homes represent the most viable use for the subject site.

The approved NRI-136-2023 shows no regulated environmental features on-site. Approximately half of the site is covered in woodlands with 14 specimen trees. This woodland area is isolated, as it is not connected to the woodlands on the surrounding properties. The environmental impact that will most likely occur if this project proceeds will be the removal of the woodlands and specimen trees. PGAtlas shows that there is sensitive species and potential forest interior dwelling species (FIDS) on-site, however, in a letter dated November 8, 2023, the Maryland Department of Natural Resources Wildlife Heritage Services office determined that there are no sensitive species or FIDS on-site.

Staff find that this statement is in line with a policy recommendation of the General Plan (LU 4.4, page 113), which states "Identify additional strategies that may reduce the amount of residential and commercial development that is no longer economically viable and has been approved but not constructed throughout the County". In addition, while the land has been cleared and remains vacant, the subject site has not been developed for church/day care uses, and doing so would require significant investment and infrastructure to achieve financial viability. Accordingly, this basic plan amendment will provide the option of developing the site with additional residential units in this location. The applicant proposes to retain the option for future nonresidential development within Oak Creek Club.

(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.

This analysis is not required because the application does not propose retail or commercial uses. Therefore, this section was not evaluated by staff.

(C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital

Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;

A PPS is required to subdivide the subject property, in order to implement the applicant's development proposal. Prior to approval of the PPS, the applicant must attain approval of a Certificate of Adequacy, which includes a finding that transportation facilities are adequate to serve the proposed development. However, Section 27-195(b) requires a transportation adequacy finding, which follows below.

The proposed development is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The subject property has frontage along Church Road (C-300), along the western boundaries of the site. The MPOT refers to this section of Church Road as MC-300 and recommends a four-lane master collector road, with an ultimate right-of-way (ROW) of 90 feet. The subject application does not require ROW dedication or other recommendations to the aforementioned section of Church Road.

The Transportation Planning Section also notes that the portion of Church Road that fronts the subject site is currently constructed as a four-lane collector roadway. Furthermore, the subject site also has frontage along Mary Bowie Parkway, along its southern boundary, for which neither the MPOT nor the master plan contain ROW recommendations.

The Transportation Planning Section also notes that the increase in residential units is *de minimis* in nature and therefore will result in a *de minimis* increase in trips, not anticipated to result in any failing intersections, nor provoke additional mitigation. However, upon approval of the subject application, a PPS and a new determination of adequacy will be required.

The roadways needed to serve the proposed increase in residential density have already been constructed, as recommended in the MPOT.

The MPOT also provides policy guidance regarding multimodal transportation, and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. To fulfill the intent of the MPOT, sufficient pedestrian and bicycle facilities shall be provided to serve the subject site.

Based on the preceding finds, the Transportation Planning Section concludes that the vehicular, pedestrian, and bicycle access and circulation for this subject application is acceptable, consistent with the site design guidelines pursuant to Section 27 of the prior Zoning Ordinance, and meets the findings for transportation purposes.

(D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;

The above requirement and the prior Zoning Ordinance provide no methodology for determining the adequacy of public facilities. Per Subtitle 24 of the County Code, methodology for testing adequate public facilities occurs at the time of PPS review, pursuant to the level of service (LOS) requirements contained therein. The LOS prescribed under Subtitle 24 is provided for evaluation purposes below, given that Section 27-195(b) requires a public facilities finding. Adequate public facilities will be further evaluated at the time of PPS, with the submittal of an application for a Certificate of Adequacy.

In a referral dated August 29, 2024 (Walker to Mitchum), the Special Projects Section offered an analysis of the existing planned private and/or public facilities.

Water and Sewer
The 2018 *Water and Sewer Plan* identifies the proposed development within the water and sewer Category 3 (Community System). Category 3 comprises all developed land (platted or built) on public water and sewer, and underdeveloped land with a valid preliminary plan approved for public water and sewer. In addition, the property is within Tier 1 of the Sustainable Growth Act.

Capital Improvement Program (CIP)
The subject property is located in Planning Area 74A (Mitchellville and Vicinity). The Prince George's County FY 2024–2029 Approved CIP identifies the Collington Athletic Complex as a proposed new public facility within the planning area.

Police
Per Section 24-4508 of the current Subdivision Regulations, the Planning Board's test for Police adequacy involves the following:

Section 24-4508. Police Facility Adequacy

(b) Adopted LOS Standard-Police

(2) To demonstrate compliance with this LOS standard, the Chief of Police shall submit the following information, on an annual basis, to the Planning Director:

(A) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the *Public Safety Master Plan* for police stations in the vicinity of the area of the proposed subdivision; and

This project is served by Police District II, Bowie, located at 601 Crain Highway SW in Bowie. The site is further located in Police Sector E. Consistent with the provisions of Section 24-4508, correspondence was received from representatives of the Prince George's County Police Department dated September 4, 2024, that stated the Department "has an adequate amount of equipment for our current sworn officers".

(B) A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.

Compliance with the required 10/25-minute emergency/non-emergency response times is evaluated by reviewing the most recent annual report provided by the Chief of Police. Response times that equal or are less than the criteria for both types of calls shall cause the subdivision to satisfy police facility adequacy. An application that fails one or both of these response times, but for which the response times for both emergency and nonemergency calls does not exceed 20 percent above the respective response times, may mitigate. If one or both response times exceed 20 percent, or an applicant with an

opportunity to mitigate chooses not to do so, the application fails the police facility adequacy test.

The appropriate response time is the time for the area closest in proximity to the proposed subdivision that also contains accurate data. At the beat and reporting area level, times are often not sufficiently accurate because there may be none, or only a few calls, in an entire year at that level. At the sector level, however, there are a sufficient number of calls to provide accurate response times. Since the sector level is more narrowly drawn, sector level estimated times are closer to the vicinity of the subdivision and are, therefore, applied when provided by the Chief of Police. If sector level times are not available, staff applies times at the division level.

The current police response times for the site located in Division II, Sector E is 10 minutes for emergency calls and 15 minutes for non-emergency calls, which would pass the LOS standard. This will be further evaluated at the time of the PPS.

Fire and Rescue

Per Section 24-4509 of the current Subdivision Regulations, the Planning Board's test for fire and rescue adequacy involves the following:

24-4509. Fire and Rescue Adequacy

(b) Adopted LOS Standard for Fire and Rescue

(1) The population and/or employees generated by the proposed subdivision, at each stage of the proposed subdivision, will be within the adequate coverage area of the nearest fire and rescue station(s) in accordance with the Public Safety Guidelines.

(2) The Fire Chief shall submit to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Director:

(A) A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the Public Safety Master Plan for fire stations in the vicinity of the area where the subdivision is proposed to be located; and

(B) A statement by the Fire Chief that the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.

(3) Subsection (b)(2), above, does not apply to commercial or industrial applications

Table 24-4502: Summary of Public Facility Adequacy Standards, of the current Subdivision Regulations requires a fire and rescue standard of seven minutes travel time for any residential uses. This project is served by the Kentland Volunteer Fire/EMS Company 846, located at 10400 Campus Way South, as the first due station. The "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" provides the following LOS standard:

The Fire Chief shall submit a statement that the response time for the first due station, in the vicinity of the property proposed for subdivision, is a maximum of seven minutes travel time.

The statement from the Fire Chief will be requested at the time of PPS.

Schools
Per Section 24-4510 of the current Subdivision Regulations, the Planning Board's test for school adequacy involves the following:

24-4510. Schools Adequacy

(b) Adopted LOS Standard for Schools

(2) The adopted LOS standard is that the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity, as adjusted by

the School Regulations, of the affected elementary, middle, and high school clusters.

This project is in School Cluster 4. There are three schools serving this area - Perrywood Elementary, Kettering Middle, and Dr. Henry A Wise, Jr. High.

The adopted LOS standard is that the number of students generated by the proposed subdivision, at each stage of development, will not exceed 105 percent of the state-rated capacity of the affected elementary, middle, and high school clusters. Schools at all levels will continue to operate at a capacity below 105 percent and pass the LOS standard for schools' adequacy at all school levels.

Currently, according to the 2023-2024 Update of the Pupil Yield Factors and Public School Clusters, none of the schools' levels exceed the state-rated capacity and are operating below 100 percent of capacity. This will be further evaluated at the time of PPS.

Library
This area is served by the South Bowie Library, 15301 Hall Road Bowie, MD 20721.

(E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.

This basic plan amendment will provide the option of developing the site with additional residential units in a location previously approved for residential, church, and day care uses. These dwelling units will be compatible with the surrounding approved general land use types, so as to promote the health, safety, and welfare of the present and future inhabitants of the regional district.

The application's proposal, to increase the residential dwelling density cap from 1.3 to 1.4 dwelling units per acre strengthens the established golf-course centric and residential-focused community of Oak Creek Club. The increase in residential density is compatible and harmonious with the surrounding residential communities that abut the property, such as Lake View (primarily single-family detached dwellings), and Clubhouse Terrace (primarily townhouse dwellings). In addition, the proposed additional residential density will be located across Mary Bowie Drive from the area of Oak Creek Club that is approved for non-residential, community-based uses. The

additional residential density will complement these nonresidential uses.

To the north of the area, in which the additional dwelling units are proposed, is a school/park site that has yet to be developed. This site will support the additional residents by providing recreational and/or educational opportunities.

Environmental and open space features have been evaluated in a memorandum from the Environmental Planning Section, dated July 15, 2024 (Rea to Mitchum), incorporated by reference herein, and will remain unchanged by this proposal.

(2) Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.

The application does not propose a construction schedule of more than six years; therefore, this section was not evaluated by staff.

(3) In the case of an L-A-C Zone, the applicant shall demonstrate to the satisfaction of the District Council that any commercial development proposed to serve a specific community, village, or neighborhood is either:

(A) Consistent with the General Plan, an Area Master Plan, or a public urban renewal plan; or

(B) No larger than needed to serve existing and proposed residential development within the community, village, or neighborhood.

A portion of the subject site is zoned L-A-C; however, this application does not propose additional commercial development from that previously approved. Therefore, this section was not evaluated by staff.

(4) In the case of a V-M or V-L Zone, the applicant shall demonstrate to the satisfaction of the District Council that the commercial development proposed to serve the village is no larger than needed to serve existing and proposed residential development within and immediately surrounding the village, within the parameters of Section 27-514.03(d)(1)(A).

The subject site is not zoned Village-Medium or Village-Low. Therefore, this section was not evaluated by staff.

Land Use
Through the original basic plans, the subject property was rezoned from the R-A and R-R Zones to the R-L and L-A-C Zones, respectively.

Section 27-494 of the prior Zoning Ordinance states the purpose of the L-A-C Zone. Section 27-494 is replicated below in **bold** text, and staff's analysis of the subject application's conformance follows, in plain text.

Sec. 27-494. – Purposes.

(a) The purposes of the L-A-C Zone are to:

(1) Establish (in the public interest) a plan implementation zone, in which (among other things):

(A) Permissible residential density and building intensity are dependent on providing public benefit features and related density/intensity increment factors; and

The increase in residential density is in compliance with the density and intensity increment factors contained in Section 27-496, as shown on the provided plan amendment to the prior approved basic plans.

(B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, public renewal plan, or Sectional Map Amendment Zoning Change;

This purpose was met at the time of the initial basic plan approval and is not proposed to be amended.

(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, and Sectional Map Amendment Zoning Changes for Community, Village, and Neighborhood Centers) can serve as the criteria for judging individual physical development proposals;

The proposed basic plan amendments conform to the vision of the General Plan by protecting environmentally sensitive areas, to which no amendment is proposed, while staying below the maximum density that the General Plan recommends, which conforms with the L-A-C Zone's purpose of establishing regulations and policies from the General Plan, master plans, and sector plans. Furthermore, the amendments reflect the General Plan's policy of identifying

additional strategies that may reduce the amount of residential or commercial development that is no longer economically viable.

(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District;

The application's proposal to increase the residential dwelling density cap from 1.3 to 1.4 dwelling units per acre maintains a purpose of the L-A-C Zone in that it strengthens the established golf-course centric and residential-focused community of Oak Creek Club. The increase in residential density is compatible and harmonious with the surrounding residential communities that abut the property, such as Lake View (primarily single-family detached dwellings), and Clubhouse Terrace (primarily townhouse dwellings).

(4) Encourage and stimulate balanced land development;

The increase in residential density will encourage and stimulate balanced land development. Specifically, additional residential use at this site will support existing and planned commercial uses in the vicinity, including the approved Community Service Center, an area approved for commercial uses, within Oak Creek Club.

(5) Group uses serving public, quasi-public, and commercial needs together for the convenience of the populations they serve; and

This application does not propose additional uses serving public, quasi-public, and commercial needs. It provides the option to develop additional residential use, rather than day care and church uses. The applicant proposes to retain the church and/or day care uses as an option for the nonresidential component within Oak Creek Club. Other uses serving public, quasi-public, and commercial needs within Oak Creek Club remain grouped together. Specifically, the Community Service Center, Bowieville Mansion, and the clubhouse are grouped together on the south side of Mary Bowie Parkway. In addition, a school/park site lies to the north of the location of the added dwelling units. This configuration will not change with this basic plan amendment application.

(6) Encourage dwelling integrated with activity centers in a manner which retains the amenities of the residential environment and provides the convenience of proximity to an activity center.

The proposed additional dwelling units will be located south of a park/school site and across Mary Bowie Parkway from approved nonresidential uses in the overall Oak Creek Club property. Should these approved, but unbuilt nonresidential uses be constructed,

future residents will have convenient access to the nonresidential amenities, while retaining the amenities of the residential environment.

Section 27-514.08 of the prior Zoning Ordinance states the purpose of the R-L Zone. Section 27-514.08 is replicated below in **bold** text, and staff's analysis of the subject application's conformance to the section follows in plain text.

27-514.08 - Purposes.

(a) The purposes of the Zone are to:

(1) Establish (in the public interest) a plan implementation Zone, in which (among other things):

(A) Permissible residential density is dependent upon providing public benefit features and related density increment factors; and

The increase in residential density is in compliance with the density and intensity increment factors contained in Section 27-496 of the prior Zoning Ordinance, as shown on the provided plan amendment to the prior approved basic plans.

(B) The location of the Zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

This purpose was met at the time of the initial basic plan approval, and the location of the zone remains unchanged by this request.

(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, or Sectional Map Amendment Zoning Changes) can serve as the criteria for judging individual development proposals;

As stated in Finding 7, the proposed basic plan amendments conform to the vision of the General Plan by protecting environmentally sensitive areas while staying below the maximum density that the General Plan recommends, which conforms with the R-L Zone's purpose of establishing regulations and policies from the General Plan, master plans, and sector plans. Furthermore, the amendments reflect the General Plan's policy of identifying additional strategies that may reduce the amount of residential or commercial development that is no longer economically viable.

(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;

The application's proposal, to increase the residential dwelling density cap from 1.3 to 1.4 dwelling units per acre, maintains a purpose of the R-L Zone in that it strengthens the established golf-course centric and residential-focused community of Oak Creek Club. The increase in residential density is compatible and harmonious with the surrounding residential communities that abut the property, such as Lake View (primarily single-family detached dwellings), and Clubhouse Terrace (primarily townhouse dwellings).

(4) Encourage amenities and public facilities to be provided in conjunction with residential development;

This application proposes an increase in residential density in a location previously approved for development. No changes to the amenities and public facilities for Oak Creek Club, including the established golf course and approved school/park site, are proposed with this basic plan amendment application.

(5) Encourage and stimulate balanced land development;

The increase in residential density will encourage and stimulate balanced land development. Specifically, additional residential use at this site will support existing and planned commercial uses in the vicinity, including the approved Community Service Center within Oak Creek Club.

(6) Improve the overall quality and variety of residential environments in the Regional District;

The introduction of more single-family detached dwelling units will improve the quality and variety of the residential environment of the regional district, will grow the established community that is attached to the existing infrastructure (which includes roads and utilities), and will further complete the remaining phases of the Oak Creek Club development.

(7) Encourage low-density residential development which provides for a variety of one-family dwelling types, including a large lot component, in a planned development;

The application encourages low-density residential development by proposing more single-family detached dwelling units, while remaining under the maximum recommended residential density cap established by the General Plan.

(8) Protect significant natural, cultural, historical, or environmental features and create substantial open space areas in concert with a unique living environment; and

The subject property is near Bowieville Historic Site 74A-018 but does not contain and is not adjacent to any designated Prince George's County historic sites or resources.

(9) Protect viewsheds and landscape/woodland buffers along the primary roadways and woodlands, open fields, and other natural amenities within the Zone.

Future development in the Oak Creek Club will utilize environmental site design to preserve and enhance tree canopy coverage on the subject property to the fullest extent possible, with the stated goal of decreasing stormwater runoff and protecting woodland buffers along primary roadways.

8. Referrals

The following referral memorandums were received, which discuss the proposed basic plan amendments, support the required findings above, are included as backup to this memorandum, and are incorporated herein by reference:

a. Subdivision Section, dated August 1, 2024 (Gupta to Mitchum)

b. Community Planning Section, dated July 10, 2024 (Lester to Mitchum)

c. Historic Preservation and Archeology Section, dated July 10, 2024 (Stabler, Smith, and Chisholm to Mitchum)

d. Transportation Planning Section, dated September 12, 2024 (Ryan to Mitchum)

e. Environmental Planning Section, dated July 15, 2024 (Rea to Mitchum)

f. Special Projects Section, dated September 10-, 2024 (Ray to Mitchum)

CONCLUSION

Based on the analysis and findings, staff recommend APPROVAL of Basic Plan Amendments A-8427-01, A-8578-01, and A-8579-01, Oak Creek Club, with the following land use quantities and subject to the original conditions and considerations, with amendment of Condition 1, as follows:

Land Use Quantities:

Gross Acreage	895 Acres
Less 50% Flood Plain	-46 Acres
Net site Area	846 Acres
R-L 1.0 DU/Ac	846 Units
R-L 1.5 DU/Ac	1,269 Units
Proposed Density	1,106 Units 1.4 DU/Ac
L-A-C Zone	
Gross Area	33 Acres
Community Service Center	40,000 Square feet
Village Housing	76 dwelling units
Bowenville Historic Site	
Total	1,182 dwelling units

CONDITIONS:

Staff recommend **approval** of this amendment request subject to the original conditions and considerations, with amendment of Condition 1, as follows:

A-8427-01, A-8578-01, and A-8579-01

Condition 1. In no event shall the maximum number of dwelling units exceed 1,108 in the R-L Zone, which equates to 1.4 dwelling units per adjusted gross acre, and 76 in the L-A-C Zone.

The following additional conditions are recommended:

1. Remove the designation of Development Parcel/Landbay T from the amended basic plan.

OAK CREEK CLUB – LANDBAY T

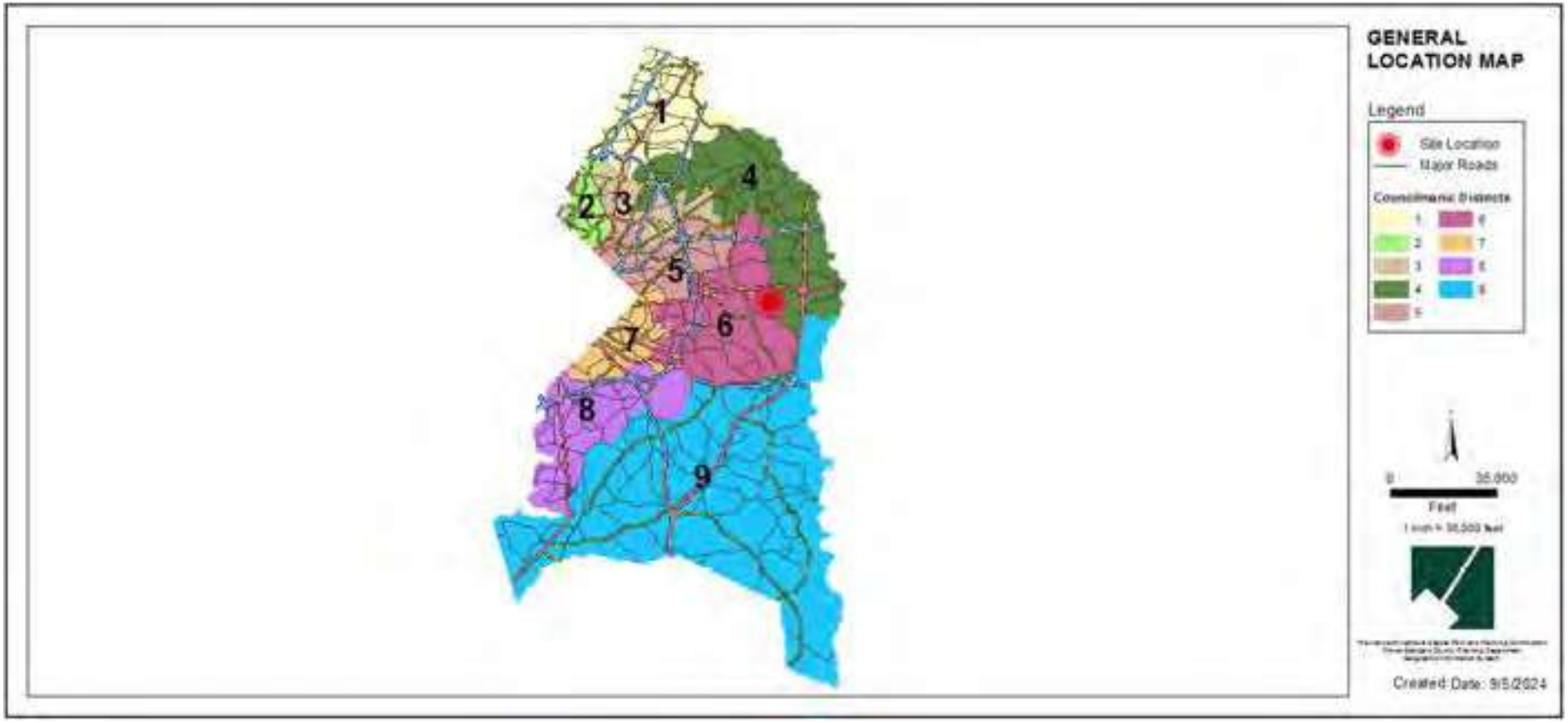
Basic Plan Amendment

Staff Recommendation: APPROVAL with conditions

GENERAL LOCATION MAP

Council District: 06

Planning Area: 74A



SITE VICINITY MAP

ZONING MAP (PRIOR AND CURRENT)

Property Zone: LCD

Prior Zoning Map R-L & L-A-C

Current Zoning Map LCD

OVERLAY MAP (PRIOR AND CURRENT)

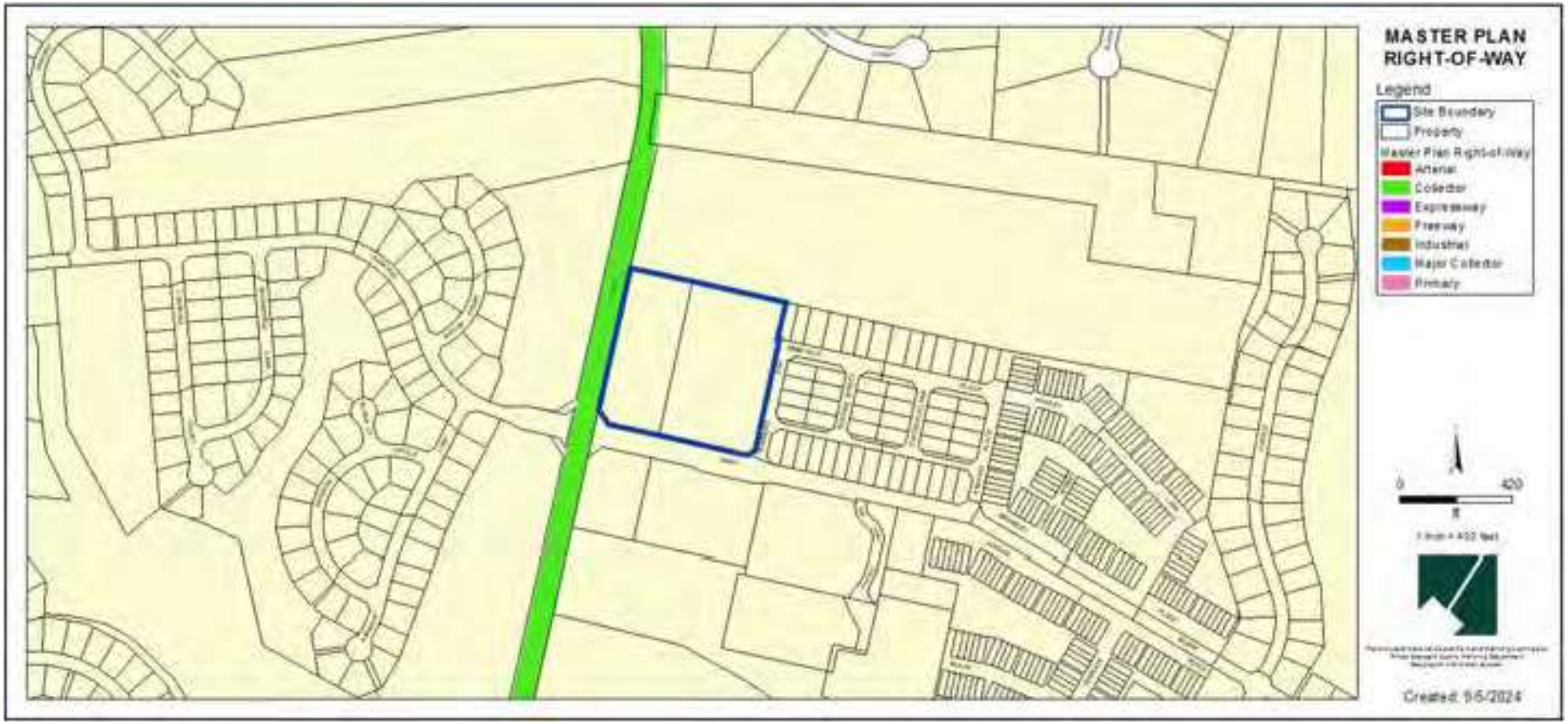
Prior Overlay Map

Current Overlay Map

SITE MAP

SITE MAP
Legend
Site Boundary
Building
Bridge
Pavement
Water
Vegetation
Property
Contour Line
Depression Line
Railroad Line
0
400
Created: 9/5/2024

MASTER PLAN RIGHT-OF-WAY MAP



STAFF RECOMMENDATION

APPROVAL, subject to the original conditions and considerations, with the amendment of Condition 1.

AMENDMENT OF BASIC PLAN OF OAK CREEK CLUB

A-8427-01; A-8578-01; A-8579-01

STATEMENT OF JUSTIFICATION

I. INTRODUCTION

Carrollton Oak Creek LLC (the "**Applicant**") submits this Basic Plan Amendment ("**BPA**") Justification Statement to demonstrate that the proposed development is in compliance with the applicable provisions of Subtitle 27 of the Prince George's County Code in effect prior to April 1, 2022 (the "**Prior Zoning Ordinance**"), the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan (the "**Master Plan**"), and other applicable review requirements and criteria. The subject property consists of approximately ±8.09 acres located at 800 South Church Road, Bowie, Maryland (the "**Property**"). The Property is composed of part of Parcel B Bowieville (consisting of ±3.21 acres) ("**Parcel B**") and Parcel 003 (previously known as Parcel 00) (consisting of ±4.88 acres) ("**Parcel 3**") within the Oak Creek Club subdivision.

The Property is currently zoned LCD (Legacy Comprehensive Design) pursuant to the Prince George's County Zoning Ordinance implemented on April 1, 2022 (the "**Current Zoning Ordinance**"). Parcel B and Parcel 003 were previously zoned L-A-C (Local Activity Center, Comprehensive Design) and R-L (Residential Low Development, Comprehensive Design), respectively, pursuant to the Prior Zoning Ordinance. Development on the Property is subject to the recommendations of the Master Plan and the Property is located within the Established Communities Growth Policy Area of the *Plan Prince George's 2035 Approved General Plan* (the "**General Plan**").

As described in detail herein and demonstrated throughout the subject application, the Applicant proposes to amend the Basic Plan to allow the development of the Property with 28 single-family detached housing units on-site. Specifically, this application seeks to amend the Basic Plan applicable to Zoning Map Amendments A-8427, A-8578, and A-8579, as amended pursuant to Zoning Ordinance No. 11-2000 (the "**Basic Plan**") to raise the density cap on housing allowing the Property to be developed into housing, which will complete the Oak Creek Club Development. The Applicant respectfully requests approval of this BPA application. Planning

Department Staff has approved the Natural Resources Inventory of the Property (NRI-136-2023).

II. PROPERTY DATA

Location:	Located on the east side of S. Church Road, between Oak Grove Road and MD 214 (Central Avenue).
Tax Map #:	76-E1; 69-E4.
Frontage:	South Church Road (to the west). Mary Bowie Parkway (to the south). Bamberg Way (to the east).
Election District:	7.
Legislative District:	23.
Councilmanic District:	6.
Municipality:	N/A.
Acreage:	±8.11 Acres.
Prior Zoning:	R-L (Residential Low Development); L-A-C (Local Activity Center) Zone.
Current Zoning:	LCD (Legacy Comprehensive Design)
Subdivision:	Parcels B and 003 in the Oak Creek Club subdivision.
Previous Approvals:	A-8427 and A-8578 (R-L Zone); A-8579 (L-A-C).
Existing Water Company:	W-3.
Existing Sewer Company:	S-3.
Historic:	N/A.

Master Plan & SMA:	*The 2022 Approved Bowie-Mitchellville and Vicinity Master Plan and Sectional Map Amendment.*
General Plan:	*Plan 2035 Prince George's Approved General Plan.*

III. EXISTING AREA AND SURROUNDING NEIGHBORHOOD

The Property is located within the Oak Creek Club development in the prior R-L (current LCD) and L-A-C (current LCD) Zones and is currently vacant and unimproved. The Property is bounded to the north by vacant land owned by M-NCPPC that is expected to be developed into a park in the prior R-L (current LCD) Zone; to the east by single-family detached residential homes in the Lake View portion of the Oak Creek Club subdivision in the prior L-A-C (current LCD) and prior R-L (current LCD) Zones; to the south by the Mary Bowie Parkway right-of-way (ROW); and to the west by the South Church Road ROW. Further to the north across the vacant M-NCPPC-owned land are single-family detached residential homes in the Woodmore at Oak Creek subdivision in the prior R-A (Residential-Agricultural) (current AR (Agricultural-Residential)) Zone; to the east across the Lake View portion of Oak Creek Club subdivision are residential townhomes in the Clubhouse Terrace portion of the Oak Creek Club subdivision and residential single-family detached residential homes in the Deer Valley portion of the Oak Creek Club subdivision in the prior R-L (current LCD) Zone; to the south across Mary Bowie Parkway are vacant properties in the R-L (current LCD) and L-A-C (current LCD) Zones, historic Bowieville Mansion, a private residence, in the prior L-A-C (current LCD) Zones and the Oak Creek Club golf course in the R-L (current LCD) Zone; and to the west across the South Church Road ROW are the Oak Creek Club golf course and single-family detached residential homes in the Pine Valley portion of the Oak Creek Club subdivision in the prior R-L (current LCD) Zone.

The proposed project is subject to the requirements of CDP-9902 and CDP-9903. CDP-9902 was approved for the larger Oak Creek Club project on May 13, 2011, by District Council orders affirming the Planning Board's decision regarding CDP-

9902 and CDP-9903. The order regarding CDP-9902 related to the R-L portion of the site, subject to 56 conditions, and the order regarding CDP-9903 related to the L-A-C portion of the site.

IV. PROPOSED DEVELOPMENT

As described in detail herein, the Applicant proposes to develop the Property with 28 single family attached homes, in compliance with the Zoning Ordinance and applicable review criteria (the "**Proposed Development**"). The Proposed Development will comply with the Zoning Ordinance's Transitional Provisions and applicable development standards of the prior R-L and L-A-C Zones to efficiently utilize the ±8.09-acre through compatible, context-sensitive infill development. Accordingly, the Applicant respectfully requests Planning Board approval of this BPA application.

With submittal of this BPA application, the Applicant requests to the amend the following conditions to the Basic Plan approval, as provided in Zoning Ordinance No. 11-2000:

1. Applicant requests to amend Condition #1 as follows:

Condition #1 (current): *In no event shall the maximum number of dwelling units exceed 1,096 in the R-L Zone, which equates to 1.3 dwelling units per adjusted gross acre, and 52 in the L-A-C Zone.*

Condition #1 (amended): *In no event shall the maximum number of dwelling units exceed 1,108 in the R-L Zone, which equates to **1.4** dwelling units per adjusted gross acre, and **76** in the L-A-C Zone.*

V. LAND USE OVERVIEW

A. Applicable Previous Approvals

On November 26, 1991, the Prince George's County District Council approved the basic plans for Zoning Map Amendments A-8427, A-8578, and A-8579 (County Council Resolution CR-120-1991) for the Property. This Zoning Map Amendment rezoned the property from the R-A (Residential-Agricultural) and R-R (Rural

Residential) Zones to the R-L (Residential Low Development) and L-A-C (Local Activity Center) Zone, respectively. On July 24, 2000, the District Council approved amended basic plans for Zoning Map Amendments A-8427, A-8578, and A-8579 (Zoning Ordinance No. 11-2000) for Oak Creek Club. The amended basic plans provided for generally the same number of residential units and types of recreational/public amenities but included an 18-hole golf course. The basic plans are subject to 49 conditions and 10 considerations.

B. Plan Prince George's 2035 General Plan

The Property is located within the General Plan's Established Communities Growth Policy Area. The General Plan stipulates that Established Communities are "most appropriate for context-sensitive infill and low- to medium-density development." The siting and scale of the Proposed Development facilitated by this BPA application are compatible with the surrounding low- to medium-density residential communities and representative of appropriate context-sensitive infill. The R-L-Zoned portion of the Property is located in the Residential Low generalized future land use area, while the L-A-C-Zoned portion of the Property is located in the Mixed-Use generalized future land use area. The General Plan stipulates that (a) properties in the Residential Low area should be used as (i) "[r]esidential areas up to 3.5 dwelling units per acre" and (ii) "[p]rimarily single-family detached dwellings"; and (b) properties without a center designation that are located in the Established Growth policy area and in the Mixed-Use future land use area should be used (i) for "context-sensitive infill and low- to medium-density development", and (ii) as a mix of "residential, commercial, employment and institutional uses" that "vary with respect to their dominant land uses." The Proposed Development will efficiently utilize vacant land to provide low-density, single-family detached housing in accordance with the Residential Low future land use and complementary to those previously approved, surrounding residential uses. Additionally, the Proposed Development will provide low-density density residential development that is sensitive to the residential uses that dominate the area surrounding the Property,

which will represent the residential portion of the Mixed-Use area envisioned by the General Plan. It should be noted that the L-A-C-Zoned portion of the Property comprises only a fraction of the Mixed-Use area within the Oak Creek Club development. The remaining undeveloped portion of the Mixed-Use area within the Oak Creek Club development is comprised of the vacant land owned by the Oak Creek Club Homeowners' Association located south of the Property directly across the Marie Bowie Parkway ROW, where the remaining mix of land uses contemplated by the General Plan could be developed in the future.

C. <u>The 2022 Approved Bowie-Mitchellville and Vicinity Master Plan</u>

The Proposed Development is subject to the recommendations and objectives outlined in the Master Plan. The R-L-Zoned portion of the Property is located in the Residential Low future land use area, while the L-A-C-Zoned portion of the Property is located in the Neighborhood Mixed-Use future land use area. The Master Plan stipulates that properties in the (a) Residential Low area should be used as (i) "[r]esidential areas up to 3.5 dwelling units per acre" and (ii) [p]rimarily single-family detached dwellings"; and (b) Neighborhood Mixed-Use area should (i) have a residential density of up to forty-eight (48) dwelling units per acre and (ii) be used as "a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities". The Proposed Development will efficiently utilize vacant land to provide low-density, single-family detached housing (i) in accordance with the Residential Low future land use, (ii) complementary to those previously approved, surrounding residential uses, and (iii) that will provide the residential portion of the Neighborhood Mixed-Use future land use. It should be noted that the L-A-C-Zoned portion of the Property comprises only a portion of the Neighborhood Mixed-Use future land use area within the Oak Creek Club development. The remaining undeveloped portion of the Neighborhood Mixed-Use future land use area within the Oak Creek Club development is comprised of the vacant land owned by the Oak Creek Club Homeowners' Association located south of the Property directly across the Marie Bowie Parkway ROW, where the remaining components of the Neighborhood Mixed-

Use land uses contemplated by the Master Plan, such as the neighborhood-serving amenities, could be developed in the future. Additionally, the Proposed Development advances the following Master Plan – Natural Environment Element goals, policies and strategies:

- ***Natural Environment Element – Natural Environment Goal 1:*** *Preserve, enhance, and restore the green infrastructure network and its ecological functions.*

Comment: Environmental site design will be utilized within the Proposed Development to preserve, enhance and restore the green infrastructure network to the fullest extent practicable using methods such as on-site and off-site woodland conservation, street and shade tree plantings, preservation of specimen trees and stormwater management.

- ***Natural Environment Element – Natural Environment Goal 3:*** *Best management practices associated with environmental site design (ESD) are implemented to the fullest extent required and practical, in new development areas, and through stormwater management retrofits and stream restoration projects.*

Comment: Environmental site design will be utilized within the Proposed Development, and effective stormwater management will be provided in connection with the Proposed Development.

- ***Natural Environment Element – Natural Environment Goal 4:*** *Effective stormwater management is maintained to improve water quality and environmental health.*

Comment: Environmental site design will be utilized within the Proposed Development to provide stormwater management, which will better protect and preserve the nearby stream valley.

- ***Natural Environment Element – Natural Environment Goal 5:*** *An increase in tree canopy coverage continues to mitigate the urban heat island effect, decrease stormwater runoff, increase water quality, and create a conducive environment for active transportation for walking and bicycling.*

Comment: Environmental site design will be utilized within the Proposed Development to preserve and enhance tree canopy coverage on the Property to the

fullest extent practicable, with the goals of decreasing stormwater runoff and creating a conducive environment for active transportation for walking and bicycling, while enhancing the existing beauty of the neighborhood and the Oak Creek Club subdivision.

- ***Natural Environment Element – Policy NE 1 – Green Infrastructure:*** *Ensure that areas of connectivity and ecological functions are maintained, restored, or established during development or redevelopment.*

Comment: Environmental site design will be utilized within the Proposed Development to maintain, restore and/or establish, as applicable, connectivity and ecological functions of the Property to the fullest extent practicable.

- ***Natural Environment Element – Policy NE 3 – Stormwater Management:*** *Proactively address stormwater management in areas where current facilities are inadequate.*

Comment: Environmental site design is utilized within the Proposed Development to provide stormwater management, which will better protect and preserve the nearby stream valley.

- ***Natural Environment Element – Policy NE 4 – Forest Cover / Tree Canopy Coverage:*** *Support street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians.*

Comment: Existing natural features on the Property – as identified in the Natural Resources Inventory (NRI-136-2023) – are preserved to the fullest extent practicable within the Proposed Development. Further, the Proposed Development will preserve specimen trees and maintain and restore tree canopy coverage to the fullest extent practicable, creating a pleasant environment for transportation users. and none of the proposed lots will impact regulated environmental features.

VI. ANALYSIS

A. Development Pursuant to Prior Ordinance

This application will be processed and reviewed consistent with the Prior Zoning Ordinance, pursuant to Sec. 27-1704 "Projects Which Received Development or Permit Approval Prior to the Effective Date of this Ordinance" of the Current Zoning Ordinance. As it relates to this BPA application, Sec. 27-1704(e) of the Current Zoning Ordinance allows for subsequent revisions or amendments to development approvals or permits "grandfathered" consistent with the Current Zoning Ordinance's Transitional Provisions (Sec. 27-1700) to be reviewed pursuant to the Prior Zoning Ordinance. Pursuant to Sec. 27-1704(a) of the Current Zoning Ordinance, this BPA application's parent approvals, A-8427, A-8578, and A-8579, are "grandfathered" and remain valid for a period of twenty years from April 1, 2022. Accordingly, as an amendment to a "grandfathered" development approval, the BPA application may be reviewed and decided under the Zoning Ordinance under which the original development approval was approved (i.e., the Prior Zoning Ordinance), unless the Applicant elects to have its application reviewed under the Current Zoning Ordinance. The Applicant formally elects to have this BPA application reviewed consistent with the Prior Zoning Ordinance, pursuant to Sections 27-1704 and 27-1900 of the Current Zoning Ordinance.

Consistent with the requirements of the Current Zoning Ordinance, the Applicant participated in a Pre-Application Conference with Planning Staff on January 26, 2024. Analysis of the subject application's conformance with Sec. 27-1900 "Development Pursuant to Prior Ordinance" is provided below:

Analysis of the subject application's conformance with Sec. 27-1900 "Development Pursuant to Prior Ordinance" is provided below:

1. <u>§27-1904 – Procedures</u>

In order to proceed with development under the Prior Zoning Ordinance, the following procedures shall apply:

(a) If the development proposal will require an evidentiary hearing before the Planning Board, the applicant shall schedule and participate in a pre-application conference.

Comment: The Applicant participated in a pre-application conference with M-NCPPC Staff on January 26, 2024. The Applicant provided an overview of the subject DSP application and received comments from several applicable M-NCPPC Sections, including Urban Design, Subdivision, Zoning, and Environmental Planning Staff.

(b) The applicant shall provide a statement of justification which shall explain why the applicant has elected not to develop a specific property pursuant to the provisions of this Zoning Ordinance.

Comment: This Statement is submitted as an explanation of the conformance of this BPA application with the Prior Zoning Ordinance, the Current Zoning Ordinance's procedures concerning development pursuant to the Prior Ordinance, and other applicable review criteria. This BPA application conforms with the Prior Zoning Ordinance's applicable regulations, as well as relevant findings and conditions associated with the previous approval of the Basic Plan. Accordingly, for reasons related to application continuity, conformance with the Prior Zoning Ordinance, and consistency with applicable prior development approvals, the Applicant has elected to develop the Property pursuant to the prior R-L and L-A-C Zones.

B. Compliance with Prior Zoning Ordinance – Amendment of Approved Basic Plan

1. §27-197 – Amendment of approved Basic Plan.

(a) (1) If an amendment of an approved Basic Plan involves a change in land area or an increase in land use density or intensity for the overall area included in the approved Basic Plan, the Plan shall be amended only in accordance with all the provisions of this Subdivision which apply to the initial approval of the Basic Plan by Zoning Map Amendment application, except as provided in this Section.

Comment: This BPA application involves an increase in land use density or intensity for the overall area included in the Basic Plan. Accordingly, and as described in further detail below, this BPA application is submitted in accordance with all the provisions of the Prior Zoning Ordinance which apply to the initial approval of the Basic Plan by Zoning Map Amendment application.

2. **§27-179. – Applications – Comprehensive Design Zones.**

(a) General.

(1) An application for a Zoning Map Amendment to a Comprehensive Design Zone shall be filed with the Planning Board by the owner (or his authorized representative) of the property.

Comment: The Applicant is the owner of the Property and has filed an application for the amendment to the Basic Plan with Planning Staff.

(3) No application shall be filed requesting more than one (1) zone.

Comment: The Applicant requests amendments to the Basic Plan under A-8427, A-8479, and A-8578 (R-L Zone); A-8579 (L-A-C). No new zones are requested with this Basic Plan Amendment.

(4) All applications shall be on forms provided. All information shall be typed, except for signatures.

Comment: The Applicant has filed the completed, type-written, and signed forms which were provided by Planning Staff.

(5) If two (2) or more pieces of property are included in one (1) application, they must be adjoining. Separate applications are required for each property if they are not adjoining. In this Section, the word "adjoining" shall include those properties which are separated by a public right-of-way, stream bed, or the like.

Comment: The Property subject to this BPA application consists of Parcels B and 003, which are adjoined (i.e., not separated by a public right-of-way, stream bed, or the like).

(6) The reclassification, through a Zoning Map Amendment, of property located partially or completely within the Safety Zones of the Military Installation Overlay Zone to a Comprehensive Design Zone is prohibited.

Comment: No portion of the Property is located within the Safety Zones of the Military Installation Overlay Zone.

(b) Contents of application form.

(1) The following information shall be included on the application:

(A)The name, address, and telephone number of the applicant, and an indication of the applicant's status as contract purchaser, agent, or owner;

Comment: The Applicant's name is Carrollton Oak Creek LLC. The Applicant's address is 9821 Rhode Island Ave, College Park, MD 20740. All additional information is contained on the plans.

(B)The existing and requested zoning classifications of the property;

Comment: The Property is currently zoned LCD (Legacy Comprehensive Design) pursuant to the Current Zoning Ordinance. Parcel 003 and Parcel B were previously zoned L-A-C (Local Activity Center, Comprehensive Design) and R-L (Residential Low Development, Comprehensive Design), respectively, pursuant to the Prior Zoning Ordinance.

(C)The street address of the property; name of any municipality the property is in; name and number of the Election District the property is in;

Comment: The street address of the Property is 800 South Church Road (Tax Parcel 003).

(D)The total area of the property (in either acres or square feet);

Comment: As described above and shown on the amended Basic Plan, the Property consists of ±8.09 acres.

(E) The property's lot and block numbers, subdivision name, and plat book and page number, if any; or a description of its acreage, with reference to liber and folio numbers;

Comment: The Property is composed of p/o Parcel B Bowieville (consisting of ±3.21 acres) and Tax Parcel 003 (designated as Parcel 00 on Preliminary Plan 4-01032) within the Oak Creek Club subdivision.

(F) The name, address, and signature of each owner of record of the property, except as provided for in Subsection (a), above. Applications for property owned by a corporation shall be signed by an officer empowered to act for the corporation; and

Comment: The Property is solely owned by the Applicant, as provided in Subsection (a), above. Accordingly, this provision is inapplicable to this BPA application.

(G)The name, address, and telephone number of the correspondent.

(c) Other submission requirements.

(1) Along with the application, the applicant shall submit the following:

(A) Four (4) copies of an accurate plat, prepared, signed, and sealed by a registered engineer or land surveyor.

Comment: Along with this BPA application, the Applicant has submitted four (4) copies of a boundary survey plan of the Property, prepared, signed, and sealed by a registered engineer or land surveyor.

The plat shall show:

> *(i) The present configuration of the property, including bearings and distances (in feet);*

Comment: As shown on the Plat, the Plat shows the present configuration of the property, including bearings and distances.

> *(ii) The names of owners of record, or subdivision lot and block numbers, of adjoining properties;*

Comment: As shown on the Plat, the Plat shows the names of owners of record, or subdivision lot and block numbers, of adjoining properties.

> *(iii) The name, location, distance to the center line, and present right-of-way width of all abutting streets. If the property is not located at the intersection of two (2) streets, the distance to, and the name of, the nearest intersecting street shall be indicated;*

Comment: As shown on the Plat, the Plat shows the name, location, distance to the center line, and present right-of-way width of all abutting streets.

> *(iv) The (subdivision) lot and block number of the subject property (if any);*

Comment: As shown on the Plat, the Property is composed of p/o Parcel B Bowieville (consisting of ±3.21 acres) and Tax Parcel 003 (previously known as Parcel 00 and consisting of 4.88 acres) within the Oak Creek Club subdivision.

> *(v) A north arrow and scale (not smaller than one (1) inch equals four hundred (400) feet);*

Comment: As shown on the Plat, the Plat shows a north arrow and scale.

> *(vi) The total area of the property (in either square feet or acres);*

Comment: As shown on the Plat, the Property consists of ±8.09 acres.

(vii) The location of all existing buildings on the property;

Comment: As shown on the Plat, the Plat shows the location of all existing buildings on the property. There are no existing buildings. Accordingly, this provision is inapplicable.

(viii) The subject property outlined in red; and

Comment: As shown on the Plat, the Plat shows the Property outlined in red.

(ix) If a designated Historic Site is located within the subject property, the boundaries of the established environmental setting shall be identified.

Comment: No designated Historic Site is located within the Property. Accordingly, this provision is inapplicable.

(B)Four (4) copies of the appropriate Zoning Map page on which the property is plotted to scale and outlined in red;

Comment: Along with this BPA application, the Applicant has submitted four (4) copies of the appropriate Zoning Sketch Map page on which the property is plotted to scale and outlined in red.

(C)Three (3) copies of a typewritten statement of justification in support of the request. The statement shall set forth the legal basis by which the requested amendment can be approved, and factual reasons showing why approval of the request will not be detrimental to the public health, safety and welfare. This statement may be accompanied by three (3) copies of any material which (in the applicant's opinion) is necessary to clarify or emphasize the typewritten statement. This additional material, if not foldable, shall be not larger than eighteen (18) by twenty-four (24) inches;

Comment: The Applicant has submitted three (3) copies of this Statement in support of the amended Basic Plan.

(D) A reproducible copy of a Basic Plan. The Basic Plan shall include the following, presented in a general, schematic manner:

Comment: Along with this BPA application, the Applicant has submitted a reproducible copy of the amended Basic Plan.

(i) Existing streams and their associated buffers; nontidal wetlands and their associated buffers; slopes greater or equal to fifteen percent (15%); and the one-hundred (100) year floodplain;

Comment: There are no streams, wetlands, slopes greater than or equal to fifteen percent (15%), or 100-year floodplain on or adjacent to the site.

(ii) The general types of land uses proposed (such as residential, commercial-retail, commercial-office, institutional, and industrial), the delineation of general development envelopes, and in the Village Zones, designation of the required land use areas;

Comment: The proposed residential use conforms to the designated required land use.

(iii) The range of dwelling unit densities and commercial or industrial intensities proposed;

Comment: The density of dwelling units conforms to the parameters of the land use requirements.

(iv) General vehicular and pedestrian circulation pattern and general location of major access points;

Comment: Vehicular circulation, pedestrian circulation, and location of access points are shown on the plan.

(v) Areas not proposed to be developed with residential, commercial, institutional, or industrial uses;

Comment: Proposed Development is a residential use consisting of min. 6,000 sq. ft. SFD lots in the L-A-C zone and 8,000 sq. ft. SFD lots in the R-L zone.

(vi) The relationship of the proposed development on the subject property to existing and planned development on surrounding properties; and

Comment: The Proposed Development will extend the adjacent Lake View neighborhood and include a similar mix of rear-loaded village units and standard front-load SFD units.

(vii) A forest stand delineation prepared in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual.

Comment: A forest stand delineation in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual has been prepared. See approved NRI-136-2023.

(E) Where the application requests the M-A-C, L-A-C, V-L, V-M, or E-I-A Zone, or is for rezoning of one hundred (100) or more acres to the R-L, R-S, R-M, or R-U Zone, the applicant shall submit an estimated construction schedule setting forth the following . . .

Comment: This BPA application is for an amendment to the Basic Plan and does not request a rezoning to the M-A-C, L-A-C, V-L, V-M, E-I-A, R-L, R-S, R-M, or R-U Zone. Accordingly, this provision is inapplicable.

(F) An economic analysis justifying any proposed retail sales area, except in the case of an application for the M-A-C Zone;

Comment: This BPA application is for an amendment to the Basic Plan and does not request a rezoning to the M-A-C Zone. Accordingly, this provision is inapplicable.

(G) A statement listing the names, and the business and residential addresses, of all individuals having at least a five percent (5%) financial interest in the subject property;

Comment: The Applicant is the sole owner of the Property.

(H) If any owner is a corporation, a statement listing the officers of the corporation, their business and residential addresses, and the date on which they assumed their respective offices. The statement shall also list the current Board of Directors, their business and residential addresses, and the dates of each Director's term. An owner that is a corporation listed on a national stock exchange shall be exempt from the requirement to provide residential addresses of its officers and directors;

Comment: The Applicant is the sole owner of the Property and is not a corporation. Accordingly, this provision is inapplicable.

(I) If the owner is a corporation (except one listed on a national stock exchange), a statement containing the names and residential addresses of those individuals owning at least five percent (5%) of the shares of any class of corporate security (including stocks and serial maturity bonds);

Comment: The Applicant is the sole owner of the Property and is not a corporation. Accordingly, this provision is inapplicable.

(J) A list containing the names and addresses of all adjoining property owners and the owners of those properties directly across a street, alley, or stream, and each municipality if any part of the property in the application is located within the municipal boundaries, or is located within one (1) mile of the municipality, and a set of preaddressed envelopes or mailing labels.

Comment: A list with names and addresses of adjoining property owners, including those across streets and municipalities has been received from Park and Planning Information Services. A complete mailing list and affidavit of mailing is provided. Preaddressed envelopes and mailing labels are also prepared.

(K) Any other data or explanatory material deemed necessary by the District Council, Zoning Hearing Examiner, or Planning Board (submitted in triplicate).

(2) For the purposes of (G), (H), and (I), above, the term "owner" shall include not only the owner of record, but also any contract purchaser.

(3) If the applicant elects to submit a Comprehensive Design Plan or Specific Design Plan for concurrent consideration with the Basic Plan, the Plans shall be submitted in accordance with Part 8, Division 4.

Comment: Any Comprehensive Design Plan or Specific Design Plan submitted by the Applicant for concurrent consideration with this BPA application will be submitted in accordance with Part 8, Division 4.

3. **§27-195 – Map Amendment Approval (including Basic Plan).**

(b) Criteria for approval.

(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

(A)The proposed Basic Plan shall either conform to:

(i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties;

Comment: The Proposed Development facilitated by this BPA application addresses several of the purposes and recommendations of the General Plan and Master Plan. First, the BPA repurposes a portion of the Property that was previously intended to be developed with commercial/institutional use (i.e., church or day care center).[1] As the County's land-use priorities have shifted, the highest and best use of the Property is for low-medium density residential homes. Accordingly, the Proposed Development provides additional single-family detached homes (in lieu of the previously proposed commercial/institutional use of the Property). Although the land is cleared and

[1] "Identify additional strategies that may reduce the amount of residential and commercial development that is no longer economically viable and has been approved but not constructed throughout the County." General Plan, LU 4.4 .

vacant, the Property has never been developed for commercial and/or institutional uses, which development would require significant investment and infrastructure improvements to achieve financial viability.[2] Further, the Property is located outside of the County's Regional Transit Districts and Local Centers.[3] Finally, the Proposed Development facilitated by the BPA will strengthen the established golf-course-centric and residential-use dominant community of Oak Creek Club in a manner both compatible and harmonious with the spirit of the Basic Plan and those established residential communities surrounding the Property, such the adjacent Lake View single-family detached home and nearby Clubhouse Terrace townhouse communities.[4] The additional housing provided by the Proposed Development on the cleared and vacant Property will add neighbors to the established community attached to existing infrastructure, including roads, utilities, and a Homeowners Association, and complete the remaining phase of the Oak Creek Club development.[5]

> *(ii)The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses; or*

Comment: As described above, the Property is located within the General Plan's Established Communities Growth Policy Area. The siting and scale of the Proposed Development facilitated by this BPA application are compatible with the surrounding low- to medium-density residential communities and representative of appropriate context-sensitive infill. In addition, the Proposed Development is subject to the recommendations and objectives outlined in the Master Plan, which provides for a residential low density future land use designation for the Property. The Proposed

[2] "Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas." General Plan, Policy 9.
[3] "Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated." General Plan, LU 7.1.
[4] "Revise and update the Zoning Ordinance, Subdivision Ordinance, and other County regulations to ensure they help protect, strengthen, and revitalize the Established Communities." General Plan, LU 8.4.
[5] "Future Land Use recommends creating strategic opportunities for infill housing and commercial land uses within Established Communities, served by existing infrastructure." Master Plan, LU 3.

Development will efficiently utilize vacant land to provide low density housing complementary to those previously approved, surrounding residential uses.

> *(iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.*

Comment: No portion of the Property is located within the R-S or E-I-A Zone. Accordingly, this provision is inapplicable.

> *(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan;*

Comment: This BPA application does not propose a retail commercial area on the Property. Accordingly, this provision is inapplicable.

> *(C)Transportation facilities (including streets and public transit)*
>
> > *(i) which are existing,*
> >
> > *(ii) which are under construction, or*
> >
> > *(iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;*

Comment: A transportation checklist signed by Park and Planning Transportation Section will be provided.

> *(D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds*

are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;

Comment: ADQ-2024-004 Oak Creek Club - Landbay T. Will address all adequacy of all private & public facilities.

(E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.

Comment: The proposed development is environmentally compatible with both existing and proposed adjacent land uses.

(2) Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.

Comment: The proposed development construction will not span more than six (6) years.

(3) In the case of an L-A-C Zone, the applicant shall demonstrate to the satisfaction of the District Council that any commercial development proposed to serve a specific community, village, or neighborhood is either . . .

Comment: This BPA application proposes developing the property with residential uses and does not propose any commercial development to serve a specific community,

village or neighborhood. Accordingly, this provision is inapplicable to this BPA application.

> *(4) In the case of a V-M or V-L Zone, the applicant shall demonstrate to the satisfaction of the District Council that the commercial development proposed to serve the village is no larger than needed to serve existing and proposed residential development within and immediately surrounding the village, within the parameters of Section 27-514.03(d)(1)(A).*

Comment: No portion of the Property is or proposed to be located within a V-M or V-L Zone. Accordingly, this provision is inapplicable to this BPA application.

II. CONCLUSION

The Applicant respectfully requests that the Planning Board grant approval of this application to amend the Basic Plan applicable to Zoning Map Amendments A-8427, A-8578, and A-8579. The above analysis and submitted plans establish that this application satisfies the required findings that the Planning Board must make to approve a BPA application.

Respectfully submitted,

CLHATCHER LLC

By:

Christopher L. Hatcher, Esq.
14401 Sweitzer Lane, Suite 570
Laurel, Maryland 20707
Attorney for Applicant

Lenhart Traffic Consulting, Inc.

Transportation Planning & Traffic Engineering

Memorandum: ***Date:*** **August 8, 2024**

TO: M-NCPPC
Transportation Planning Division
1616 McCormick Drive
Largo, MD 20774

FROM: Mike Lenhart

RE: Oak Creek Club Landbay T Rezoning Application (A-8579-01)

The purpose of this memorandum is to provide a transportation related traffic brief for the referenced rezoning application.

The ZMA proposes to increase residential density in the R-L zone from 1.3 to 1.4 DU's per acre and to increase the DU's in the L-A-C from 52 to 76 DU's and eliminate the commercial development in the L-A-C zone located at the north east corner of Marie Bowie Parkway and South Church Road.

The location of the proposed rezoning is shown in the graphic below.

Lenhart Traffic Consulting, Inc.
645 B&A Blvd, Suite 214
Severna Park, MD 21146

Phone (410) 216-3333
Fax (443) 782-2288
email: mlenhart@lenharttraffic.com

The Zoning Map Amendment for the property does not require a Traffic Impact Analysis. However, if this amendment is approved, the application will require a Preliminary Plan of Subdivision, which will require a Traffic Impact Analysis for the purpose of assessing Adequate Public Facilities for Transportation.

A Transportation Pre-Application Checklist for the Preliminary Plan has been submitted to M-NCPPC and approved, and a Traffic Impact Assessment will be included with the Preliminary Plan of Subdivision. In addition, the Preliminary Plan of Subdivision will include a Bike and Pedestrian Impact Statement. The Scoping Agreement for the Bike and Pedestrian Impact Statement has been approved by M-NCPPC. A copy of the approved checklist and scoping agreement is included with this memorandum, and the reports will be submitted for the record with the Preliminary Plan of Subdivision.

It should be noted that the area of the proposed ZMA contains R-L and L-A-C zoning, and it was always considered that development would occur within this area. If the ZMA is approved, it is anticipated that the development in this area would be approximately 28 single family homes which is well within any trips that could otherwise be generated by the previously approved uses. Based on this information, it is our opinion that this ZMA will not have any adverse effect upon the adjacent properties and surround neighborhood. Additionally, it is our opinion that this ZMA will not have any detrimental effect on the health, safety, or welfare of pedestrians or motorists in the area. Furthermore, a full Adequate Public Facilities analysis will be required at the time of Preliminary Plan of Subdivision.

If you have any questions regarding this matter, please do not hesitate to contact me at the number below.

Thanks,
Mike

Lenhart Traffic Consulting, Inc.
645 B&A Blvd, Suite 214
Severna Park, MD 21146

Phone (410) 216-3333
Fax (443) 782-2288
email: mlenhart@lenharttraffic.com

The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department

14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Transportation Pre-Submittal Checklist for Development Applications

The Checklist is for the purpose of determining whether a traffic study or counts will be needed in support of an application, and to ensure that basic access issues are considered early in the process. This Checklist is required ONLY for the following:

- Subdivisions (4-/PPS applications, or 5-/FPS applications pursuant to 24-111(c))
- Rezoning requests for a comprehensive design or a mixed-use zone (A-/ZMA applications)
- Comprehensive Design Plans (CDP- applications) • Conceptual Site Plans (CSP- applications)
- Detailed Site Plans ONLY within the Central US 1 Corridor Sector Plan area
- Special Exceptions involving the following uses:
  - Amusement Park
  - Asphalt Mixing Plant
  - Concrete Batching Plant
  - Sand & Gravel Wet Processing Plant
  - Concrete Mixing Plant
  - Surface Mining

In lieu of a signed Checklist, a signed Scoping Agreement may be provided to the Development Review Division.

Project Name: Oak Creek

Applicant's Name: Lenhart Traffic Consulting Inc.

Site Address or Tax ID: 0777144

Case Number (if available):

Application Type: Preliminary Plan

Phone No.: 410-980-2367

Contact/Agent E-mail: mlenhart@lenharttraffic.com

Please provide a concept plan on letter-sized paper. The concept plan must show a general layout of the proposed uses, proposed points of access, and sufficient detail of nearby public streets, properties, and/or environmental features to allow the property to be located and assessed by staff.

Please describe the current development proposal in terms of size and access:

Residential:

28	Single family residences (number)		Townhouse residences (number)
	Apartment or Condominium residences (number)		
	Number of residences that will be age-restricted (limited to elderly persons or families)		

Non-Residential:

	Square feet office	(describe)
	Square feet retail	(describe)
	Square feet industrial	(describe)

Other Uses:

This includes places of worship, day care facilities, private schools, hotels, and other types of proposals. Please describe the size of the proposal using square footage, number of units or students, or any other appropriate measure.

Access to the Site:

Describe how the site will be accessed. Indicate the number of access points, where they are proposed, if existing streets or aprons will be used, and if any streets or aprons will be modified. This should match your concept plan.

Access to the site will be provided via Bamberg Way

DO NOT COMPLETE – For Staff Use Only

Estimated Trip Generation	AM: 21	PM: 26	Other:

Data Need	Yes	No	Requirement for this Application
Traffic Study		X	If YES, have a traffic consultant scope the study using the Scoping Agreement and standards provided in "Transportation Review Guidelines, Part 1." The traffic study must be submitted during the pre-application review process.
Traffic Count	X		If YES, counts in lieu of a full study are required at the intersection(s) identified on the comment line below. Counts must be taken in accordance with the procedures in "Transportation Review Guidelines, Part 1." Any required counts must be submitted during the pre-application review process.
Other Transportation Study		x	If YES, please see comment line below.
Transportation Adequacy Finding Not Required by Application or De Minimus		X	None, unless other information is requested by comments above.
The site is proposed to have driveways accessing an arterial or higher-classification facility		X	If YES, it is recommended that the plan be revised to minimize access to the high-classification facility, as noted below. If that is not possible, a variation from Section 24-121(a)(3) must be reviewed and granted by the Planning Board during the subdivision process.
Insufficient information to make determination		x	If YES, please see comment line below and resubmit with sufficient information.

TPS Comments:

Peak hour traffic counts are required at all site access points and Mary Bowie Parkway / Church Road. Please provide analysis HCM and V/c ratio for all conditions.

Noelle Smith — 5/30/2024

Transportation Staffperson Signature — Date

Noelle Smith

Transportation Staffperson's Name (printed)

noelle.smith@ppd.mncppc.org

Transportation Staffperson's Phone and E-mail

This is an initial assessment of the data required to complete review of the application. However, if the development proposal changes or if new information is determined during a detailed review of the application after its formal acceptance, the transportation staff shall reserve the right to request additional information in accordance with the findings required for the application.

NOTE

Please submit this Checklist (both pages with the required concept plan) and any Scoping Agreements to the Transportation Planning Section. Please submit as a PDF by email, and send to noelle.smith@ppd.mncppc.org.

The rear side of this page should be completed by the Transportation Planning Section and returned to the applicant within five (5) working days.

Table 1: Bicycle and Pedestrian Impact Statement (BPIS) Scoping Agreement

This form must be completed prior to preparation of the Bicycle and Pedestrian Impact Statement (BPIS) and approved by Transportation Planning Section (TPS) staff as part of the scoping for transportation and pedestrian/bicycle adequacy for the acceptance of Certificate of Adequacy applications (ADQ). The completed scoping agreement will be reviewed by the Planning Department during the scoping meeting. TPS will return a signed copy when all comments provided in the scoping meeting have been addressed and returned to the consultant for inclusion in the BPIS. Failure to conduct the study in accordance with the Transportation Review Guidelines (TRG) and the signed scoping agreement may be grounds for rejection of the study and thereby necessitate an addendum or a new study prior to the start of staff review.

Application Name:	Oak Creek
Project	Oak Creek
Subject Property Address (or Tax Account ID #):	0777144
Is a finding of adequate public pedestrian and bikeway facilities required per Section 24-4506(b)(3) of the Subdivision Regulations or a General Plan Center of Corridor Name per Section 24-124.01 of the prior Subdivision regulations? If so, a BPIS is required. Please provide specific criteria for BPIS review or provide justification if a BPIS is not applicable.	LCD
Applicant (or Consultant) Contact Information:	Mike Lenhart
Date of Scoping Agreement Submission:	May 29, 2024

Project Description and Cost Cap

1. Proposed Use:	Single Family Residential
2. Gross square feet of commercial or retail development (SF):	0
3. Number of Dwelling Units (DU):	28 DU's

The cost cap for required off-site pedestrian and bikeway facilities shall not exceed thirty-five cents ($0.35) per gross square foot of commercial or retail development proposed and three hundred dollars ($300) per unit of residential development, indexed for inflation.

4. Base Cost Cap ($0.35 per SF + $300 per DU):	$8,400
5. Cost Cap Indexed for Inflation, using Bureau of Labor Statistics Consumer Price Index between June 2013 and Present: (https://www.bls.gov/data/inflation_calculator.htm)	$11,279

BPIS Scope

This agreement summarizes the geographic extent that is necessary for detailed review as part of the BPIS. Additional corridors or areas that are not listed below but are within walking or bicycling distance of the subject property may also be included in the BPIS. The submitted BPIS must also include pedestrian and bikeway facilities necessary to meet adequacy within the proposed subdivision (on-site).

6. **Date of Pre-Application Scoping Meeting:**	Submitted via email 5/29/24	
7. **BPIS Map Included:**	Yes	No
8. **Potential Pedestrian or Bicycle Trip Generators within 1 Mile of Subject Property:** (List all relevant generators.)	none	
9. **Proposed Corridors for BPIS Review within the Vicinity of the Subject Site:** (Provide the name of each roadway/shared-use path corridor and its extents.)	Central Ave side path Church Road Side Path Jennings Mill Drive Shared Road Jones Bridge Road shared road	
10. **Master Plan Pedestrian and/or Bicycle Facility Recommendations along Subject Property Frontage or along Proposed Corridors:** (See list above.)	Same as above	
11. **Have any discussions with relevant permitting agencies (Department of Permitting, Inspections and Enforcement (DPIE), SHA, Municipalities, Washington Metropolitan Area Transit Authority (WMATA), etc.) occurred?**	Yes	No
12. **If a bikeshare station is proposed for this application, has a written confirmation and approval for that bikeshare station from DPW&T staff been submitted?** **Prior to application acceptance, a written approval from DPW&T must be submitted.**	Yes	No

Scope Agreement and Approval

SIGNED: _____ **Date:** 5/29/24

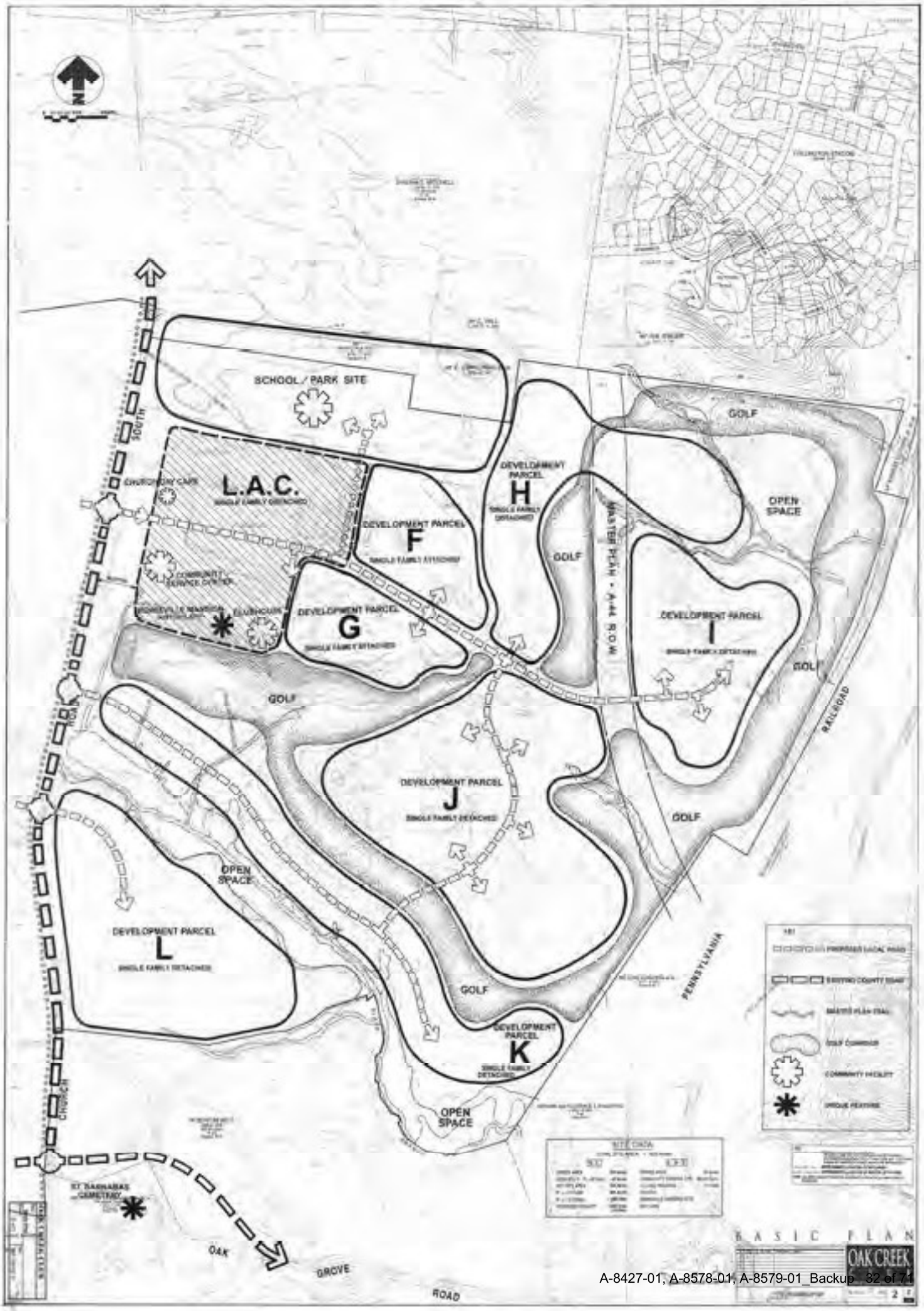
Applicant Consultant

APPROVED: Noelle Smith **Date:** 6/4/2024

TPS Coordinator (or Supervisor)

For Staff Use Only		
Okay to Accept Certificate of Adequacy Application?	Yes	No
If NO, please provide the following additional information:		

RECREATION FACILITIES
SCENIC POND
DEVELOPMENT PARCEL
A
SINGLE FAMILY DETACHED
GOLF
DEVELOPMENT PARCEL
B
SINGLE FAMILY DETACHED
GOLF
SOUTH
DEVELOPMENT PARCEL
C
SINGLE FAMILY DETACHED
GOLF
SMALL HOUSE
GOLF
GOLF
DEVELOPMENT PARCEL
D
SINGLE FAMILY DETACHED
DEVELOPMENT PARCEL
E
SINGLE FAMILY DETACHED
GOLF
OPEN SPACE
ROAD
QUEEN ANNE SCHOOL
ST. BARNABAS CHURCH
BASIC PLAN
OAK CREEK


SCHOOL / PARK SITE
L.A.C.
SINGLE FAMILY DETACHED
CHURCH DAY CARE
COMMUNITY SERVICE CENTER
CLUBHOUSE
DEVELOPMENT PARCEL
F
DEVELOPMENT PARCEL
G
SINGLE FAMILY DETACHED
DEVELOPMENT PARCEL
H
SINGLE FAMILY DETACHED
DEVELOPMENT PARCEL
I
DEVELOPMENT PARCEL
J
SINGLE FAMILY DETACHED
DEVELOPMENT PARCEL
K
SINGLE FAMILY DETACHED
DEVELOPMENT PARCEL
L
SINGLE FAMILY DETACHED
GOLF
OPEN SPACE
MASTER PLAN - A-44 R.O.W.
SOUTH
CHURCH
ROAD
RAILROAD
PENNSYLVANIA
ST. BARNABAS CEMETERY
OAK
GROVE
ROAD
PROPOSED LOCAL ROAD
EXISTING COUNTY ROAD
MASTER PLAN TRAIL
GOLF CORRIDOR
COMMUNITY FACILITY
UNIQUE FEATURE
BASIC PLAN
OAK CREEK

SCALE: 1"=200'

N

GRAPHIC SCALE

SCALE: 1" = 200'

EVALINA S. MITCHELL

COLLINGTON STATION

JENNINGS

N/F C. HALL

M.N.C.P.&P.C.

N/F W.B. BINGER

N/F E. CZARCINSKI

SCHOOL / PARK SITE

SOUTH

DEVELOPMENT PARCEL T SINGLE FAMILY DETACHED

L.A.C. SINGLE FAMILY DETACHED

DEVELOPMENT PARCEL F SINGLE FAMILY ATTACHED

DEVELOPMENT PARCEL H SINGLE FAMILY DETACHED

GOLF

OPEN SPACE

MASTER PLAN • A-44 R.O.W.

BUFFER

COMMUNITY SERVICE CENTER

BOWIEVILLE MANSION (HISTORIC SITE)

CLUBHOUSE

DEVELOPMENT PARCEL G SINGLE FAMILY ATTACHED

DEVELOPMENT PARCEL I SINGLE FAMILY DETACHED

RAILROAD

ROAD

DEVELOPMENT PARCEL J SINGLE FAMILY DETACHED

OPEN SPACE

DEVELOPMENT PARCEL L SINGLE FAMILY DETACHED

PENNSYLVANIA

COLLINGTON

BRANCH

DEVELOPMENT PARCEL K SINGLE FAMILY DETACHED

HERMIN and FLORENCE T. D'AULERIO

W.SEATON BELT

CHURCH

ST. BARNABAS CEMETERY

OAK GROVE ROAD

KEY

PROPOSED LOCAL ROAD

EXISTING COUNTY ROAD

MASTER PLAN TRAIL

GOLF CORRIDOR

COMMUNITY FACILITY

UNIQUE FEATURE

EXISTING 100 YEAR FLOODPLAIN

APPROXIMATE LOCATION OF WETLANDS

APPROXIMATE LOCATION OF WATERS OF THE USA

NOTE: ALL AREAS SUBJECT TO WETLAND DELINEATION PER THE U.S. ARMY CORPS OF ENGINEERS

SITE DATA

TOTAL SITE AREA = 925 ACRES

R-L		L-A-C	
GROSS AREA	895 AC	GROSS AREA	33 AC
LESS 50% R, PL, PL (92 AC)	46AC	COMMUNITY SERVICE CTR.	40,000 SQ. FT.
NET SITE AREA	846 AC	VILLAGE HOUSING	76 UNITS
R-L 1.0 DU/AC	846 AC		
R-I 1.5 DU/AC	1,269 UNITS	BOWIEVILLE HISTORIC SITE	
PROPOSED DENSITY	1,108 UNITS		
	1.4 DU/AC		

UPDATES/REVISIONS:

3/24/2024– SUBMIT AMENDED BASIC PLAN TO ADD RESIDENTIAL LOTS IN R-L AND L-A-C ZONE

8/2/2024– REVISE TO ADDRESS SDRC COMMENTS

BASIC PLAN

OAK CREEK - LANDBAY T

7th ELECTION DISTRICT

PRINCE GEORGE'S COUNTY, MARYLAND

CPJ Associates

Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

SHEET 2 of 2

NOV., 2023

This Form Is To Be Filed With:

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
ROOM 2198
UPPER MARLBORO, MD 20772
301-952-3600

Business Entity[1] Affidavit

(Form PG 2)

General Information

The Prince George's County land use ethics law (General Provisions Article, §§ 5-833 to 5-839, Annotated Code of Maryland) ("Public Ethics Law") requires this affidavit to be filed where a business entity is deemed to be an applicant in an application filed with the District Council. This can occur, for example, when a business entity is a title owner or contract purchaser of land that is the subject of an application, a trustee having an interest in the land (except those described in a mortgage or deed of trust), or the holder of 5 percent or more interest in an entity having an interest in the land (provided that it has substantive involvement in the disposition of the land, or substantive activities pertaining specifically to land development in Prince George's County). Applicant can also include a business entity in which a 5 percent or greater interest is held by another applicant.

In completing this form, you should also review §§ 5-833 to 5-839 of the Public Ethics Law. These provisions include the affidavit requirement, define applicants and agents, set out District Council member disqualification requirements, and specify ex parte disclosure procedures. Please note that there may be situations where there is more than one applicant involved, requiring one or more submissions of this form (or Form PG 1 Individual Applicant Affidavit). You may direct questions about the affidavit or other requirements of the Law to the State Ethics Commission office by phone, at 410-260-7770, or in writing, at the above address. Copies of the Public Ethics Law may be obtained at the Commission's website http://ethics.maryland.gov/public-ethics-law/. Additionally, there is a Special Ethics Law Memo on the Prince George's County land use ethics law at http://ethics.maryland.gov/download/local-gov/local-gov-forms/PG%20County%20Zoning%20Memo.pdf, that contains additional filing information, including timing requirements.

If the applicant business entity is a corporation listed on a national stock exchange or regulated by the Securities Exchange Commission, then its officers, its directors, or its shareholders having a 5 percent or greater interest in the corporation are required to file an affidavit **only if** these persons have made a payment or have solicited a payment as outlined in the Public Ethics Law **and** if the corporation itself completes Part B of the affidavit. If required to file, these persons will file the Individual Applicant Affidavit, Form PG 1.

Filing Deadline

You must file a signed original of this affidavit with the Clerk of the County Council no later than 30 days prior to the District Council's consideration of the application. You must file a supplemental affidavit as expeditiously as possible whenever a payment/contribution is made after the original affidavit was filed and prior to Council's consideration. Please note that under § 5-835(a) of the Public Ethics Law, payments/contributions during the pendency of an application are generally prohibited.

PART A. Business Entity Applicant

Identifying Information

Name of Applicant Carrollton Oak Creek LLC Case No. (where applicable) A-8427-01

Address of Applicant 11785 Beltsville Drive, Beltsville MD, 20705

Identity of the Property/ Subject of Application Oak Creek Club Parcel B, Tax Id# 36369255 and Parcel 3, Tax Id# 0777144 Type of Application Basic Plan Amendment (see § 5-833(d))

[1]Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

Applicant Payment/Contribution to Member Information (check or complete applicable blanks)

1. Was a payment/contribution made by the applicant to a treasurer or a continuing committee, either directly or through a political action committee (PAC), during the 36 months before the application was filed or during the pendency of the application? _____ Yes ___X___ No

If the answer to #1 above is yes, list below the name of the member or members and the date or dates of the payment/contribution:

Name of Member	Date

If the payment/contribution was through a PAC, identify the PAC and the date of the transfer to the treasurer or continuing committee:

_____ _____

_____ _____

Solicitation and other Payment/Contribution Information

2. Did the applicant solicit a person or business entity to make a payment/contribution to a member during the 36 months before the application filing or during the pendency of the application?
_____ Yes ___X___ No

If the answer to #2 above is yes, and a contribution was made, list below the name of the member or members, the date or dates of the payment/contribution, and the name of the contributor:

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PART B. Directors, Officers and Stockholders (see § 5-838(b)) (For Corporations Only)

***Note: For a corporation's application to be processed, this section must be completed in full (place a check at the beginning of each question to indicate the action has been completed).**

1. _____All directors, officers, and stockholders with a 5 percent or greater interest have been notified of the disclosure requirement as provided in the Law and are identified as follows (list name and title – if the corporation has no directors, officers or stockholders with a 5 percent or greater interest, so state):

_____

_____

_____

2. _____Affidavits (Form PG 1 Individual Applicant Affidavit) from those individuals identified in question #1 above, who have made or solicited contributions and are therefore required to disclose, are either attached or on file with the Clerk of the County Council **OR** there are no individuals required to file affidavits.

I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Signature (original to be filed with the Clerk) 3/8/2024 Date

IAN KELLY

Printed Name of Signer

MANAGER

Title of Signer (Authorized to sign for the business entity)

This Form Is To Be Filed With:

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
ANNAPOLIS, MD 21401
410-260-7770
1-877-669-6085

CLERK OF THE COUNTY COUNCIL
COUNTY ADMINISTRATION BUILDING
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301-952-3600

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(Form PG 2)

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Identifying Information

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Address of Applicant 11785 Beltsville Drive, Beltsville MD, 20705

Identity of the Property/ Subject of Application Oak Creek Club Parcel B, Tax Id# 36369255 and Parcel 3, Tax Id# 0777144 Type of Application Basic Plan Amendment (see § 5-833(d))

[1]Section 5-833 of the Public Ethics Law defines a business entity as a corporation, a general partnership, a joint venture, a limited liability company, a limited partnership or a sole proprietorship.

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I hereby make oath or affirmation that the contents of this affidavit are true and correct to the best of my knowledge, information and belief.

Ian Kelly — 3/8/2024

Signature (original to be filed with the Clerk) — Date

IAN KELLY

Printed Name of Signer

MANAGER

Title of Signer (Authorized to sign for the business entity)

This Form Is To Be Filed With:

STATE ETHICS COMMISSION
45 CALVERT STREET, 3RD FLOOR
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Address of Applicant 11785 Beltsville Drive, Beltsville MD, 20705

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Signature (original to be filed with the Clerk) — Date: 2/8/2024

IAN KELLY

Printed Name of Signer

MANAGER

Title of Signer (Authorized to sign for the business entity)

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMISSION
Prince George's County Planning Department

Development Review Division
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772
Contact: DRDapplications@ppd.mncppc.org

APPLICATION FORM

APPLICATION TYPE: Basic Plan Amendment per Section 27-195(c) ☐ Revision of Case #

Companion Cases: A-8427-01, A-8578-01, A-8579-01, CDP-9902-06, CDP-9903-05, 4-24004+ADQ-2024-004

Payment option: ☐ Credit Card ☐ Check (payable to M-NCPPC) *Do not submit payment until requested by staff*

PROJECT NAME: Oak Creek Club, Landbay T

Complete address (if applicable) 800 Church Road S, Upper Marlboro, MD 20774

Geographic Location (distance related to or near major intersection)
Northeast of intersection of Church Road and Mary Bowie Pkwy

Total Acreage: 8.09	Aviation Policy Area: N/A	Election District: 7
Tax Map/Grid: 069E4/076F1	Current Zone(s): LCD	Council District: 6
WSSC Grid: 201SE12	Existing Lots/Blocks/Parcels: Part Pcl 3, Part Pcl B	Dev. Review District: 7
Planning Area: 74A	In Municipal Boundary: None	Is development exempt from grading permit pursuant to 32-127(a)(6)(A)? ☐ Yes ☑ No
Tax Account #: 3636925 & 0777144	Police District #: 10	General Plan Growth Policy: Established Communities

Proposed Use of Property and Request of Proposal:
Expand the exisiting residential development by amending Condition #1 and removing Condition #2 of the Basic Plan, as provided in Zoning Ordinance No. 11-2000

Please list previously approved applications affecting the subject property:
Basic Plan A-8427, A-8578, A-8579
CDP-9902-05 (R-L) and CDP-9903-04(L-A-C)
PPD #4-01032, SDP-0308-07, TCP2-109-03-06

Applicant Name, Address & Phone:
Mark Allison
11785 Beltsville Drive
Beltsville, MD 20705
mallison@carrolltonenterprises.com
301-572-7800

Owner Name, Address & Phone:
(if same as applicant indicate same/corporation see Disclosure)
Carrollton Oak Creek LLC
11785 Beltsville Dr
Beltsville, MD 20705
301-572-7800

Consultant Name, Address & Phone:
Charles P. Johnson & Associates, Inc.
1751 Elton Road, #300
Silver Spring, MD 20903
301-434-7000

Contact Name, Phone & E-mail:
Andrew P. Funsch
301-434-7000
afunsch@cpja.com

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures):

Owner's Signature (signed)	Date 3-14-2024	Applicant's Signature (signed)	Date 3-14-2024
Carrollton Enterprises Management Services, LLC, its' Manager Ian C Kelly		Mark Allison	
Contract Purchaser's Signature (signed)	Date	Applicant's Signature (signed)	Date

FOR STAFF USE ONLY Application No.(s):

SUBDIVISION CASES: Preliminary Plan of Subdivision/Conservation Sketch Plan	
Type of Application (Check all that apply): ☑Conventional Subdivision ☐Conservation Subdivision ☐ Conservation Sketch Plan ☐ Subdivision Ordinance Interpretation ☐ Vacation Petition	
Variation, Variance or Alternative Compliance Request(s): ☐Yes ☑ No	Applicable Zoning/Subdivision Regulation Section(s): LCD - Legacy Comprehensive Design
Total Number of Proposed: Lots 28 Outlots _____ Parcels _____ Outparcels _____	
Number of Dwelling Units: Attached_____ Detached 28 Multifamily_____	Gross Floor Area (Nonresidential portion only): _____
SUBDIVISION CASES: Final Plat	
Water/Sewer: ☐DPIE ☐Health Department	Number of Plats: _____
Detailed Site Plan No.: _____	WSSC Authorization No.: _____
Approval Date of Preliminary Plan: _____	Check box if a hearing is requested: ☐
URBAN DESIGN AND ZONING CASES	
Type of Application (Check all that apply): ☐Certification of Nonconforming Use ☐ Conservation Plan ☐ Detailed Site Plan ☐ Planned Development ☐ Secondary Amendment ☐ Special Exception ☐ Zoning Map Amendment ☐ Zoning Ordinance Interpretation	
Details of Request:	Applicable Zoning Ordinance Section(s):
Total Number of Proposed: Lots _____ Outlots _____ Parcels _____ Outparcels _____	
Number of Dwelling Units: Attached_____ Detached_____ Multifamily_____	Gross Floor Area (Nonresidential portion only): _____
Variance Request: ☐Yes ☐No	Applicable Zoning/Subdivision Regulation Section(s): _____
Departure Request: ☐Yes ☐No	Application Filed: ☐Yes ☐No
Alternative Compliance Request: ☐Yes ☐No	Application Filed: ☐Yes ☐No

APPLICATION FORM DISCLOSURE

List all persons having at least five percent (5%) interest in the subject property ONLY required for Special Exception and Zoning Map Amendment Applications.

Owner(s) Name (printed)	**Signature and Date**	**Residence Address**
N/A		

If the property is owned by a corporation, please fill in below.

Officers	**Date Assumed Duties**	**Residence Address**	**Business Address**

Officers	**Date Assumed Duties**	**Date Term Expires**	**Residence Address**	**Business Address**

CLHATCHER
LLC
14401 SWEITZER LANE, SUITE 570, LAUREL, MD 20707

August 1, 2024

VIA EMAIL
Prince George's County
MNCPPC
Development Review Division
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

Re: A-8427-01 + A-8578-01 + A-8579-01 (Amendment of Basic Plan): Oak Creek Club – Landbay T, 800 South Church Road, Bowie, Maryland

To Whom It May Concern:

Please accept this letter as our point-by-point responses for SDRC comments, dated June 27, 2024, from the review of the proposed amendment of the Basic Plan applicable to Zoning Map Amendments A-8427, A-8578, and A-8579. Our responses are as follows:

Zoning – Joshua Mitchum:

1. Provide more justification for the removal of commercial space. While a market study will not be required, more information about the history of prior commercial condition and why it is no longer necessary/feasible should be provided.

Response: After internal review of the Basic Plan conditions of approval and several discussions with M-NCPPC Staff, the Applicant no longer requests the removal of Condition #2 from the Basic Plan conditions of approval.

Condition #2 approves the L-A-C Zone designation on 33 acres within the Oak Creek Club with the condition that the maximum square footage of "the proposed commercial component" be determined at the Comprehensive Design Plan stage. Condition #2 does not (i) require a minimum square footage of commercial development that must be placed in the L-A-C Zone, (ii) that commercial space be developed on Parcel 3 (the L-A-C-Zoned portion of the subject property), nor (iii) limit residential development on the subject property.

Further, the proposed development of single-family detached dwellings on the subject property does not preclude future commercial development in the L-A-C-Zoned portion of the Oak Creek Club development. Commercial development is possible on Outlot B in the L-A-C Zone, which is located directly to the south of Parcel 3 across the Mary Bowie Pkwy right-of-way. Outlot B, which is owned by the Oak Creek Club Homeowners' Association (the "HOA"), is comprised of vacant, undeveloped land and could potentially be developed in the future with commercial space.

2. Provide a more detailed discussion about the abutting and adjacent and existing and planned land uses.

Response: Acknowledged. The Applicant has provided a more detailed discussion about the abutting and adjacent and existing and planned land uses in Section III of the Statement of Justification ("SOJ").

3. Clarify what specific General Plan map and Area Master Plan map recommendations for the subject property are. The SOJ needs to adequately analyze the recommendations with respect to how the removal of commercial and increase in density.

Response: Acknowledged. In Sections V.B and V.C of the SOJ, the Applicant has (i) clarified the specific General Plan map and Area Master Plan map recommendations for the subject property and (ii) provided additional analysis regarding the General Plan and Master Plan recommendations regarding land use and density on the subject property.

Community Planning:

1. No major issues, however, the applicant should expand on the justification on how the proposed development still conforms with the Neighborhood Mixed-Use future land use category, which the subject property falls under.

Response: Acknowledged. In Section V.C of the SOJ, the Applicant has provided justification regarding the proposed development's conformance with the Master Plan's future land use recommendation of Neighborhood Mixed-Use.

2. Major Issues Memorandum
    a. The Community Planning Division has not identified any major issues with this application.

Response: Acknowledged.

    b. The 2022 Approved Bowie-Mitchellville and Vicinity Master Plan (master plan) recommends Residential Low and Neighborhood Mixed-Use land uses on the subject property. Residential Low land uses are defined by the master plan as Residential areas between 0.5 and 3.5 dwelling units per acre with primarily single-family detached dwellings. Neighborhood Mixed-Use is defined by the master plan as traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities, with a residential density up to or equal to 48 dwelling units per acre (pages 49-50). The proposed use conforms with the recommended land use on the Residential Low portion of the property.

    However, the proposed use fails to meet the definition for Neighborhood Mixed-Use. The master plan recommended Neighborhood Mixed-Use due to existing

entitlements for mixed-use development. The applicant should expand on their justification on why commercial development is no longer a viable option.

Response: Acknowledged. However, as analyzed in Section V.C of the SOJ, the proposed use does not fail to meet the Neighborhood Mixed-Use future land use designation. To the contrary, the L-A-C-Zoned portion of the subject property comprises only a portion of the Neighborhood Mixed-Use future land use area within the Oak Creek Club development. The proposed development provides the residential component of the Neighborhood Mixed Use land use area. The remaining components contemplated by the Master Plan within the Neighborhood Mixed-Use land use area can be provided elsewhere within the Neighborhood Mixed-Use land use area (e.g., on the nearby vacant land owned by the Oak Creek Club Homeowners' Association).

c. In addition, the 2022 Bowie-Mitchellville and Vicinity Master Plan recommends the following (goals, strategies, or policies) to help advance the intent and purpose of the plan.

Transportation and Mobility

i. Policy TM 2 All streets in Bowie-Mitchellville and Vicinity should accommodate traffic at Plan 2035-recommended levels of service (LOS).
    1. Strategy TM 2.2 Design all streets in the Established Communities of Bowie-Mitchellville and Vicinity to allow operation at LOS D (p. 113).

ii. Strategy TM 2.4 Reconstruct or construct streets as recommended in Appendix D. Recommended Master Plan Transportation Facilities (p. 113). And TM 3.2 Construct the pedestrian and bicycle facilities identified in Appendix D. Recommended Master Plan Transportation Facilities (p. 113). Appendix D recommends:
    1. C-300, Church Road, from MD 214 (Central Avenue) to Oak Grove Road, 90' right-of-way with two vehicle lanes, 10-foot-wide sidewalks, and shared-use paths (both directions) (p. 247).

iii. Policy TM 3 Enhance active transportation infrastructure to create greater quality of life and attract businesses and employees.
    1. Strategy TM 3.1 Ensure all streets in Bowie-Mitchellville and Vicinity's Centers and Established Communities have sidewalks (page 113).

Natural Environment

i. Policy NE 4 Support Street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians.

ii. NE 4.2 Plant street trees to the maximum extent permitted along all roads and trail rights-of-way (page 145).

Response: Acknowledged.

Environmental Planning:

1. No major issues or comments at this time.

Response: Acknowledged.

2. Major Issues Memorandum:
   a. NRI-136-2023 shows that Marlboro clay is mapped on Landbay T; however, the site is flat. No major issues regarding geotechnical concerns.

Response: Acknowledged.

   b. Development in Landbay T will require a new preliminary plan of subdivision, and as a result, the development proposed within Landbay T will be required to meet the Subtitle 25 regulations that go into effect July 1, 2024.

Response: Acknowledged.

Subdivision Review:

1. No major issues or comments at this time.

Response: Acknowledged.

Transportation Planning:

1. Prior to the acceptance of a preliminary plan of subdivision, the applicant, and the applicant's heirs, successors, and/or assigns shall submit a transportation checklist.

Response: Acknowledged.

2. Major Issues Memorandum:
   a. The Transportation Planning Section has reviewed the referenced application and offers the following comments:

      Prior to the acceptance of a preliminary plan of subdivision, the applicant, and the applicant's heirs, successors, and/or assigns shall:

      Submit a transportation checklist to evaluate transportation adequacy and a Bicycle and Pedestrian Impact Statement (BPIS) to evaluate bicycle and pedestrian adequacy as part of the Preliminary Plan of Subdivision application.

Response: Acknowledged.

In addition, please note the following changes made to the proposed amended Basic Plan:

- The Site Data on the Basic Plan amendment was revised to reflect the proposed density changes in the prior R-L and prior L-A-C Zones within the Oak Creek Club development.
- The previously submitted Basic Plan amendment proposed a change to the HOA-owned land south of the Mary Bowie Parkway right-of-way by replacing the "Community Service Center" with "HOA Open Space." Because this change was proposed on land outside of the subject property and not owned by the Applicant, the resubmitted Basic Plan amendment reverts such change to what was shown on the previously approved Basic Plan.

Respectfully,

Christopher L. Hatcher
CLHatcher LLC

cc: Joshua Mitchum | M-NCPPC | DRD | Zoning Section

GENERAL NOTES

1. This site is currently zoned LCD (Legacy Comprehensive Design). The site was previously zoned L-A-C (Local Activity Center) and RM (Residential Low Development) and is located in Environmental Strategy Area 2 in accordance with Plan 2035.
2. The source of the property boundaries on this plan is from a boundary survey by Charles P. Johnson & Associates, Inc. The fieldwork for this survey was started in 1989, with the last date of fieldwork being 10/5/23.
3. The topography shown on this plan was field gathered by Charles P. Johnson & Associates staff on 10/5/23.
4. The source of the soils information on this plan is from the 1) USDA NRCS Web Soil Survey (WSS) in a Custom Soil Resource Report for an Area of Interest (AOI) established for the subject site only and generated on September 21, 2023; and 2) the current Prince George's Soil Conservation District Soil Erosion and Sediment Control - Pond Safety Reference Manual.
5. In a letter dated October 9, 2023 the Prince George's County Department of Permitting, Inspections and Enforcement states that no county regulated 100-year floodplain is located on-site.
6. No wetlands or streams are located on-site as field verified by Charles P. Johnson & Associates staff in September 2023.
7. This site does not contain Wetlands of Special State Concern as defined in COMAR 26.23.06.01.
8. This site is not located within a Tier II catchment area and does not contain a Tier II waterbody as defined in COMAR 26.08.02.04. This site is not located within an impaired water body with a Total Maximum Daily Load (TMDL) allocated for sediment, which are afforded special protection under Maryland's Anti-degradation policy.
9. This site is located within a Stronghold Watershed based on PG Atlas data as established by the MD DNR.
10. In a letter dated November 8, 2023 the Maryland Department of Natural Resource Natural Heritage Program has determined there are "no official records for State or Federal listed, candidate, proposed, or rare plant or animal species within the project area."
11. This site includes potential Forest Interior Dwelling Species (FIDS) habitat.
12. The site is subject to previously approved TCP1-009-07. Parcel B is subject to previously approved TCP2-103-03. Pto Parcel 3 is not subject to any previous TCP2 approval.
13. There are 14 specimen, champion, and/or historic trees located on the property. These trees were located using field observations and survey equipment.
14. The subject site is not within a Scenic Resources Policy Area.
15. Church road is a Scenic and Historic Roadway.
16. The Bowieville Historic Site (78A-018) is in the vicinity of the subject property but is not adjacent.
17. There are no known archeological sites located on the subject property. Phase I and Phase II archeological survey and evaluation in 1999, February 2004, and November 2004 over the entire 152 acres within the Oak Creek Club Subdivision.
18. Marlboro clay is present on the site. Christina clay is not present on or within the vicinity of this site.
19. The site is not located in the vicinity of any master planned roadway designated as arterial or higher.
20. The subject property is not located within the 2009 Joint Base Andrews Noise Contours.
21. The site is not located within an Aviation Policy Area (APA).
22. The site is not located within the Chesapeake Bay Critical Area (CBCA).
23. An approved NRI is valid for five years from the date of signature by staff, or until information used to prepare the NRI changes. NRIs will be required to be revised and reapproved if the base information changes significantly. Approval of this NRI in no way imports any other development application approvals.

LEGEND

	PROPERTY BOUNDARY
	TREE LINE
	NON-WOODLAND AREAS
STAND A	FOREST STAND BOUNDARY
BuB 2+	SOILS BOUNDARY
200	EX. MAJOR CONTOUR
190	EX. MINOR CONTOUR
	EX. LIGHT POST
	EX. METAL FENCE
	EX. UTILITY POLE
	EX. OVERHEAD WIRE
	EX. SANITARY SEWER LINE
	EX. GAS LINE
	EX. RIGHT OF WAY
	EX. EASEMENT
65	SPECIMEN TREE 30" DBH AND GREATER, WITH CRITICAL ROOT ZONE (CRZ)
FD	FSD DATA SAMPLE POINT
	EX. SIGN
R.L. ZONE	SPLIT ZONING LINE
L.A.C. ZONE	
	PERENNIAL FOREST INTERIOR DWELLING SPECIES 300' INSERT BUFFER
	EX. MARLBORO CLAY PER PG ATLAS

Prince George's County Planning Department, M-NCPPC
Environmental Planning Section
NATURAL RESOURCES INVENTORY PLAN APPROVAL
NRI-136-2023

	Reviewed by	Date	Reason for Revision
00	Mary Rea	12/7/2023	
01			
02			
03			

APPROVED/REVISED

NRI-136-2023
NATURAL RESOURCE INVENTORY PLAN
OAK CREEK - LANDBAY T
7th ELECTION DISTRICT

CPJ Charles P. Johnson & Associates, Inc.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER: 4207

EXPIRATION DATE: 06/30/2025

Not valid without signature

GRAPHIC SCALE
SCALE: 1" = 40'

OWNER: A.J. LANDBAY LIMITED PARTNERSHIP, 4640 ADMIRALTY WAY, SUITE 1000, MARINA DEL REY, CA 90292	DATE: 10/05/23		10:15:18 PM
	DESIGN: K.A.	SHEET	OF
	DRAFT: J.H/D.M.N.	1	1
	DATE: 11/27/2023		
	SCALE: 1" = 40'		
		2023-109F023-01	

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The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • TTY: 301-952-3796 • pgplanning.org

July 16, 2024

MEMORANDUM

TO: Joshua Mitchum, Planner III, Zoning Section

VIA: Sherri Conner, Acting Division Chief, Development Review Section SC

FROM: Mridula Gupta, Planner IV, Subdivision Section

SUBJECT: A-8427-01; A-8578-01; A-8579-01, Oak Creek Club - Landbay T

The subject site is an approximately 923-acre planned golf course community, of which 8.09-acres are the focus of this application. The subject property consists of Parcel 3, recorded in the Prince George's County Land Records in Book 48450 page 299; and Parcel B, recorded in Plat Book REP 203 Plat no. 20. The subject property is located in the Legacy Comprehensive Design (LCD) Zone. This application to amend existing Basic Plans A-8427, A-8578, and A-8579 for Oak Creek Club Development is being reviewed pursuant the prior Zoning Ordinance, under which the property was zoned Local Activity Center (L-A-C) and Residential Low Development (R-L). The purpose of the application is to amend the approved basic plans to allow the development of the property with 28 single-family detached dwelling units. Specifically, an increase in density above that approved in the basic plans is requested. Also, the application proposes change to one condition of approval, and deletion of one condition of approval to enable an increase in the number dwelling units that can be achieved. No change in land area is requested. The subject 8.09-acre area is currently vacant. Subdivision of land for residential dwelling units will require a new PPS and final plat.

This property is subject to Preliminary Plan of Subdivision (PPS) 4-01032, which was approved by the Prince George's County Planning Board on September 6, 2001 (PGCPB Resolution No. 01-178(C)(A)). PPS 4-01032 approved 1,148 lots and 36 parcels for the development of 1,148 single-family residential dwelling units, 26,000 square feet of retail use, and an 18-hole golf course on the overall property. The 8.09-acre area being amended in these applications was shown on the approved PPS as Parcel OO for proposed institutional use (church); open space Parcel F (currently recorded as Parcel B in accordance with the PPS); and six single-family residential Lots 1-6. Parcel OO and Lots 1-6 as shown on the PPS were never recorded by plat and are known as Parcel 3, an unsubdivided deed property given 4-01032 has since expired. The proposal to develop the subject site and the subdivide land will require the approval of a new PPS, a new determination of adequacy, and new final plats.

Basic Plans A-8427, A-8578, and A-8579 were approved by the District Council in 2000, subject to identical 50 conditions and 10 considerations (Zoning Ordinance No. 11-2000). The applicant

proposes revision/deletion to the following conditions which are listed below in **bold** text and staff analysis of the applicant's request follows in plain text:

1. **In no event shall the maximum number of dwelling units exceed 1,096 in the R-L Zone, which equates to 1.3 dwelling units per adjusted gross acre, and or 52 in the L-A-C Zone.**

   The applicant is requesting revision to this condition, to increase the maximum allowed number of dwelling units in the prior R-L Zone to 1,108 and those in the L-A-C Zone to 76. This revision will slightly increase the maximum allowed density in the R-L Zone to 1.4 dwelling units per adjusted gross acre, from the originally approved 1,3 dwelling units per adjusted gross acre. This revision will allow the development of the additional 28 dwelling units proposed by the applicant. As stated previously, subdivision of land for residential dwelling units will require a new PPS and final plat before any permits may be approved.

2. **Approval of the L-A-C Zone for 33 acres with the provision that the maximum square footage of the proposed commercial component shall be determined at Comprehensive Design Plan (CDP) review. Should it be determined at that time that adequate market support does not exist for the proposed 40,000 square feet of commercial development, a staging plan shall be approved providing for the development of a Neighborhood Activity Center in accordance with the Master Plan and Zoning Ordinance requirements for such centers and the subsequent expansion of the center at such time as the necessary market support can be determined.**

   The applicant is requesting deletion of this condition, with the argument that the current economic climate cannot support 40,000 square feet of commercial development. The proposed deletion of this basic plan condition should be further reviewed by the Zoning Section.

Additional Comments

1. Parcel B received an automatic certificate of adequacy (ADQ) associated with PPS 4-01032 pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, which became effective April 1, 2022, and is valid for twelve years from that date, subject to the expiration provisions of Section 24-4503(c). There is no ADQ associated with Part of Parcel 3, since this portion of Parcel 3 was never platted in accordance with 4-01032, which has since expired.

Recommended Conditions

None.

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

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

Countywide Planning Division 301-952-3680
Historic Preservation Section

July 10, 2024

MEMORANDUM

TO: Joshua Mitchum, Subdivision Section, Development Review Division

VIA: Thomas Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division ***TWG***

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

SUBJECT: **A-8427-01, A-8579-01, and A-8578-01 Oak Creek Club – Landbay T**

The subject property comprises 8.09 acres and is at the northeast corner of the intersection of Mary Bowie Parkway and Church Road South. The subject property was zoned Residential Low Development (R-L) and Local Activity Center (L-A-C), per the prior Zoning Ordinance, and is located within the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* area. The subject application proposes to amend the Basic Plan to raise the density cap on housing to allow for the development of 28 single-family detached houses.

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* contains goals and policies related to historic preservation (pp. 157-165). However, these are not specific to the subject site. The subject property is included in many other previous development plans and revisions. These include conditions related to Bowieville (Historic Site 74A-018). The subject application relates to an 8.09-acre part of the larger development and is near the Historic Site 74A-018, however, the proposed revisions will have minimal impact.

A Phase IA archeological reconnaissance survey was conducted on the Oak Creek property in 2002. The study consisted of background research and pedestrian reconnaissance of the 900-acre property on both sides of Church Road South, in Upper Marlboro, bounded by Oak Grove Road to the south, Collington Manor subdivision to the north, the Kettering subdivision to the west, and the CSX railroad tracks to the east. It was determined that there was high archeological potential for both historic and pre-contact archeological sites on the property, and a Phase IB archeological shovel test survey was recommended.

Background historical research indicated that various parcels within the subject property were primarily part of seventeenth-century land patents including "Something," "Partnership," "Beall's Hunting Quarter," "The Major's Lot," "Hugh's Labour," "The Beginning," "The First Part of Riley's Discovery," and "The Remaining Part of Riley's Discovery," owned by John Demall, Nicholas Sewell, James Moore, Ninian Beall, and Hugh Riley. Between 1797 and 1801, Dr. Robert Pottinger acquired 614.25 acres of land, in what is now the Oak Creek subdivision.

In 1803 Pottinger died, and by 1818 Governor Robert Bowie had acquired all of what had been Pottinger's land. This property passed to his daughter, Mary M. Bowie, who with acquisitions of land from her son William Turner Wootton, created an 853-acre plantation that she named "Bowieville." Mary Bowie died unexpectedly in 1826 and the property passed to her children. Over the course of the next two centuries, the large tract of land was divided multiple times, until much of the original Bowieville property was purchased by the Turner family in the early 1980s.

Two previously identified sites, 18PR79 and 18PR580, were re-evaluated during the Phase IB survey. 18PR79 was identified as a Woodland-period site located in the floodplain adjacent to Black Branch, on the west side of Church Road. Site 18PR850 was identified as the archeological site associated with Bowieville (Historic Site 74A-018).

A Phase IB archaeological shovel test survey was conducted on the subject property between December 2002 and December 2003. A total of 3500 shovel test pits were excavated, with positive artifact recoveries from 348 of them. Thirty-three new pre-contact and historic sites were identified, sites 18PR659 through 18PR691. Of these, six sites 18PR79, 18PR580, 18PR659, 18PR665, 18PR669, and 18PR677 were identified as potentially National Register-significant and were recommended for Phase II archaeological evaluation or preservation in place. Historic Preservation staff agree with these recommendations. None of the sites identified as potentially National Register-significant are located on the subject property being reviewed in this application and therefore no further work is recommended.

The subject property is near Bowieville Historic Site (74A-018) but does not contain and is not adjacent to, any designated Prince George's County Historic Sites or resources. Historic Preservation staff recommend approval of A-8427-01, A-8579-01, and A-8578-01, Oak Creek Club – Landbay T, with no conditions.

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • TTY: 301-952-3796 • pgplanning.org

July 29, 2024

MEMORANDUM

TO: Joshua Mitchum, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

VIA: NS Noelle Smith, AICP, Transportation Planning Section, Countywide Planning Division

SUBJECT: A-8427-01+A-8578-01+A-8579-01: Oak Creek Club

Proposal:
The subject Basic Plan Amendments proposes to increase residential density in the Residential Low Development (R-L) zoning district from 1,096 or 1.3 dwellings per acre to 1,108 or 1.4 dwellings per area. Additionally, the subject application seeks an increase residential density in the Local Activity Center (L-A-C) zoning district from 52 to 76 dwelling units as well as eliminating commercial development in the L-A-C zone. The Transportation Planning Section's (TPS) review of this Basic Plan Amendment was evaluated using the standards of Section 27 of the prior Zoning Ordinance.

Prior Conditions of Approval:
The site property falls under the purview of Basic Plan A-8427, A-8578, A-8579, Comprehensive Design Plan, CDP-9902 and CDP-9903, and Preliminary Plan of Subdivision, 4-01032. There are no prior conditions of approval on the subject property that are relevant to the subject application.

Master Plan Compliance
This application is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan*.

Master Plan Roads
The subject property has frontage on Church Road (C-300) along the western bounds of the site. The MPOT refers to this section of Church Road as MC-300 and recommends a 4-lane master collector with an ultimate right of way of 90 feet. The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* recommends this portion of Church Road as a 2-lane collector roadway with an ultimate right of way of 90 feet. The applicant's submission does not display the right of way along Church Road. The subject application does not require right-of-way dedication or other recommendations to this portion of Church Road. Right-of-way dedication for Church Road will be further examined at the time of subsequent development applications. Staff would note that the portion of Church Road that fronts the subject property is currently constructed as a 4-lane collector roadway.

The subject property also has frontage along Mary Bowie Parkway along the southern bounds of the subject site. Neither the MPOT nor the 2022 *Approved Bowie-Mitchellville and Vicinity Master*

Plan contains right-of-way recommendations. Right-of-way dedication for Mary Bowie Parkway will be further examined at the time of subsequent development applications. Staff would note that portion of Mary Bowie Parkway that fronts the subject property has been constructed as a 4-lane roadway at its intersection with Church Road, which transitions to a 2-lane roadway to the east of the subject site.

Master Plan Pedestrian and Bike Facilities
The MPOT recommends the following master-planned facilities:

Planned Side Path: Church Road

The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

> **Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**
>
> **Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities.***
>
> **Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.**

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* recommends a 10-foot-wide minimum shared-use path in both directions along this portion of Church Road. The recommendation is provided below (p.247):

C-300	Church Road	MD 214 (Central Avenue)	Oak Grove Road	90'	Collector	10-foot-wide minimum Shared-Use Paths (both directions)	2

Comment: The site's frontage along Church Road has an existing bicycle lane and side path. The site's frontage along Mary Bowie Parkway has an existing sidewalk, which transitions into the side path along Church Road. Additional bicycle and pedestrian recommendations will be further examined and recommended with subsequent development applications.

Transportation Planning Review

Zoning Ordinance Compliance

Section 27-195 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for map amendment approvals. Specific to transportation, Section 27-195(b)(1)(C) discusses criteria for approval and is copied below:

> (b)**Criteria for approval.**
>
> > **(1)Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:**
> >
> > > **(C)Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;**

Comment: As discussed above, the roadways needed to serve the proposed development have all been constructed as recommended in the MPOT. The submitted plans show conceptual vehicular access to the site along Church Road and Mary Bowie Parkway. The applicant's proposal, to construct 28 single-family dwelling units instead of 40,000 square feet of commercial use will be evaluated for adequacy with future development applications.

Conclusion:

Based on the findings presented above, staff concludes that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27, and meets the findings for transportation purposes.

Countywide Planning Division
Environmental Planning Section 301-952-3650

July 15, 2024

MEMORANDUM

TO: Joshua Mitchum, Planner III, Zoning Section, DRD

VIA: Tom Burke, Planning Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Mary Rea, Planner II, Environmental Planning Section, CWPD *MR*

SUBJECT: **Oak Creek Club – Landbay T; A-8578-01, A-8578-01, and A-8579-01**

The Environmental Planning Section (EPS) has reviewed the above referenced Zoning Map Amendment application accepted on May 23, 2024. The amendment application meets all applicable environmental requirements. The following comments are provided for your consideration.

BACKGROUND
The EPS has reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
A-8427, A-8578, and A-8579	N/A	District Council	Approved	11/26/1991	CR-120-1991
CDP-9902	TCPI-91-92	Planning Board	Approved	9/6/2001	PGCPB No. 01-180
CDP-9903	TCPI-91-92	Planning Board	Approved	12/6/2001	PGCPB No. 01-181
4-01032	TCPI-91-92-01	Planning Board	Approved	12/20/2001	PGCPB No. 01-178(C)
SDP-0308	TCPII-109-03	Planning Board	Approved	9/25/2003	PGCPB No. 03-205
SDP-0308-02	TCPII-109-03-01	Planning Director	Approved	10/10/2007	N/A
SDP-0308-03	TCPII-109-03-02	Planning Director	Approved	7/11/2007	N/A
SDP-0610	TCPII-109-03-03	Planning Board	Approved	10/11/2007	PGCPB No. 07-194(A)
SDP-0308-06	TCPII-109-03-04	Planning Director	Approved	6/26/2013	N/A
SDP-0308-07	TCPII-109-03-05	Planning Director	Approved	3/6/2017	N/A
NRI-136-2023	N/A	Staff	Approved	12/7/2023	N/A

A-8427-01, A-8578-01, and A-8579-01	N/A	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY
This application requests amending the approved Basic Plans by amending conditions number 1 and deleting condition number 2. These changes will allow for a new comprehensive design plan, preliminary plan of subdivision, and specific design plan applications to be submitted. The owner proposes to develop the property with 28 single-family detached homes.

GRANDFATHERING
Because the subject project will be required to file an amended comprehensive design plan and a new preliminary plan application to reflect changes proposed under the Basic Plan amendment, the project will be subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27.

SITE DESCRIPTION
The subject property is an 8.09-acre site located on the east side of South Church Road, and north of Mary Bowie Parkway. The current zoning for the site is Legacy Comprehensive Design (LCD); however, this Basic Plan refers to the prior Residential Low Development (R-L) and Local Activity Center (L-A-C) comprehensive design zones. The applicant has opted to apply the prior R-L and L-A-C zoning standards that were in effect prior to April 1, 2022. There are no streams, wetlands, or 100-year floodplains with associated areas of steep slopes within the limits of this site. The Maryland Department of Natural Resource Natural Heritage Program determined that there are official records for State or Federal listed, candidate, proposed or rare plant or animal species within this site. However, PGAtlas is showing that there is a potential for forested interior dwelling species in the southeastern portion of the site. This property is in the Collington Branch watershed in the Patuxent River basin.

PLAN PRINCE GEORGE'S 2035 APPROVED GENERAL PLAN (2014)
The site is located within the Established Community Areas of the Growth Policy Map and Environmental Strategy Area (ESA) 2 of the Regulated Environmental Protection Areas Map, as designated by *Plan Prince George's* 2035 *Approved General Plan* (Plan 2035).

MASTER PLAN CONFORMANCE
The site is in the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan,* which includes applicable goals, policies, and strategies. The following policies are applicable to the current project regarding natural resources preservation, protection, and restoration. The text in **BOLD** is the text from the Master Plan, and the plain text provides comments on plan conformance.

Natural Environment Section

Green Infrastructure

Policy NE 1: Ensure that areas of connectivity and ecological functions are maintained, restored, or established during development or redevelopment.

Strategies:

NE 1.1 Use the green infrastructure network as a guide to decision-making, and as an amenity in the site design and development review processes.

This site can be found in conformance with the 2017 *Green Infrastructure Plan* (GI Plan). The woodland on-site is unconnected from other woodlands as it is bordered by three roadways and cleared land to the north of it. There are no regulated environmental features in the area of this application.

Policy NE 2: Preserve, in perpetuity, Nontidal Wetlands of Special State Concern (NTWSSC) within Bowie-Mitchellville and Vicinity (see Map 41. Nontidal Wetlands of Special State Concern (NTWSSC)—2017).

There are no NTWSCC within the vicinity of this property, as mapped on Map 41 of the 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan.*

Stormwater Management

Policy NE 3: Proactively address stormwater management in areas where current facilities are inadequate.

This project will be subject to stormwater management (SWM) review and approval by the Department of Permitting, Inspections and Enforcement (DPIE). A final SWM design plan in conformance with County and state laws will be required prior to issuance of any grading permits for this site.

Forest Cover/Tree Canopy Coverage

Policy NE 4: Support street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians.

Development of this site will be subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) requirements and the tree canopy coverage requirements. Additional information regarding woodland preservation, reforestation, and tree canopy coverage will be evaluated with future development applications. Street tree planting requirements will be reviewed by the Department of Public Works and Transportation (DPW&T).

Impervious Surfaces

Policy NE 5: Reduce urban heat island effect, thermal heat impacts on receiving streams, and reduce stormwater runoff by increasing the percentage shade and tree canopy over impervious surfaces.

Development of the site will be subject to the current SWM regulations, which require that environmental site design (ESD) be implemented to the maximum extent practicable (MEP). Development of this site will be subject to the current woodland conservation ordinance requirements, including the tree canopy coverage requirement. Street tree planting requirements will be reviewed by the DPW&T.

Climate Change
Policy 6: Support local actions that mitigate the impact of climate change.

Development of this site is subject to the current woodland conservation ordinance and tree canopy coverage requirements. The presence of woodland and tree canopy, particularly over asphalt and other developed surfaces, are proven elements to lessen climate impacts of development and the associated heat island effect, which are known contributors to climate change.

CONFORMANCE WITH THE GREEN INFRASTRUCTURE PLAN
The site is partially mapped within the Green Infrastructure Network, as delineated in accordance with the 2017 *Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan* (GI Plan). The Evaluation Area is mapped on the southwestern portion of the site due to the existing woodlands on-site. The woodland on-site is unconnected from other woodlands as it is bordered by three roadways and cleared land to the north of it. There are no regulated environmental features on-site. The proposal continues to be in conformance with the GI Plan.

COMPLIANCE WITH PREVIOUSLY APPROVED CONDITIONS

The previous approval of the basic plans, comprehensive design plans, and preliminary plan included numerous conditions, many of which dealt with environmental issues that were to be addressed during subsequent reviews. The respective conditions are in **bold** type face and the associated comments are in standard type face.

Conditions of Previous Approvals: Basic Plan A-8427, A-8578, and A-8579

1. In no event shall the maximum number of dwelling units exceed 1,096 in the R-L Zone, which equates to 1.3 dwelling units per adjusted gross acre, and 52 in the L-A-C Zone.

The proposed change in language with this amendment is supported by the EPS.

2. Approval of the L-A-C Zone for 33 acres with the provision that the maximum square footage of the proposed commercial component shall be determined at Comprehensive Design Plan (CDP) review.

Should it be determined at that time that adequate market support does not exist for the proposed 40,000 square feet of commercial development, a staging plan shall be approved providing for the development of a Neighborhood Activity Center in accordance with the Master Plan and Zoning Ordinance requirements for such centers and the subsequent expansion of the center as such time as the necessary market support can be determined.

The proposed removal of this condition with this amendment will not affect the future review of this site by EPS.

13. A woodland conservation requirement of 25 percent should be established for the site. In addition, the applicant will reforest as required under applicable State and County regulations. All Tree Conservation Plans shall demonstrate how the development will meet this criteria.

This condition still must be met with future development applications and will be brought forward as a recommended condition.

14. The limits of the existing 100-year floodplain shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to the approval of any Specific Design Plans.

This condition still must be met with future development applications and will be brought forward as a recommended condition. It should be noted that the 100-year floodplain is now managed by the Department of Permitting, Inspections and Enforcement's Site Road Division.

15. The applicant shall provide proof that the U.S. Army Corps of Engineers or the appropriate State or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.

This condition still must be met with future development applications and will be brought forward as a recommended condition. There are no wetlands in the proposed Landbay T.

16. All nontidal wetland mitigation areas shall be shown on the SDP.

This condition still must be met with future development applications and will be brought forward as a recommended condition. No nontidal wetland mitigation areas are proposed for Landbay T.

17. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to approval of any SDP.

This condition still must be met with future development applications and will be brought forward as a recommended condition.

19. All nondisturbed nontidal wetlands shall have at least a 25-foot nondisturbance buffer around their perimeters.

This condition still must be met with future development applications and will be brought forward as a recommended condition. There are no wetlands in the proposed Landbay T.

20. All streams and drainage courses shall comply with the buffer guidelines for the Patuxent River Primary Management Areas.

This condition still must be met with future development applications and will be brought forward as a recommended condition. The Patuxent River Primary Management Areas are now known as Primary Management Areas of which none are located in Landbay T.

22. As part of the submittal of the CDP, the applicant shall include a soil study which identifies the location and extent of the Marlboro Clay.

This condition still must be met with future development applications and will be brought forward as a recommended condition.

Comprehensive Design Plan Considerations:

2. In those areas adjacent to Church Road which are substantially wooded, the setbacks described in Consideration No. 1 above may be reduced by one-half, except that no wooded buffer shall be less than 100 feet wide. The wooded buffer, however, may be reduced to 50 feet in depth wherever it adjoins 50 feet of wooded land to be preserved in the right-of-way (200-foot dedication) for a rural parkway. All wooded buffers which are preserved in accordance with this provision shall be placed in a conservation easement and be preserved in perpetuity. This buffer may be interrupted by road crossings and utilities.

This consideration still must be addressed with future development applications and will be brought forward as a recommended condition.

Conditions of Previous Approvals: CDP-9902 and CDP-9903
The conditions of approval of the Comprehensive Design Plan (CDP-9902 and CDP-9903) found in PGCPB Resolution No. 01-180 and 01-181 are not applicable to the review of the current application.

Conditions of Previous Approvals: Preliminary Plan of Subdivision: 4-01032
The conditions of approval of Preliminary Plan of Subdivision (4-01032) found in PGCPB Resolution No. 01-178(C) are not applicable to the review of the current application.

ENVIRONMENTAL REVIEW

Existing Conditions/Natural Resource Inventory (NRI)
An NRI is not required as part of a zoning amendment application. However, an approved NRI (NRI-136-2023) was submitted with this application, which shows no regulated environmental features on-site.

Woodland Conservation
The site is currently zoned LCD and was previously zoned L-A-C and R-L, with a required woodland conservation threshold of 25 percent of the net tract area. There is an approved TCPI (TCPI-091-92) and a TCP2 (TCP2-109-03-05) on the overall development. All future applications for this site will be required to meet the Subtitle 25 regulations that went into effect July 1, 2024.

Stormwater Management
A SWM concept letter and plan approved by DPIE will be required to be submitted with future applications. Stormwater management is required to meet environmental site design (ESD) to the maximum extent practicable for water quantity and quality control measures.

Soils
The predominant soils found on-site according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Collington-Wist complex, and Shrewsbury loam soils. Unsafe soil containing Marlboro clay have been identified on this property. A geotechnical report shall be submitted with future development applications.

The Environmental Planning Section provides the following recommended conditions for consideration with the approval of A-8427-01, A-8578-01, and A-8579-01:

1. A woodland conservation requirement of 25 percent should be established for the site. In addition, the applicant will reforest as required under applicable State and County regulations. All Tree Conservation Plans shall demonstrate how the development will meet this criteria.

2. The limits of the existing 100-year floodplain shall be approved by the Department of Permitting, Inspections and Enforcement prior to the approval of any Specific Design Plans.

3. The applicant shall provide proof that the U.S. Army Corps of Engineers or the appropriate State or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.

4. All nontidal wetland mitigation areas shall be shown on the SDP.

5. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to approval of any SDP.

6. All nondisturbed nontidal wetlands shall have at least a 25-foot nondisturbance buffer around their perimeters.

7. All streams and drainage courses shall comply with the buffer guidelines for the Primary Management Areas.

8. As part of the submittal of the CDP, the applicant shall include a soil study which identifies the location and extent of the Marlboro Clay.

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

September 11, 2024

MEMORANDUM

TO: Joshua Mitchum, Planner III, Zoning Review Section, Development Review Division

VIA: Andrew Bishop, Planner III, Placemaking Section, Community Planning Division NAB

VIA: Kierre McCune, Supervisor, Master Plans and Studies, Community Planning Division SG for KM

FROM: Thomas Lester, Planner IV, Master Plans and Studies, Community Planning Division TEL

SUBJECT: A-8427-01, A-8578-01, and A-8579-01 Oak Creek Club Landbay T

FINDINGS

The Community Planning Division finds that pursuant to Section 27-195(b)(1)(A), of the prior zoning ordinance, the proposed amendment to the Basic Plan conforms to the principles and guidelines described in the 2022 *Bowie-Mitchellville and Vicinity Master Plan* with respect to land use, the number of dwelling units, and the location of land uses.

BACKGROUND

Application Type: Amendment to the Basic Plan of a Zoning Map Amendment.

Location: Marie Bowie Parkway and 800 S Church Road, Upper Marlboro, Maryland 20774 (Parcel B and Parcel 3 [Tax ID 3636925, and 0777144 respectively])

Size: 8.09+/- Acres

Existing Uses: Vacant

Future Land Use: Residential Low/Neighborhood Mixed-Use

Proposal: To amend the Basic Plan and raise the density cap allowing for the construction of 28 single-family detached houses.

Existing Zoning: Legacy Comprehensive Design (LCD) Zone

Prior Zoning: Residential Low Development (R-L) Zone and Local Activity Center (L-A-C) Zone

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: The 2014 *Plan Prince George's 2035 Approved General* (Plan 2035) places this property in the **Established Communities** Growth Policy area. Established communities are defined as "existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established communities are most appropriate for context-sensitive infill and low- to medium-density development" (p. 20).

Master Plan: The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* recommends **Residential Low** (Parcel B [0777144} and portion of Parcel 3 [3636925], formally zoned Residential Low Development [R-L]) and **Neighborhood Mixed-Use** (southern portion of Parcel 3 [3636925], formally zoned Local Activity Center [L-A-C]) land uses on the subject property. Residential Low land uses are defined as Residential areas between 0.5 and 3.5 dwelling units per acre with primarily single-family detached dwellings. Neighborhood Mixed-Use is defined as traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities, with a residential density up to or equal to 48 dwelling units per acre (p. 49-50).

*Analysis: The proposed use meets the definition for **Residential Low** but fails to meet the definition for **Neighborhood Mixed-Use** as outlined in the master plan. Specifically, the amended proposal would create a single-use development, which conflicts with the definition of the Neighborhood Mixed-Use designation that is meant to incorporate a variety of uses within a single project. This current amended proposal, which involves the development of additional single-family detached dwellings, lacks the additional complementary uses expected in a mixed-use development.*

The 2022 Approved Bowie-Mitchellville and Vicinity Master Plan recommended Neighborhood Mixed-Use because the Oak Grove development was initially approved as a mixed-use project. Nevertheless, the context has evolved since the master plan's approval. The site is a gated community, which inherently limits other uses' viability due to restricted access. This change in the property's accessibility makes it less practical to attract or sustain other uses on site, thus impacting the feasibility of maintaining a mix of uses as initially planned.

Despite the reduction in the variety of uses, the overall development still has the possibility to include a combination of uses in the future. For example, if the undeveloped parcels along Church Road were developed, and the gates were removed, additional uses could be added. Also, a portion of the project maintains its L-A-C zoning, retaining the potential for future mixed use if feasible. Therefore, staff finds that the overall project maintains the potential for a mix of uses and this amendment does not remove the possibility for mixed-use in the future. While the proposed development's single-use focus differs from the mixed-use recommendation, the gated community context and future potential to create a mixed-use development in the future, if viable, should not exclude the current amendment to maintain a single-use project for the select properties.

The 2022 *Approved Bowie-Mitchellville and Vicinity Master Plan* makes the following recommendations that affect the subject property:

Transportation and Mobility

- **Policy TM 2** All streets in Bowie-Mitchellville and Vicinity should accommodate traffic at Plan 2035-recommended levels of service (LOS).
    - **Strategy TM 2.2** Design all streets in the Established Communities of Bowie-Mitchellville and Vicinity to allow operation at LOS D (p. 113).
    - **Strategy TM 2.4** Reconstruct or construct streets as recommended in Appendix D. Recommended Master Plan Transportation Facilities (p. 113). And **TM 3.2** Construct the pedestrian and bicycle facilities identified in Appendix D. Recommended Master Plan Transportation Facilities (p. 113). Appendix D recommends:
        - **C-300,** Church Road, from MD 214 (Central Avenue) to Oak Grove Road, 90' right-of-way with two vehicle lanes, 10-foot-wide sidewalks, and shared-use paths (both directions) (p. 247).
- **Policy TM 3** Enhance active transportation infrastructure to create greater quality of life and attract businesses and employees.
    - **Strategy TM 3.1** Ensure all streets in Bowie-Mitchellville and Vicinity's Centers and Established Communities have sidewalks (p. 113).

Analysis: *Staff encourage implementing the transportation recommendations, if feasible. The Transportation Section will determine conformance of these strategies at the time of the Preliminary Plan of Subdivision and Detailed Site Plan.*

Natural Environment

- **Policy NE 4** Support street tree plantings along transportation corridors and streets, reforestation programs, and retention of large tracts of woodland to the fullest extent possible to create a pleasant environment for active transportation users including bicyclists and pedestrians.
    - **NE 4.2** Plant street trees to the maximum extent permitted along all roads and trail rights-of-way (p. 145).

Analysis: *Staff encourages implementing the environmental recommendations, if feasible. The Environmental Section will determine conformance of these strategies at the time of Preliminary Plan of Subdivision and Detailed Site Plan.*

Planning Area/Community: 74A/Mitchellville and Vicinity

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

SMA/Zoning: The 2024 *Approved Bowie-Mitchellville and Vicinity Sectional Map Amendment* retained the subject property in the Legacy Comprehensive Design (LDC) Zone.

MASTER PLAN CONFORMANCE ISSUES

The Community Planning Division finds that, pursuant to Section 27-195(b)(1)(A), the proposed Basic Plan conforms to the principles and guidelines described in the 2022 *Bowie-Mitchellville and Vicinity Master Plan* with respect to the number of dwelling units and the

location of land uses. The amendment to the application conforms to the master plan because the residential land use is recommended for this area and the proposed density of 3.46 dwelling units per acre is within the recommended density. However, additional justification is required to explain why commercial development is no longer viable for the property.

cc: Long-Range Agenda Notebook

The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
1616 McCormick Drive, Largo, MD 20774 • pgplanning.org • Maryland Relay 7-1-1

Countywide Planning Division Special Projects Section

September 12, 2024

MEMORANDUM

TO: Joshua Mitchum, Planner III, Subdivision and Zoning Section, DRD

VIA: Katina Shoulars, Division Chief, Countywide Planning Division

FROM: ***BR*** Bobby Ray, AICP, Planning Supervisor, Special Projects Section, CWPD

SUBJECT: A-8427-01, A-8578-01 & A-8579-01 for Oak Creek Club – Landbay T.

Project Summary: Amendment to the Basic Plan for the Oak Creek Club to allow development of 28 detached single family residential units. The site is located east of Church Road and just south of Oak Creek Estate Park.

Section 27-195(b)(1)(A)(i), 27-195(b)(1)(D) and 27-195(b)(2) of the Prince George's County Code of Ordinances requires a finding that the proposed development conforms to or will be adequately served with private or public existing or programmed public facilities.

Per Subtitle 24 of the County Code methodology for testing adequate public facilities occurs at the time of Preliminary Plan of Subdivision review, however the above referenced Code sections requires a public facilities finding. The following information is provided in response to these findings in order to allow for a determination of compliance.

RESIDENTIAL

Water and Sewer:
The 2018 Water & Sewer Plan identifies the proposed development within Water and Sewer Category 3 "Community System". Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer. Additionally, the property is within Tier 1 of the Sustainable Growth Act.

Capital Improvement Program (CIP):
The subject project is located in Planning Area 74A "Mitchellville & Vicinity". The Prince George's County FY 2024-2029 Approved CIP identifies the Collington Athletic Complex as a proposed new public facility within the Planning Area.

<u>Police Facility Adequacy</u>:
Per Section 24-4508 of the current Subdivision Regulations, the Planning Board's test for police adequacy involves the following:

(b)Adopted LOS (Level of Service) Standard-Police

(2) To demonstrate compliance with this LOS standard, the Chief of Police shall submit the following information, on an annual basis, to the Planning Director:

(A) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the *Public Safety Master Plan* for police stations in the vicinity of the area of the proposed subdivision; and

This project is served by Police District II, Bowie, located at 601 Crain Highway SW in Bowie. The site is further located in Police Sector E. Consistent with the provisions of Section 24-4508 correspondence was received from representatives of the Prince George's County Police Department dated September 4, 2024, that stated the Department "has an adequate amount of equipment for our current sworn officers".

(B) A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.

Compliance with the required 10/25-minute emergency/non-emergency response times is evaluated by reviewing the most recent annual report provided by the Chief of Police. Response times that equal, or are less than, the criteria for both types of calls shall cause the subdivision to satisfy Police Facility Adequacy. An application that fails one or both of these response times, but for which the response times for both emergency and nonemergency calls does not exceed 20% above the respective response times, may mitigate. If one or both response times exceed 20%, or an applicant with an opportunity to mitigate chooses not to do so, the application fails the Police Facility Adequacy test.

The appropriate response time is the time for the area closest in proximity to the proposed subdivision that also contains accurate data. At the Beat and Reporting Area level, times are often not sufficiently accurate because there may be no, or only a few calls, in an entire year at that level. At the Sector level, however, there are a sufficient number of calls to provide accurate response times. Since the Sector level is more narrowly drawn, Sector level estimated times are closer to the vicinity of the subdivision and are, therefore, applied when provided by the Chief of Police. If Sector level times are not available, staff applies times at the Division level.

The current police response times for the site located in Division II, Sector E is 10:00 minutes for emergency calls and 15:00 minutes for non-emergency calls, which would pass the level of service standard. This will be further evaluated at the time of the PPS.

Fire and Rescue Adequacy:
Per Section 24-4509 of the current Subdivision Regulations, the Planning Board's test for fire and rescue adequacy involves the following:

> **24-4509. Fire and Rescue Adequacy**
>
> **(b) Adopted LOS Standard for Fire and Rescue**
>
> **(1)** The population and/or employees generated by the proposed subdivision, at each stage of the proposed subdivision, will be within the adequate coverage area of the nearest fire and rescue station(s) in accordance with the *Public Safety Guidelines.*
>
> **(2)** The Fire Chief shall submit to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Director:
>
> > **(A)** A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the *Public Safety Master Plan* for fire stations in the vicinity of the area where the subdivision is proposed to be located; and
> >
> > **(B)** A statement by the Fire Chief that the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.
>
> **(3)** Subsection (b)(2), above, does not apply to commercial or industrial applications

Table 24-4502 ("Summary of Public Facility Adequacy Standards") of the current Subdivision Regulations requires a fire and rescue standard of seven (7) minutes travel time for any residential uses. This project is served by the Kentland Volunteer Fire/EMS Co. 846 located at 10400 Campus Way South as the first due station. The "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" provides the following Level of Service standard:

> The Fire Chief shall submit a statement that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven minutes travel time.

The statement from the Fire Chief will be requested at the time of the Preliminary Plan of Subdivision.

Schools Adequacy:
Per Section 24-4510 of the current Subdivision Regulations, the Planning Board's test for school adequacy involves the following:

> **24-4510. Schools Adequacy**
>
> **(b) Adopted LOS Standard for Schools**
>
> **(2)** The adopted LOS standard is that the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of

the state rated capacity, as adjusted by the School Regulations, of the affected elementary, middle, and high school clusters.

This project is in School Cluster 4. There are three schools serving this area -Perrywood Elementary, Kettering Middle, and Dr. Henry A Wise, Jr. High.

The adopted "level of service" standard is the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity of the affected elementary, middle, and high school clusters. Schools at all levels will continue to operate at a capacity below 105% and pass the LOS standard for schools' adequacy at all school levels.

Currently, according to the 2023-2024 Update of the Pupil Yield Factors and Public School Clusters, none of the schools levels exceed the state rated capacity and are operating below 100% of capacity. This will be further evaluated at the time of Preliminary Plan of Subdivision.

Library:
This area is served by the South Bowie Library, 15301 Hall Road Bowie, MD 20721.

Additional Back-up

For

A-8427-01, A-8578-01, & A-8579-01 Oak Creek Club - Landbay T

Parsons, James

From: kevin gooden <goodn9@yahoo.com>
Sent: Thursday, October 17, 2024 12:10 PM
To: PPD-PGCPB
Subject: Application A-8427-01, A-8578-01, A-8579-01 Disapproval

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I oppose this plan for development.

Kevin Gooden
14512 Abbeville Place

Ford, Ronda

From: Dollie Banks <dolliewbanks@aol.com>
Sent: Monday, October 21, 2024 11:58 PM
To: PPD-PGCPB
Subject: Additional Materials Supporting Why Application A-8427-01 is a Burden to Existing Oak Creek Residents
Attachments: OakCreek Assessment Options.jpg; OakCreek Monthly Assessment Growth.jpg

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Prince George's County Planning Commissioners:

I attempted to submit the two attachments by clicking the "Submit Materials" button on the Prince George's County Development website. Please note that the link to submit materials appears to be broken/not functioning at this time. Please also note that I tried to submit materials using both the Explorer and Chrome Browsers and neither worked to allow stakeholders to submit materials for the meeting on October 24, 2024.

I am therefore submitting these two documents as attachments. The first attachment shows the letter sent to Oak Creek Homeowners Association outlining three options for addressing the operational budget shortfall for the community. The options range from transferring money from the operating reserves to increasing the monthly assessment to $238 to address the budget deficit.

In short, the Oak Creek Community Association's costs associated with landscaping, access control services, electricity, professional management etc. are greater than the revenue. At this point, it seems irresponsible to change the density of the homes within the community so that Carrollton Enterprises can build more homes to maximize their profits when the neighborhood's association is currently operating at a deficit for key services as indicated in the attached correspondence.

While some may say that additional homes will bring revenue to address this shortfall, the data does not support that claim. As shown in the second attachment, additional homes have translated into increased assessments for the residents who live the Oak Creek community. As indicated in the second attachment, in 2012, the monthly assessment was $135.00. The Homeowners Association is proposing to increase the monthly assessment to $238, an increase of 76%. No doubt all of the development in the community is a contributing factor to this type of hyperinflation. Perhaps this is the unintended (or intended?) consequences of development and the residents just have to deal with it? Or, should a developer be approved to change the density of homes in a neighborhood that as you can see from the data, the residents are already burdened by development.

Sincerely,

Dollie Williams Banks

OAK CREEK

OAK CREEK CLUB
HOMEOWNERS ASSOCIATION, INC.

2025 Budget Draft

Oak Creek Club Homeowners Association,

Enclosed are three options for the 2025 Operating Budget for the Oak Creek Club Membership. Additionally, we have included a PowerPoint presentation for the community's review. The Board of Directors will vote to adopt the budget for 2025 on Tuesday, November 12, 2024.

"As per the governing documents, the Board of Directors is required to adopt a budget within 45 days of each fiscal year. Before adoption, the draft budget must be distributed to the membership at least 30 days before the end of the fiscal year to notify the owners and allow for a comment period".

If you have any questions or comments about the 2025 budget draft, please contact me at (301) 390-1721 or email manager@oakcreekclub.com. I will be happy to assist you.

In addition, there will be a virtual Budget and Finance Committee meeting on Monday, October 21, 2024, at 7:00 p.m. Community reminders will be sent through the approved communication channels, including the HOA website, CIRANET, and Text Alert.

After a thorough review and consideration by the Budget and Finance Committee, the committee evaluated the following options that would impact the monthly assessment:

Option 1: Increase the monthly assessment from $217.00 to $238.00. This would involve a $21.00 increase to offset the deficit of $295,848.

Option 2: Transfer $147,924 from the operating reserves and increase the assessment by $11.00, resulting in an increased assessment amount of $228.00 per month.

Option 3: Transfer $295,848 from the operating reserve, which would cover 100% of the deficit, allowing for no increase in the assessment for 2025.

This budget is based on 1,174 homes and is attached for your review and consideration. The 2025 coupon books will be distributed to all homeowners by the end of the year. Once the Board of Directors votes on an option at the November 12, 2024, Board Meeting, a notification will be sent to the community regarding the monthly assessment amount for 2025. At that time, if you are in a Direct Debit program, please

Homeowners Association (HOA) Assessment Fees Information

- Current 2024 Monthly Assessment is $217.
- Committee recommends an increase of $21 (9.7%) to cover the forecasted budget deficit.
- Proposed 2025 Monthly assessment is $238.
- Assessment History since 2012:

Year	Assessment Amt	$Variance	% Change
2012	$135.00	$0.00	
2013	$160.00	$25.00	18.5%
2014	$175.00	$15.00	9.4%
2015-2017	$190.00	$15.00	8.6%
2018-2019	$195.00	$5.00	2.6%
2020-2022	$205.00	$10.00	5.1%
2023-2024	$217.00	$12.00	5.9%
2025 -	$238.00	$21.00	9.7%

Ford, Ronda

From: DBoulware <deboulware@gmail.com>
Sent: Tuesday, October 22, 2024 11:41 AM
To: PPD-PGCPB
Subject: October 17 & 24, 2024 Hearing | Application for Amendment to Basic Plan | Oak Creek Club Landbay T (A-8427-01, A-8578-01, A-8579-01)
Attachments: Submitted 10.22.24_OC Landbay Letter.pdf

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hello,

Please see the attached letter of concern and opposition to the application for the increase in density for future development in the Oak Creek subdivision.

Thank you,

Deidre E Bolware

Prince George's County Planning Board
Attention: Mr. Peter Shapiro, Chair
1616 McCormick Drive
Upper Marlboro, MD 20774

Re: October 17, 2024 Hearing | Application for Amendment to Basic Plan | Oak Creek Club Landbay T (A-8427-01, A-8578-01, A-8579-01)

Dear Chairman Shapiro,

I am a resident of the Oak Creek Community and Lakeview Landbay.

I am writing to express my opposition to the proposed increase in residential density from 1.3 to 1.4 for the R-L Zone at the Northeast corner of Mary Bowie and Church Road and West of Bamberg Way. This equates to 12 additional houses, which will be located closest to Lakeview Landbay. Carrollton Development also plans to build 24 homes in the L-A-C Zone, for a total of 36 new homes.

As a community of over 1,100 existing homes, the development of any additional houses in Oak Creek will put additional strain on our community resources, which are challenged to adequately accommodate the community as is today. The Oak Creek Community currently has approximately 1,174 homes, which is already well beyond the original 1,098 home planned for the community. The increase in density does not take into account the current number of homes and will particularly disrupt the neighborhood's visual harmony, negatively impact the ingress/egress and gate infrastructure, harm and displace the natural environment and wildlife, cause additional drainage issues, and create street parking challenges particularly due to short driveways resulting from decreased lot sizes.

As a concerned resident, I strongly believe the original density should be maintained to preserve the integrity and value of our community and allow the community to continue to use its existing amenities without the burden of additional residences, which our current infrastructure cannot accommodate.

I ask that this application to increase residential density and remove the designation of the Development Parcel/Landbay T designation be denied.

Thank you for your consideration.

Regards,

Deidre E Boulware

Additional Back-up

For

A-8427-01, A-8578-01, & A-8579-01 Oak Creek Club - Landbay T

CLHATCHER
LLC
14401 SWEITZER LANE, SUITE 570, LAUREL, MD 20707

October 2, 2024

VIA ELECTRONIC MAIL
Mr. Joshua Mitchum, Reviewer
Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
1616 McCormick Drive
Largo, MD 20774

RE: Oak Creek Club – Landbay T; A-8427-01, A-8578-01, and A-8579-01
Request for Continuance

Dear Mr. Mitchum,

Please be advised that CLHatcher LLC represents Carrolton Oak Creek, LLC (herein referred to as the "**Applicant**") in the Basic Plan Amendments for Oak Creek Club – Landry T, A-8427-01, A-8578-01, A-8579-01, (the "**Basic Plans**").

A Planning Board hearing is set for the Basic Plans on October 17, 2024. The Applicant respectfully requests a continuance of the October 17th hearing to allow for additional time to coordinate with Maryland-National Capital Park & Planning Commission Staff on the subject application. Accordingly, the Applicant would like to request that the Basic Plans be continued to a new Planning Board hearing date of October 24, 2024.

Thank you for your consideration of this matter. Please do not hesitate to contact me with any questions.

Sincerely,

By:
Christopher L. Hatcher, Esq.
14401 Sweitzer Lane, Suite 570
Laurel, Maryland 20707
Attorney for Applicant

CC: Sherri Conner
Cheryl Summerlin
James Hunt

From: Becca Walawender
To: PPD-PGCPB
Subject: Improper posting - Application A-8427-01-Oakcreek Landbay T
Date: Tuesday, October 1, 2024 6:34:41 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

According to the Code of Ordinance, 27-125.03, applicants/developers must post signs for a period of 30 continuous days prior to the hearing date. In the case of Application A-8427-01-Oakcreek Landbay T , the developer posted the sign 29 days prior to the hearing date per an affidavit that has been entered into the record.

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed changes to the development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Thank you for your consideration and for following the County rules.

Becca Walawender
13303 Mary Bowie Parkway
Oak Creek

From: Jennifer Phillips
To: PPD-PGCPB
Subject: Oak Creek Landbay T Signage
Date: Tuesday, October 1, 2024 7:03:04 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good evening,

I am writing to express my concern that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Thank you,

Jennifer Phillips, Oak Creek Resident

Sent from my iPhone

From: L Dan
To: PPD-PGCPB
Subject: Application A-8427-01-Oakcreek Landbay T
Date: Tuesday, October 1, 2024 7:45:46 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Greetings:

I am deeply disturbed to learn that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear the developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Sincerely,
Mrs Robinson
Oak Creek Resident

From: Anthony Johnson
To: PPD-PGCPB
Subject: Application A-8427-01-Oakcreek Landbay T
Date: Tuesday, October 1, 2024 8:17:19 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good evening.
I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Best Regards,

Anthony AJ Johnson
The Spence Realty Group
202-841-2352
www.thespencerealtygroup.com

From: Margaret Banks
To: PPD-PGCPB
Subject: Unlawful Developer in Oak Creek
Date: Tuesday, October 1, 2024 10:14:49 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Planning Department,

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County.

Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

All the best,

Margaret Banks

From: Kristian Edwards
To: PPD-PGCPB
Subject: Planning Board Delayed Ruling
Date: Wednesday, October 2, 2024 9:04:08 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Morning -

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County.

Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent.

I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Best,
Dr. Kristian E

--
Dr. Kristian Edwards, Founder of BLK + GRN
non-toxic personal care products created by Black artisans
Linkedin | Retail Ready | YouTube

From:	Kristian Edwards
To:	councildistrict6@co.pg.md.us
Cc:	chris@clhatcher.com; PPD-PGCPB
Subject:	Re: Opposition to Increasing Residential Density Near Oak Creek Community
Date:	Sunday, September 29, 2024 8:01:35 AM
Attachments:	Planning_Committee-_Proposed_Housing_Development_Opposition-aboglin84_gmail.com.pdf Planning_Committee-_Proposed_Housing_Development_Opposition-pionespr_comcast.net.pdf Planning_Committee-_Proposed_Housing_Development_Opposition-doristtucker_aol.com.pdf Planning_Committee-_Proposed_Housing_Development_Opposition-erniecraddock_gmail.com.pdf Planning_Committee-_Proposed_Housing_Development_Opposition.pdf

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[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Morning -

Here are 5 more letters from my neighbors.

Best,
Dr. Kristian

On Mon, Sep 23, 2024 at 8:00 AM Kristian Edwards <kristian@blkgrn.com> wrote:

> Morning Ms. Blegay,
>
> My name is Dr. Kristian Edwards and I am a resident of the Oak Creek community at 510 Cranston Ave, Upper Marlboro.
>
> I am writing to express my opposition to the proposed increase in residential density near the Oak Creek Community, which would raise the number of homes from 52 to 76. I was under the impression the HOA board only approved 30 single family homes.
>
> My primary concern is that this increase in density could negatively affect the overall character and aesthetic of our community. Raising the number to 76 would introduce congestion, disrupt the neighborhood's visual harmony, and put a strain on access and gate infrastructure which will impact traffic.
>
> As a resident at 510 Cranston Ave, Upper Marlboro, I strongly believe that the original density plan, 30, that the board agreed to should be maintained.
>
> I am not the only neighbor with this concern. What is the most efficient way for us to share our concerns? Chris Hatcher is CC:ed on this email.
>
> Thank you for your time and attention to this matter.
>
> I look forward to your response.
>
> Best regards,
> Dr. Kristian Edwards

--

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Dr. Kristian Edwards, Founder of BLK + GRN
non-toxic personal care products created by Black artisans
Linkedin I Retail Ready I YouTube

Prince George's County Planning Committee
Attn: Chris Hatcher
1616 McCormick Dr
Upper Marlboro, MD 20774

Re: Proposed Housing Development in Kettering, MD

Dear Chris -

My name is Jason Edwards and I am a resident of the Oak Creek community at 510 Cranston Ave

I am writing to express my opposition to the proposed increase in residential density near the Oak Creek Community, which would raise the number of homes from 52 to 76. I was under the impression that the board only approved 30 single family homes.

My primary concern is that this increase in density could negatively affect the overall character and aesthetic of our community. Raising the number to 76 would introduce congestion, disrupt the neighborhood's visual harmony, and put a strain on access and gate infrastructure which will impact traffic.

As a resident at 510 Cranston Ave, I strongly believe that the original density be maintained to preserve the integrity of our community.

Thank you for your time and attention to this matter.

I look forward to your response.

Best regards,

Jason Edwards

09 / 28 / 2024

Doc ID: 1a532afda68e17b0b522f8debe6acbd4ac5a7729

Dropbox Sign

Audit trail

Title	Planning Committee- Proposed Housing Development Opposition
File name	Planning_Committe...position___1_.pdf
Document ID	1a532afda68e17b0b522f8debe6acbd4ac5a7729
Audit trail date format	MM / DD / YYYY
Status	Signed

Document History

VIEWED	**09 / 28 / 2024** 16:11:31 UTC-4	Viewed by - (hello@blkgrn.com) IP: 173.79.179.41
SIGNED	**09 / 28 / 2024** 16:12:05 UTC-4	Signed by - (hello@blkgrn.com) IP: 173.79.179.41
COMPLETED	**09 / 28 / 2024** 16:12:05 UTC-4	The document has been completed.

Powered by Dropbox Sign

Prince George's County Planning Committee
Attn: Chris Hatcher
1616 McCormick Dr
Upper Marlboro, MD 20774

Re: Proposed Housing Development in Kettering, MD

Dear Chris -

My name is Alicia carter and I am a resident of the Oak Creek community at 13606 Paramus Ct

I am writing to express my opposition to the proposed increase in residential density near the Oak Creek Community, which would raise the number of homes from 52 to 76. I was under the impression that the board only approved 30 single family homes.

My primary concern is that this increase in density could negatively affect the overall character and aesthetic of our community. Raising the number to 76 would introduce congestion, disrupt the neighborhood's visual harmony, and put a strain on access and gate infrastructure which will impact traffic.

As a resident at [Your Address], I strongly believe that the original density be maintained to preserve the integrity of our community.

Thank you for your time and attention to this matter.

I look forward to your response.

Best regards,

09 / 27 / 2024

Doc ID: c6774231c27a1d8e8766a71a028789cb41cf95a3

Dropbox Sign

Audit trail

Title	Planning Committee- Proposed Housing Development Opposition
File name	Planning_Committe...t_Opposition_.pdf
Document ID	c6774231c27a1d8e8766a71a028789cb41cf95a3
Audit trail date format	MM / DD / YYYY
Status	Signed

Document History

VIEWED	**09 / 27 / 2024** 22:14:55 UTC-4	Viewed by - (aboglin84@gmail.com) IP: 107.123.17.115
SIGNED	**09 / 27 / 2024** 22:16:02 UTC-4	Signed by - (aboglin84@gmail.com) IP: 107.123.17.115
COMPLETED	**09 / 27 / 2024** 22:16:02 UTC-4	The document has been completed.

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Prince George's County Planning Committee
Attn: Chris Hatcher
1616 McCormick Dr
Upper Marlboro, MD 20774

Re: Proposed Housing Development in Kettering, MD

Dear Chris -

My name is Doris Tucker and I am a resident of the Oak Creek community at 14636 Briarley Place Upper Marlboro, Md 20774

I am writing to express my opposition to the proposed increase in residential density near the Oak Creek Community, which would raise the number of homes from 52 to 76. I was under the impression that the board only approved 30 single family homes.

My primary concern is that this increase in density could negatively affect the overall character and aesthetic of our community. Raising the number to 76 would introduce congestion, disrupt the neighborhood's visual harmony, and put a strain on access and gate infrastructure which will impact traffic.

As a resident at [Your Address], I strongly believe that the original density be maintained to preserve the integrity of our community.

Thank you for your time and attention to this matter.

I look forward to your response.

Best regards,

Doris Tucker

09 / 27 / 2024

Doc ID: 0a149cc14f00a036142cbd857db01f37182ba74e

Dropbox Sign

Audit trail

Title	Planning Committee- Proposed Housing Development Opposition
File name	Planning_Committe...t_Opposition_.pdf
Document ID	0a149cc14f00a036142cbd857db01f37182ba74e
Audit trail date format	MM / DD / YYYY
Status	Signed

Document History

VIEWED	**09 / 27 / 2024** 11:28:11 UTC-4	Viewed by - (doristtucker@aol.com) IP: 96.255.187.111
SIGNED	**09 / 27 / 2024** 14:39:00 UTC-4	Signed by - (doristtucker@aol.com) IP: 96.255.187.111
COMPLETED	**09 / 27 / 2024** 14:39:00 UTC-4	The document has been completed.

Powered by Dropbox Sign

Prince George's County Planning Committee
Attn: Chris Hatcher
1616 McCormick Dr
Upper Marlboro, MD 20774

Re: Proposed Housing Development in Kettering, MD

Dear Chris -

My name is Ernest Craddock and I am a resident of the Oak Creek community at 414 Rifton Ct

I am writing to express my opposition to the proposed increase in residential density near the Oak Creek Community, which would raise the number of homes from 52 to 76. I was under the impression that the board only approved 30 single family homes.

My primary concern is that this increase in density could negatively affect the overall character and aesthetic of our community. Raising the number to 76 would introduce congestion, disrupt the neighborhood's visual harmony, and put a strain on access and gate infrastructure which will impact traffic.

As a resident at [Your Address], I strongly believe that the original density be maintained to preserve the integrity of our community.

Thank you for your time and attention to this matter.

I look forward to your response.

Best regards,

09 / 27 / 2024

Dropbox Sign

Audit trail

Title	Planning Committee- Proposed Housing Development Opposition
File name	Planning_Committe...t_Opposition_.pdf
Document ID	54ff072a9420d02860096e0861dafbdde669f3d4
Audit trail date format	MM / DD / YYYY
Status	Signed

Document History

VIEWED	**09 / 27 / 2024** 11:22:17 UTC-4	Viewed by - (erniecraddock@gmail.com) IP: 96.255.193.246
SIGNED	**09 / 27 / 2024** 11:23:01 UTC-4	Signed by - (erniecraddock@gmail.com) IP: 96.255.193.246
COMPLETED	**09 / 27 / 2024** 11:23:01 UTC-4	The document has been completed.

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Prince George's County Planning Committee
Attn: Chris Hatcher
1616 McCormick Dr
Upper Marlboro, MD 20774

Re: Proposed Housing Development in Kettering, MD

Dear Chris -

My name is Pat Jones and I am a resident of the Oak Creek community at 14117 Mary Bowie Parkway

I am writing to express my opposition to the proposed increase in residential density near the Oak Creek Community, which would raise the number of homes from 52 to 76. I was under the impression that the board only approved 30 single family homes.

My primary concern is that this increase in density could negatively affect the overall character and aesthetic of our community. Raising the number to 76 would introduce congestion, disrupt the neighborhood's visual harmony, and put a strain on access and gate infrastructure which will impact traffic.

As a resident at [Your Address], I strongly believe that the original density be maintained to preserve the integrity of our community.

Thank you for your time and attention to this matter.

I look forward to your response.

Best regards,

Pat Jones

09 / 27 / 2024

Doc ID: 53f32f2a352b9e0f0a4fbf557f797cfc4c10f381

Dropbox Sign

Audit trail

Title	Planning Committee- Proposed Housing Development Opposition
File name	Planning_Committe...t_Opposition_.pdf
Document ID	53f32f2a352b9e0f0a4fbf557f797cfc4c10f381
Audit trail date format	MM / DD / YYYY
Status	Signed

Document History

VIEWED	**09 / 27 / 2024** 18:01:13 UTC-4	Viewed by - (pjonespr@comcast.net) IP: 69.138.215.68
SIGNED	**09 / 27 / 2024** 18:03:35 UTC-4	Signed by - (pjonespr@comcast.net) IP: 69.138.215.68
COMPLETED	**09 / 27 / 2024** 18:03:35 UTC-4	The document has been completed.

Powered by Dropbox Sign

From: Jeremy Scott
To: PPD-PGCPB
Subject: Code of Ordinance, 27-125.03
Date: Wednesday, October 2, 2024 9:38:01 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Best regards,
Jeremy

From: Pat Jones
To: PPD-PGCPB
Subject: Application A-8427-01-Oakcreek Landbay T
Date: Wednesday, October 2, 2024 10:39:37 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear sir or madam:

It is deeply disturbing that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Pat Jones
14117 Mary Bowie Parkway
Upper Marlboro, Md 20774

Sent from my iPhone

From: Kip Banks
To: PPD-PGCPB
Subject: Concerns About Application A-8427-01-Oakcreek Landbay T
Date: Thursday, October 3, 2024 6:39:07 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Dear Prince George's County Planning Department

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County.

Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent.

I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Sincerely,
Kip Bernard Banks, Sr.
Prince George's County Resident

From: Katrina
To: PPD-PGCPB
Subject: Objection to Application A-8427-01-Oakcreek Landbay T
Date: Thursday, October 3, 2024 8:21:15 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Thank you,

Katrina

From: Kristin Sampson
To: PPD-PGCPB
Subject: Improper posting - Application A-8427-01-Oakcreek Landbay
Date: Friday, October 4, 2024 11:16:26 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

According to the Code of Ordinance, 27-125.03, applicants/developers must post signs for a period of 30 continuous days prior to the hearing date. In the case of Application A-8427-01-Oakcreek Landbay T , the developer posted the sign 29 days prior to the hearing date per an affidavit that has been entered into the record.

I am deeply disturbed to hear that the sign advertising the October 17, 2024 hearing to consider Application A-8427-01-Oakcreek Landbay T was not posted in accordance with the laws of the County. Given the substantial negative impact that the proposed changes to the development will have on our community, I want to ensure that the process to hear this developer's application is lawful, fair, and transparent. I ask that the Planning Board not rule on this application on October 17, 2024 and allow the Oak Creek Community to have the full 30 days of notification, therefore considering this application on or after November 18, 2024.

Thank you for your consideration and for following the County rules.

Kristin Sampson
13303 Mary Bowie Parkway
Oak Creek

From: Michael Vaughn
To: PPD-PGCPB
Subject: Hearing to consider application A-8427-01- OakCreek Landbay T
Date: Friday, October 4, 2024 12:26:24 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

To Whom it May Concern,

I am a proud resident of the Oak Creek community.and want to share my concern regarding the hearing to consider application A-8427-01-Oakcreek Landbay T scheduled for Thursday, October 17th. There is a proposed development at the main gate of our wonderful community and the posting for that project **DID NOT** meet the 30 continuous days requirement for signs advertising a hearing date. The signs were posted 29 days prior.

This proposed development will have a substantial impact on our community and we want to ensure that the process is both fair to the residents and lawful. I am respectfully requesting that the Planning Board **NOT** rule on this application until the full 30 day notification requirement is met.

Thank you,
Michael Q. Vaughn

October 8, 2024

Prince George's County Planning Board

1616 McCormick Dr.

Largo, zMd 20774

Re: Continuance of Oct. 17th hearing on Prince George's County Planning A 84 2701, A 85 7801, A 85 7901

Dear Planning Board Commissioners:

As a resident/homeowner of Oak Creek subdivision, it is apparent that we need more time to consider and respond to proposed changes to an upcoming new development in our community (Prince George's County Planning A 84 2701, A 85 7801, A 85 7901).

Please grant a continuance of the hearing scheduled for October 17, 2024, and reschedule it no sooner than November 18, 2024.

Your consideration is appreciated.

Sincerely,

Pat Jones

Pat Jones

Resident/Owner

Oak Creek Subdivision

14117 Mary Bowie Parkway

Upper Marlboro, Md 20774

202-445-0320

Parsons, James

From: Dollie Banks <dolliewbanks@aol.com>
Sent: Friday, October 11, 2024 3:26 PM
To: PPD-PGCPB
Subject: Please vote no to increasing density to accommodate Carrollton Enterprises to maximize their profits (Application A-8427-01)

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Mr. Peter Shapiro, Chair
Prince George's County Planning Board
1616 McCormick Drive
Upper Marlboro, MD 20774

Dear Chairman Shapiro,

I am a resident of Oak Creek, living in a home adjacent to the land for which Carrollton Enterprises proposes to develop as described in Application A-8427-01. .

I am asking for a continuance of this application. Carrollton Enterprises is not in compliance with Prince George's County Code Code of Ordinance, 27-125.03. They posted the sign advertising the October 17, 2024 hearing date on September 18, 2024. They hoped that the residents would not notice that they were not in compliance with the law. They could have advised the Planning Board that they did not post the sign in time and therefore, were not in compliance. But, no, as has been my experience with Carrollton Enterprises, they say one thing and do another. So, the residents had to do the work and advise the Planning Department employees that the sign was not posted in compliance with the law.

Now that this has been brought to their attention that the residents noticed that Carrollton Enterprises was not in compliance with the law, they have requested that this application be considered on the Planning Board's agenda the following week. Don't you think that the people who are living next to this proposed development deserve better? People have to take time off from their jobs to attend to these hearings, which is the benefit of having 30 days' notification. It gives residents and stakeholders time to plan to appear at a hearing. Therefore, if you grant this continuance to consider this application on October 24th, then residents will need to sign up to speak at the hearing on October 22nd, which is three workdays from October 17th. That's just not fair. **Therefore, this is to request that Oak Creek residents be given the full 30 days notification before a hearing and that this application not be considered before November 18, 2024.**

I also request that the application's proposal to increase the density of the new homes from 1.3 dwelling units per acre to 1.4 dwelling units per acre be denied. Again, as part of the planning process, Carrollton Enterprises had meetings with the residents, particularly those who will be most impacted. We were told during these meetings that the new homes would be similar to the homes that they are adjacent to. At no time were we told that they would need to move the homes closer together in order to maximize their profits from this development. It saddens me that the meetings held as part of the development process are simply formalities. The developer says one thing, and then the residents are shocked when they see

the application filed with the Planning Department. I' In summary, the homes will not be aligned with those that they are adjacent to because they have a different density. **And, therefore, I request that you deny Application A-8427-01.**

Lastly, as a community of over 1,100 existing homes, the development of any additional houses in Oak Creek will put additional strain on our community resources, which are challenged to adequately accommodate the community as is today. Residents are currently considering a proposal for Oak Creek Club members on how to address a budget deficit for the operating budget of the neighborhood. This budget funds items such as the maintenance of the gates, security, landscaping etc. Three options are being considered including transferring money from the operating reserves to address the deficit or increasing residents' monthly assessment from $217 to $238. In 2012, the monthly assessment for this neighborhood was $135. If the proposed assessment increase of $238 is approved by the Oak Creek Board of Directors, it would represent a 76% increase from 2012 to 2025 which is hyper-inflationary. As you can see, the community is already challenged to provide services for residents who currently live in the neighborhood. It seems irresponsible to increase the number of homes, given these types of operational deficits.

I understand the pressures the Planning Board is under to approve development that will bring tax revenue to the county. I understand that Carrollton Enterprises , which has done limited development in Prince George's County, is anxious to pursue a new market and maximize its profits. I ask that you consider those of who have to live next to this development, those of us who will have our already high homeowners fees increased as a result of more development, those of us who will have to have more traffic on streets that were not designed to accommodate this type of development, and the list goes on.

To summarize, please vote to give the residents a full 30 days' notice before a hearing, as stated in the Prince George's County Code, and to deny this application to increase the density of homes in Oak Creek for the reasons cited above.

Sincerely,

Dollie Williams Banks

From:	Kathryn Thomas
To:	Hurlbutt, Jeremy
Subject:	Request for Continuance of October 17th Hearing – Prince George's County Planning Cases A-84-2701, A-85-7801, A-85-7901
Date:	Tuesday, October 8, 2024 9:47:22 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

October 7, 2024

Prince George's County Planning Board
1616 McCormick Dr.
Largo, MD 20774

Re: Request for Continuance of October 17th Hearing – Prince George's County Planning Cases A-84-2701, A-85-7801, A-85-7901

Dear Planning Board Commissioners,

As a homeowner and resident of the Oak Creek subdivision, I am writing to respectfully request a continuance for the hearing scheduled on October 17, 2024, regarding the proposed new development (Prince George's County Planning cases A-84-2701, A-85-7801, A-85-7901).

Given the significance of this project and its potential impact on our community, additional time is needed for residents to fully review and respond to the proposed changes. This will ensure that we can provide thoughtful feedback and meaningful input that reflects the concerns and best interests of the Oak Creek community.

I kindly ask that the hearing be rescheduled for a date no earlier than November 18, 2024. Your consideration of this request would be greatly appreciated.

Thank you for your time and attention to this matter.

Sincerely,

Kathryn Thomas
Resident/Homeowner
Oak Creek Subdivision
405 Boyden Street
Upper Marlboro, MD 20774
(240) 893-4901