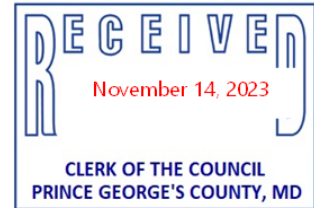


November 14, 2023



D.R. Horton, Inc.  
181 Harry S. Truman Parkway, Suite 250  
Annapolis, MD 21401

Re: Notification of Planning Board Action on  
**Comprehensive Design Plan CDP-22001**  
**Saddle Ridge**

Dear Applicant:

This is to advise you that, on **November 9, 2023**, the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board, pursuant to the Transitional Provisions of Section 27-1700 of the Prince George's County Zoning Ordinance and in accordance with the attached Resolution.

Pursuant to Section 27-523 of the prior Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**November 14, 2023**) of the Planning Board's decision, unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291 of the prior Zoning Ordinance), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Very truly yours,  
James R. Hunt, Chief  
Development Review Division

By: Dominique Lockhart  
Reviewer

Attachment: PGCPB Resolution No. **2023-108**

cc: Donna J. Brown, Clerk of the County Council  
Persons of Record





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.pgplanning.org

PGCPB No. 2023-108

File No. CDP-22001

RESOLUTION

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George’s County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Legacy Comprehensive Design Zone (LCD); and

WHEREAS, the applicant, D.R. Horton, Inc., submitted an application for approval of a comprehensive design plan; and

WHEREAS, pursuant to Section 27-1704(h) of the Zoning Ordinance, property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the prior Zoning Ordinance; and

WHEREAS, therefore, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on October 19, 2023, regarding Comprehensive Design Plan CDP-22001 for Saddle Ridge, the Planning Board finds:

1. **Request:** This comprehensive design plan (CDP) approves development of up to 621 single-family detached and up to 333 single-family attached units, for a total of 954 dwelling units.
2. **Development Data Summary:**

Zone(s)	LCD (Prior R-S)
<b>Gross tract area</b>	289.36 acres
100-year floodplain	33.24 acres
Net Comprehensive Design Zone (CDZ) Area*	272.74 acres
Density permitted	2.7 to 3.5 du/ac
Base density of the prior R-S-zoned property (2.7 du/ac x 289.36 acres less 50% of the floodplain) in terms of number of dwelling units**	736
Maximum density (3.5 du/ac x 289.36 acres less 50% of the floodplain) in terms of number of dwelling units**	954
Approved maximum density 3.5 du/ac x 289.36 acres (less 50% of the floodplain) in terms of dwelling units	954

**Notes:** \*Per Section 27-486(a) of the prior Prince George's County Zoning Ordinance, residential density determinations in the Residential Suburban Development (R-S) Zone shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain.

\*\*At the time of the basic plan, the area of the floodplain was 32.75 acres. The net tract area at the time was 272.98 acres ( $289.36 - 16.37 = 272.98$ ). The result was a base density of 737 units and a maximum density of 955 units. The approved site plan shows a slight increase in the floodplain area to 33.24 acres. The net tract area at this time is 272.74 acres ( $289.36 - 16.62 = 272.74$ ). This results in a base density of 736 units and a maximum density permitted of 954 units.

3. **Location:** The subject 289.36-acre property is located on the north side of MD 373 (Accokeek Road), approximately 2,500 feet east of its intersection with McKendree Road, in the southern portion of Prince George's County.
4. **Surroundings:** The subject site is bounded to the north by Floral Park Road, with single-family dwellings in the Residential, Rural (RR) Zone beyond; to the east by undeveloped land in the Residential Estate (RE) Zone; to the south by MD 373, with single-family dwellings in the RR Zone beyond; and to the west by single-family dwellings in the RE Zone. The property is also divided into two development areas, the northern and southern development areas, which are separated by an existing Potomac Electric Power Company (PEPCO) high tower power line easement.
5. **Previous Approvals:** Portions of the property have been used for surface mining operations permitted by special exception and listed below. The property has been cleared of the mining operation and the majority of the site remains wooded. The following applications were previously approved for the subject property:

In 1966, the Prince George's County District Council approved Special Exception SE-1299, which approved a sand and gravel mine on a larger tract of land that included the subject property.

In 1967, the District Council approved SE-1589, SE-1590, and SE-1593, which were requested by the Washington Gas Light Company for three separate parcel areas for gas storage field operations. No conditions were required for these special exceptions. Further information can be found in Zoning Resolution Nos. 444-1967, 445-1967, and 450-1967.

In 1976 and 1992, the District Council approved SE-2903 and SE-4043. The applications were requested by Lone Star Industries for several parcels for sand and gravel mining operations. No conditions were required for these special exceptions.

In the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA), the subject property was retained in the Residential-Estate (R-E) and Rural Residential (R-R) Zones.

The subject property was the subject of Zoning Map Amendment (Basic Plan) A-10060, which was recommended for approval by the Prince George's County Planning Board pursuant to PGCPB Resolution No. 2021-92, adopted on July 29, 2021. The basic plan associated with A-10060 requested that the property be rezoned from the prior R-R and R-E Zones to the prior R-S Zone. The evidential hearing was held before the Zoning Hearing Examiner (ZHE) on October 27, 2021, and the record was closed. On October 28, 2021, the Planning Board endorsed the Countywide Sectional Map Amendment (CMA). As a result, and pursuant to Section 27-1905(c)(1) of the prior Zoning Ordinance, on November 8, 2021, the ZHE issued a notice advising that A-10060 was postponed until such time that the District Council takes final action on the CMA. On November 29, 2021, the Prince George's County Council adopted Prince George's County Council Resolution CR-136-2021; thereby approving the CMA, with an effective date of April 1, 2022.

Consequently, on December 20, 2021, pursuant to Section 27-1905(c)(2) of the prior Zoning Ordinance, the applicant and owner sent timely notice to ZHE of their intention to proceed with A-10060. The Maryland-National Capital Park and Planning Commission (M-NCPPC) confirmed that A-10060 would proceed pursuant to the transitional provisions provided in Section 27-1703(a) of the Zoning Ordinance, which allowed the zoning request to be reviewed and decided under the current Zoning Ordinance.

The CMA took effect on April 1, 2022, and on September 19, 2022, the District Council adopted a motion for preparation of an order of approval, to rezone the property to the Legacy Comprehensive Design (LCD) Zone since A-10060 was allowed to proceed after the effectuation of the CMA, but was required to result in a zone set forth in the new Zoning Ordinance. The District Council's Order of Approval (Zoning Ordinance No. 9-2022) was enacted on October 17, 2022. Subsequently, ZHE certified the basic plan on November 22, 2022. Pursuant to Section 27-4205(c)(3) of the Zoning Ordinance, the requirements of the prior R-S Zone now apply.

The density range permitted with the basic plan was 737 to 955 dwelling units. This calculation was determined by Section 27-486(a). Residential density determinations, in the prior R-S Zone, shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain. The gross acreage is 289.36 acres and the area of 100-year floodplain was 32.75 acres, 50 percent of which is 16.38 acres. Therefore, the net comprehensive design zone area is 272.98 acres. The R-S Zone permits a base density of 2.7 dwelling units per acre, and a maximum density of 3.5 dwelling units per acre.

The area of the floodplain, at the time of the basic plan, was 32.75 acres. The current site plan shows a slight increase in the floodplain area to 33.24 acres. The net tract area at this time is 272.74 acres ( $289.36 - 16.62 = 272.74$ ). This results in a base density of 736 units and a maximum density permitted of 954 units.

6. **Design Features:** The subject CDP fronts along Floral Park Road to its north and MD 373 to its south. Five distinct pods of development have been approved. Pod A, located north of the PEPCO transmission line, was approved to be developed with single-family dwelling units (duplexes), recreation amenities, trail connections, and two vehicular access points to Floral Park Road. Pod B was approved to remain undeveloped, in accordance with the approved Basic Plan (A-10060), to reduce the number of stream crossings and to preserve the existing environmental features to a greater extent. Pod C was approved to be developed with single-family detached and attached dwelling units, recreation amenities, and trail connections. Pod C will feature the primary recreational features of the southern Pods (C, D, and E). Pod D was approved to be developed with single-family detached dwellings with access from MD 373. Pod E is a separate pod that has its own direct access from MD 373, located west of the Burch Branch Stream, and linked to the community by a pedestrian trail connection. Single-family detached dwellings are approved for this area, as it is adjacent to an existing residential neighborhood of the same character.

All pods are stated to include various open spaces and several sites for passive and active recreation areas, which will be determined and evaluated, at the time of specific design plan (SDP). The potential recreation amenities may include a community clubhouse, dog park, fitness areas, walking trails, gardens, and various seating areas to promote gatherings.

The phasing plan consists of five phases of development. In each stage, a specific number of residential units and types have been identified, along with amenities and recreational facilities. The phasing plan and the recreation facilities are preliminary in nature and will be fine-tuned with the progression of the development.

#### **Development Standards**

This CDP also includes development guidelines governing the development of this project, including bulk standards for the single-family detached and attached units. Modifications to the standards can be granted by the Planning Board and/or the District Council, on a case-by-case basis, with the approval of an SDP.

#### **Single-Family Detached Units**

Minimum Net Lot Area	4,000 square feet
Minimum Front Yard Setback	15 feet
Minimum Rear Yard Setback	15 feet
Minimum Side Yard Setback (one side/combined)	5 feet/10 feet
Minimum Lot Width at Front Street Line	40 feet
Minimum Lot Width at Front BRL	40 feet
Minimum Frontage on Cul-De-Sac	30 feet
Maximum Height	40 feet
Maximum Building Coverage	40%

**Single-Family Attached (Townhouse) Units**

Minimum Net Lot Area	1,800 square feet
Minimum Front Yard Setback	15 feet
Minimum Rear Yard Setback	15 feet
Minimum Side Yard Setback (one side/combined)	0 feet
Minimum Lot Width at Front Street Line	20 feet
Minimum Lot Width at Front BRL	20 feet
Minimum Frontage on Cul-De-Sac	20 feet
Minimum Space between End Buildings	10 feet
Maximum Height	40 feet
Maximum Building Coverage	65%

**Single-Family Attached (Duplex) Units**

Minimum Net Lot Area	1,800 square feet
Minimum Front Yard Setback	15 feet
Minimum Rear Yard Setback	15 feet
Minimum Side Yard Setback (one side/combined)	0 feet
Minimum Lot Width at Front Street Line	24 feet
Minimum Lot Width at Front BRL	24 feet
Minimum Frontage on Cul-De-Sac	24 feet
Minimum Space between End Buildings	10 feet
Maximum Height	40 feet
Maximum Building Coverage	50%

**Other Design Standards**

A minimum of 60 percent of all townhouse units shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. There shall also be no more than six townhouses per building group in any comprehensive design zone, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six dwelling units (but not more than eight dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than 6 dwelling units exceed 20 percent of the total number of building groups in the SDP, and the end units on such building groups shall be a minimum of 24 feet in width. In no event shall there be more than nine dwelling units in a

building group. Highly visible end units for dwellings will provide additional design and finish treatments and shall be determined, at the time of SDP approval.

The approved development standards that will govern this development are generally acceptable because they are consistent with the master plan's recommendations for this property. Specifically, the Subregion 5 Master Plan and SMA envisions lower density single-family neighborhoods with an emphasis on protection and preservation of environmentally sensitive areas.

#### **Green Building Techniques**

A development project of this large scale, with multiple phases, has numerous opportunities to apply green building and sustainable site development techniques to achieve green building certification and environmental excellency. The applicant should apply those techniques, as practical, at the time of SDP. A condition has been included herein, requiring the applicant to provide green building techniques at the site, with the submittal of the SDP.

### **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Zoning Map Amendment (Basic Plan) A-10060:** The District Council approved Basic Plan A-10060 on October 17, 2022, for development of up to 955 single-family detached and attached dwelling units, in the prior R-S Zone, with no conditions. The subject CDP approves a maximum of 954 dwelling units, due to the increase in the floodplain area.
8. **Prince George's County Zoning Ordinance:** This application has been reviewed for conformance with the requirements of the prior Zoning Ordinance, governing development in the R-S Zone, as follows:
  - a. **Uses**—The R-S Zone, which is one of nine comprehensive design zones, is envisioned as a moderate-density suburban residential zone, that will provide flexibility and imaginative utilization of the land, to achieve a balanced and high-quality residential development that cannot be achieved through conventional zoning designation. The general principle for land uses in this zone is that uses should be either residential in nature, or necessary to serve the dominant residential uses. In accordance with Section 27-515(b) of the prior Zoning Ordinance, the approved residential uses consisting of both single-family detached and attached dwelling units are permitted in the R-S Zone, pursuant to the approved basic plan.

The following section discusses the purposes of the R-S Zone.



**Section 27-511. – Purposes.**

**(a) The purposes of the R-S 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;**
  - (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change; and**
  - (C) Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.**

The development of the site as an R-S-zoned property allows a density of 2.7 to 3.5 dwelling units per acre. Public benefit features are approved, in order to achieve density above 2.7 dwelling units per acre. As stated above, the location of the zone is in conformance with the standards of the Subregion 5 Master Plan and SMA and the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035). Section 27-515(b) permits residential dwellings in the R-S Zone. The approved CDP meets the requirements of this purpose.

- (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, or Section Map Amendment Zoning Changes) can serve as the criteria for judging individual development proposals;**

The approved CDP meets this purpose, as this property was rezoned to the R-S Zone and conforms with the approved amended basic plan and the Subregion 5 Master Plan and SMA.

- (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 area immediately surrounding the subject site is composed of undeveloped land and single-family detached residences. The application

includes a conceptual layout for both single-family attached and detached dwellings. The townhouses and duplexes in the conceptual layout are shown either interior to the development, or near the periphery of the property where they are separated from adjoining uses by PEPCO transmission lines and/or natural features. Public facilities are present and will be further tested, at the time of preliminary plan of subdivision (PPS). Private recreational facilities are also shown throughout the development.

The development is situated in the larger Brandywine community, where further residential development will help to stimulate the commercial businesses in the area. To support the residential-low land use suggested by the Subregion 5 Master Plan and SMA, but also allow the flexibility allowed by comprehensive design zones, a varied housing stock is appropriate. This will ensure a more integrated layout, with both single-family detached and attached dwelling units of varying lot sizes, which will provide for a varied ownership interest that will support an integrated development. The conceptual layout exhibits compatibility with existing and surrounding land uses and is found to promote the health, safety, and welfare of the present and future inhabitants of the regional district.

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

The CDP meets this purpose of the R-S Zone, as the project incorporates public benefit features into the development and receives density bonuses in return. The public benefit features requested and supported include approximately 36 acres of open space recreational facilities and a pedestrian trail system. The requested public benefit features are discussed in more detail below, in subsection (b).

**(5) Encourage and stimulate balanced land development;**

The development of the site is purely residential in nature, which will help to stimulate the economic activity of the Brandywine community. The approved development will offer a set of housing types and lot sizes that are unique to the surrounding zones, thereby encouraging varied yet balanced land development. The approved housing types include single-family detached dwellings, townhouses, and duplexes.

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

According to the Subregion 5 Master Plan and SMA, the subject property is intended for larger lot sizes and less density. Development of the property will improve the overall quality and variety of surrounding residential environments by allowing density and lot sizes that will help to preserve natural features on-site, such as the Burch Branch Stream, and wooded and open space areas. The approved CDP will address flood mitigation and preservation of natural assets such as tree canopy, riparian buffers, and wetlands through various site design features. The existing environmental features of the site are shown to be protected, to the greatest extent possible, and be visually integrated into the residential spaces as part of the community and surrounding neighborhoods.

**(7) Allow qualifying properties in the R-S Zone to develop with uses in the E-I-A Zone pursuant to Section 27-515(b) of this Code.**

All approved uses are permitted in the R-S Zone. The development is not associated with uses pertinent to the Employment and Institutional Area (E-I-A) Zone. Therefore, this purpose does not apply.

- b. **Density Increments**—The subject site is in the LCD Zone and previously in the R-S Zone, which has specific density requirements and factors that can be utilized to increase density, subject to development caps established in the basic plan. In the R-S Zone, in accordance with Section 27-513 of the prior Zoning Ordinance, the base density is 2.7 dwelling units per acre and the maximum density is 3.5 dwelling units per acre. The approved 954 dwelling units are at a density of 3.5 dwelling units per acre, which is above the base density, but still within the maximum allowed density.

To achieve a density that is above the base density, the applicant has included public benefit features and density increment factors. Per Section 27-486(d) of the prior Zoning Ordinance, “Increments shall not be allowed for any improvement which is required to be made by the developer (by other laws or regulations).” All requested public benefit features have been evaluated according to this regulation. The applicant has included public benefit features and density increment factors, as stipulated in Section 27-513(b) of the prior Zoning Ordinance, as follows:

**(b) Public Benefit Features and Density Increment Factors.**

- (1) For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed 25% in dwelling units. (This open space land should include any irreplaceable natural features, historic buildings, or natural drainage swales located on the property.)**

The applicant requested a density increment using this factor, with this CDP. The maximum amount that can be requested is a 25 percent

increase in dwelling units. The applicant will provide 26 acres of permanent open space. This open space qualifies the applicant for an increment factor of up to 25 percent in dwelling units. Thus, a total of 184 additional dwelling units can be achieved by utilizing this density increment factor.

The applicant provided an exhibit showing the location and area of the open space used for this density increment. The Planning Board supports this density increment factor as requested, with an increase of 25 percent in dwelling units.

- (2) **For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosion action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed 2.5% in dwelling units.**

The applicant did not request a density increment using this factor.

- (3) **For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed 5% in dwelling units.**

The applicant requested a density increment using this factor, with this CDP. The maximum amount that can be requested is a five percent increase in dwelling units. The applicant will construct approximately 5,040 linear feet of trails throughout the community, in excess of the approximately 3,550 linear feet of the master-planned Burch Branch Trail. A total of 36 dwelling units can be achieved by using this density increment factor.

- (4) **For recreational development of open space (including minimum improvements of heavy grading, seeding, mulching, utilities, off-street parking, walkways, landscaping, and playground equipment), an increment factor may be granted, not to exceed 10% in dwelling units.**

The applicant did not request a density increment using this factor.

- (5) **For public facilities (except streets and open space areas) an increment may be granted, not to exceed 30 percent in dwelling units.**

The applicant did not request a density increment using this factor.

- (6) For creating activity centers with space provided for quasi-public services (such as churches, day care center for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed 10 percent in dwelling units.**

The applicant did not request a density increment using this factor.

- (7) For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed 5 percent in dwelling units.**

The applicant did not request a density increment using this factor.

In summary, the applicant has conceptually provided density increments based on Criteria (1) and (3), as noted above. The Planning Board approved both requested density increments, which results in a potential total of 220 additional dwelling units. When added to the base density of 736 units, the resulting 956 dwelling units would exceed the maximum 954 dwelling units allowed. Therefore, the subject application approves a maximum of 954 dwelling units, or 218 dwelling units above the base density.

<b>Factor Number</b>	<b>Density Increment (%)</b>	<b>Density Increment (# of units)</b>
1	25	184
3	5	36
<b>Total</b>		<b>220</b>

- c. **Development Standards**—A comprehensive set of development standards for residential uses, including single-family detached and attached dwelling units, have been provided with this CDP, as discussed in Finding 6 above. In addition to the development standards, development within the R-S Zone must also comply with additional regulations, as stated in Section 27-513(d) of the prior Zoning Ordinance, as follows:

- (d) Other regulations.**

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

The approved CDP is consistent with this requirement. The single-family detached development areas are conceptually shown with frontage on and direct vehicular access to a public street. Single-family attached development areas are conceptually shown with a network of private streets and alleys, which will be further reviewed in accordance with Subtitle 24 of the Prince George’s County Code, at the time of PPS.

- (2) **Additional regulations concerning development and use of property in the R-S Zone are as provided for in Divisions 1, 4, and 5 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The CDP shows parking, in accordance with the requirements for residential parking. Parking, signage, and landscaping will be fully analyzed with the future SDP application.

- (3) **Notwithstanding any other requirement of this Subdivision, the types of dwelling units permitted shall be limited to one-family detached and attached dwellings. No more than thirty-five percent (35%) of the total number of dwelling units shall be attached units; however, the restrictions for attached dwelling units of this subsection, above, shall not apply to Mixed Retirement Development in the R-S Zone.**

Basic Plan A-10060 approved a maximum of 955 dwelling units containing a mix of detached and attached dwelling units. The subject CDP approves a maximum of 954 dwelling units, due to the increase in the floodplain area.

As approved, the residential development is noted to consist of up to 621 single-family detached units, up to 170 single-family attached townhouse units, and up to 163 single-family attached duplexes. The total unit count adds up to a maximum of 954 dwelling units. In addition, the approved attached dwelling units make up a total of 34.9 percent of the total development, which complies with the maximum 35 percent threshold allowed.

- (4) **Notwithstanding any other provision of this Subtitle, a grading permit to support the development of uses permitted in the E-I-A Zone on land in the R-S Zone pursuant to Section 27-515(b) may be issued so long as it is in conformance with an approved Comprehensive Design Plan.**

This regulation is not applicable, as the CDP does not include any uses permitted in the prior E-I-A Zone.

- (5) **Notwithstanding the provisions of Section 27-123 of this Code, the minimum standards set forth in the Landscape Manual for landscaping, buffering, and screening for all uses permitted in the E-I-A Zone on land in the R-S Zone pursuant to Section 27-515(b) may be modified by the approved Comprehensive Design Plan.**

This regulation is not applicable, as the CDP does not include any uses permitted in the prior E-I-A Zone.

- d. Section 27-521 of the prior Zoning Ordinance requires the Planning Board to find conformance with the following findings, for approval of a CDP:

- (1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

As discussed in Findings 5 and 7 above, the overall site was rezoned by the District Council in October 2022, from the R-E and R-R Zones to the R-S or LCD Zones, through Basic Plan A-10060, with no conditions.

The approved CDP is in conformance with the governing basic plan for development types, quantities, and general spatial relationship among the different types of residential dwellings.

- (2) The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

The flexibility inherent in comprehensive design zones, such as the prior R-S Zone, will allow the applicant to produce a much better environment and achieve high standards for the development than in regular Euclidean zones. This CDP creates a better environment when compared to existing development in the surrounding area. Urban design elements imposed in a suburban setting, the preservation of environmental features (and the views into them), recreational trails, and accessible recreational areas create a development that would satisfy the needs of residents and guests on the subject property.

The approved CDP will have approximately 26 acres of the property preserved in green open space, including regulated environmental features (REF), by using a compact urban development pattern. This fusion of urban-and suburban-style development cannot be achieved under Euclidean zoning regulations designed solely for suburban settings.

- (3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

Approval is warranted because the CDP includes design elements and a land use vision that are consistent with the approved basic plan. The CDP does include bulk standards for the approved single-family detached and attached dwelling units, as discussed in Finding 6 above. The CDP shows careful consideration for the environmental features on the subject property which includes the Burch Branch Stream Valley within the Piscataway Creek Watershed, on-site recreation, and the Burch Branch Trail alignments. It is expected that future residents of the subject development will use facilities in the Accokeek-Brandywine region. Nearby park facilities include the undeveloped Floral Park Road Park, located west of the subject site across Floral Park Road; Accokeek East Park, located approximately 3.5 miles west of Saddle Ridge; and the Southern Area Aquatics and Recreation Complex (SAARC) approximately 3.8 miles to the east. The Saddle Ridge development site is also adjacent to a 67-acre undeveloped park property known as Pleasant Springs Park, to the east on MD 373.

Further evaluation of the urban design elements will be evaluated, at the time of SDP. The Planning Board approved this CDP because it includes various housing types, multiple locations for recreational facilities, and amenities that are consistent with the approved basic plan, subject to conditions included herein.

**(4) The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**

The approved development is compatible with existing and land uses, zoning, and facilities in the immediate surroundings. The surrounding area is generally a mix of undeveloped land and single-family detached dwellings, on lots ranging from 0.5 acre to 2 acres. The residential development, as conditioned, will be compatible with the existing residential environment. The attached housing lots are shown on the CDP illustrative plan to be located either interior to the development or buffered from undeveloped properties, in accordance with the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The combination of a variety of lot sizes, with the smallest lots located to the interior of the development or adequately buffered, will create a transition from any abutting larger lot developments.

In addition, the approved development is purely residential in nature, which will help to stimulate the economic activity of the surrounding Brandywine community. The subject CDP offers a set of housing types and lot sizes that are unique to the surrounding zones, thereby encouraging varied yet balanced land development.

**(5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**



**(A) Amounts of building coverage and open space;**

The maximum building coverage approved is 65 percent for the townhomes, 50 percent for the duplexes, and 40 percent for the single-family detached dwellings. The applicant has also requested a public benefit density increment factor through providing approximately 26 acres of open space, of which the Planning Board is in support. The building coverage and open space is compatible with the residential land uses approved, and exact percentages will be determined at SDP.

**(B) Building setbacks from streets and abutting land uses; and**

The approved mixed residential development features a compact design, while preserving and enhancing the natural environment. The building setbacks for the three housing types were previously discussed in Finding 6. The setbacks for the attached dwelling units are comparable to the standards found in the prior Zoning Ordinance for townhouses in residential base zones. In addition, where applicable, the approved development will conform to the requirements of the Landscape Manual to ensure compatibility with abutting properties.

**(C) Circulation access points;**

The subject CDP approves two primary access points from Floral Park Road to Development Pod A. The master-planned Burch Branch Trail will connect Pod A, located north of the PEPCO transmission lines, to Pod C. The remaining development pods are accessed via three access points from MD 373. The pods will be further connected through pedestrian trails, sidewalks, and private roadways located throughout the development.

Additional evaluation, analysis, and review of these elements will be carried out, at the time of PPS and SDP reviews.

**(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**

The CDP includes a phasing plan that consists of five stages to fully construct the approved development. The applicant will start the development from the furthest north section of the property, with single-family attached units in Pod A. Phases two through four progresses south to northeast on the property, with development of single-family attached and detached units within Pods C and D. The fifth phase will occur on the southwestern portion of the property, with single-family detached units in Pod E. As compact residential neighborhoods,

each of these sections can exist as a unit, capable of sustaining an environment of continuing quality and stability.

**(7) The staging of development will not be an unreasonable burden on available public facilities;**

The approved development will be subject to a PPS, at which time adequacy of public facilities will be evaluated and tested. However, at this time, the Planning Board found that the approved development, which is anticipated to be completed in five phases, will not create an unreasonable burden on available public facilities.

**(8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

**(A) The proposed adaptive use will not adversely affect indistinguishing exterior architectural features or important historic landscape features in the established environmental setting;**

**(B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**

**(C) The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

The CDP does not include an adaptive re-use of an historic site.

**(9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);**

This plan incorporates the applicable design guidelines of Section 27-274 of the prior Zoning Ordinance, and the Planning Board found that the CDP conforms, subject to conditions included herein. The design guidelines will also be fully evaluated, at the time of SDP.

**(10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;**

A Type 1 Tree Conservation Plan, TCP1-012-2023, was submitted with the CDP application and approved.

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

This application area contains REFs, including steep slopes, floodplain, wetlands, streams, and their associated buffers, which comprise the primary management area (PMA).

Impacts to the REFs should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use, orderly and efficient development of the subject property, or are those that are required by County Code for reasons of health, safety, or welfare.

Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for stormwater management (SWM) facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the REFs. The SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact.

The information submitted on the TCP1 shows impacts to the PMA for new and up-grading of existing road crossings, grading associated with road placement, and utility extensions. All impacts to the PMA and REFs will be further reviewed as part of the PPS application, when more detailed information and an approved SWM concept plan are available.

**(12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

This provision is not applicable to the subject application because it was not placed in a comprehensive design zone, pursuant to Section 27-226(f)(4) of the prior Zoning Ordinance, regarding a comprehensive design zone being included as part of a sectional map amendment.

**(13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because this development is not a regional urban community.

9. **2010 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George’s County Tree Canopy Coverage Ordinance:** This CDP has been reviewed for conformance with the 2010 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Tree Canopy Coverage Ordinance, as follows:

a. **Woodland Conservation Ordinance**—This property is subject to the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland.

Based on the TCP1, the overall site contains a total of 202.91 acres of net tract woodlands and 29.24 acres of wooded floodplain. The plan shows a clearance of 115.19 acres of on-site woodlands, 2.02 acres of wooded floodplain, and 7.22 acres of off-site woodlands. The subject application uses the prior zoning (R-S) woodland conservation threshold for a requirement of 51.22 acres (20 percent), and the total woodland conservation requirement is 89.29 acres. Currently, the plan and woodland conservation worksheet shows 80.16 acres of on-site preservation, 7.41 acres of reforestation, and 1.72 acres of off-site woodland credits for a woodland conservation provided of 89.29 acres.

The approved TCP1 shows off-site woodlands to meet the requirement. At the time of PPS submission, the applicant shall make an effort to meet the entire woodland conservation requirement on-site.

b. **Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 5,000 square feet of disturbance or gross floor area. Properties in the prior R-S Zone are required to provide a minimum of 15 percent of the gross tract area in TCC. At the time of SDP review, the applicant must demonstrate conformance with the relevant requirements of the Tree Canopy Coverage Ordinance.

10. **Referral Comments:** This application was referred to the following agencies and divisions. The Planning Board has reviewed and adopts referral comments that are incorporated herein by reference and are summarized, as follows:

a. **Community Planning**—In a memorandum dated September 06, 2023 (Calomese to Lockhart), pursuant to Section 27-521(a)(1) of the prior Zoning Ordinance, this application conforms to the design guidelines or standards intended to implement the development concept recommended by Basic Plan A-10060. Plan 2035 places this application in the Established Communities Growth Policy Area. The Subregion 5 Master Plan and SMA recommends the future land uses of residential low and residential low-transition on the subject property. Residential low areas are designated for single-family detached suburban development that may have up to 3.5 dwelling units per acre. The subject CDP approves a residential development with a mix of housing types and is consistent with the Subregion 5 Master Plan and SMA.

- b. **Transportation Planning**—In a memorandum dated September 22, 2023 (Patrick to Lockhart), a comprehensive review was provided of the application’s conformance with the requirements of previous approvals, the prior Zoning Ordinance, the 2009 *Approved Countywide Master Plan of Transportation*, and the traffic impact analysis (TIA) dated November 1, 2022, summarized as follows:

The Southeast Site Access along MD 373 does not pass the three-tier test for unsignalized intersections. A TIA for the development will be provided, at the time of PPS.

In addition, a memorandum was received from the Site/Road Plan Review Division of the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) dated August 29, 2023 (Lord-Attivor to Hancock), which contains the comments from both DPIE and the Prince George’s County Department of Public Works and Transportation (DPW&T). Upon review of the TIA, DPIE and DPW&T identified two intersections to be analyzed for signal warrants. DPIE offered the following statement regarding signalization, “Prior to submitting a permit application, the applicant shall be required to perform a traffic signal warrant analysis at the intersection of Brandywine Road and Floral Park Road.” DPW&T identified the intersection of MD 5 (Branch Avenue) and Moores Road to be analyzed for signal warrants. This intersection is under the jurisdiction of the Maryland Department of Transportation State Highway Administration (MDOT SHA); as such, the Planning Board will defer to the operating agency and this will be further evaluated, at the time of the PPS.

Having reviewed the traffic study, one of the areas of concern is queuing along Floral Park Road, as well as high left turn volume from Brandywine Road to Floral Park Road. A new TIA will be submitted, at the time of PPS. An updated TIA reflecting these changes will allow the Planning Board to better determine adequacy, at the PPS stage of development. At the time of PPS, the applicant will be required to demonstrate adequate dedication of 40 feet from centerline along MD 373. Dedication of 30 feet from centerline along Floral Park Road will also be required at time of PPS.

In addition, a conceptual location of the master-planned Burch Branch Trail is shown on the circulation plan providing pedestrian connectivity from MD 373 to Floral Park Road. The planned trail may need to be shifted within the internal circulation network which would impact the public and private right of way. The location of the trail will be evaluated during subsequent development applications. It appears that bicycle and pedestrian movement is facilitated throughout the site while protecting the site’s environmental features. At the PPS stage of development, bicycle and pedestrian adequacy will be further evaluated.

- c. **Environmental Planning**—In a memorandum dated September 18, 2023 (Schneider to Lockhart), a review of this CDP application and TCP1-011-2023 was provided, which is summarized herein.

### **Existing Conditions/Natural Resource Inventory**

An approved Natural Resource Inventory Plan (NRI-150-06-01) was submitted with the review package, which was approved on August 19, 2022. The TCP1 shows the required information in conformance with the NRI.

### **Woodland Conservation**

This property is subject to the WCO because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. Based on the TCP1, the overall site contains a total of 202.91 acres of net tract woodlands and 29.24 acres of wooded floodplain. The plan shows clearance of 115.19 acres of on-site woodlands, 2.02 acres of wooded floodplain, and 7.22 acres of off-site woodlands. The subject application uses the prior zoning (R-S) woodland conservation threshold for a requirement of 51.22 acres (20 percent), and the total woodland conservation requirement is 89.29 acres. Currently, the plan and woodland conservation worksheet shows 80.16 acres of on-site preservation, 7.41 acres of reforestation, and 1.72 acres of off-site woodland credits for a woodland conservation provided of 89.29 acres.

### **Specimen trees**

The site contains 275 on-site specimen trees with 147 rated in good condition, 36 rated in fair condition, and 6 specimen trees rated in poor condition. A variance request and full evaluation regarding specimen tree removal will be required with the acceptance of a PPS when more detailed information is available.

### **Regulated Environmental Features**

This application area contains REFs including steep slopes, floodplain, wetlands, streams, and their associated buffers which comprise the PMA.

The information submitted on the TCP1 shows impacts to the PMA, are shown for new and up-grading of existing road crossings, grading associated with road placement, and utility extensions. The impacts to the PMA and REFs will be further reviewed as part of the PPS application when more detailed information and an approved SWM concept plan are available.

### **Stormwater Management**

No SWM concept plan or approval letter was submitted with the subject application. A site development concept will be reviewed and approved by DPIE.

### **Erosion and Sediment Control**

This site is within a Tier II catchment area. Tier II waters are high-quality waters within the State of Maryland, as designated by the Maryland Department of Environment, that are afforded special protection under Maryland's anti-degradation policy. A 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams in accordance with the Prince George's Soil Conservation District (SCD) requirements. Redundant erosion and sediment control measures may be required on the grading, erosion, and sediment control plan reviewed by SCD. This Tier II buffer is

shown on the approved NRI and TCP1. The SCD will review the buffer impacts with the future erosion and sediment control plans.

- d. **Subdivision**—In a memorandum dated September 15, 2023 (Diaz-Campbell to Lockhart), the approved development will require a PPS, in accordance with Section 24-107 of the prior Prince George’s County Subdivision Regulations, because the development proposal includes the division of land and the construction of multiple dwelling units. A CDP must be approved prior to or concurrently with approval of a PPS for the subject site, pursuant to Section 27-516(a) of the prior Zoning Ordinance. Final plats of subdivision will be required following approval of a PPS before permits may be approved for the subject property.
- e. **Historic Preservation**—In a memorandum dated August 23, 2023 (Stabler, Smith, and Chisholm to Lockhart), a Phase I archeological survey was completed on the 278.09-acre Estates of Pleasant Valley property in September 2007. Three 20th century archeological sites were identified: 18PR915, 18PR916, and 18PR917. Site 18PR915 is the remains of a farmstead dating to the second and third quarters of the 20th century. Site 18PR916 is a late 19th to 20th century barn ruin. Site 18PR917 is an extensive mid-20th century artifact scatter that likely represents contract refuse removal from the Statler Hotel in the District of Columbia in the 1940s and manure spreading subsequent to feeding the mixed refuse to swine. All of these sites were disturbed by their subsequent demolition and no intact archeological deposits or features were noted in the Phase I survey. Therefore, no further work was recommended on the Estates of Pleasant Valley property.

The subject application includes several tracts of land that were not included in the initial Phase I archeology survey. These areas have a moderate probability of containing prehistoric archeological resources. Therefore, a condition has been included herein, requiring the applicant to conduct a Phase I archeology survey on the portions of the property that were not previously surveyed.

The subject property does not contain and is not adjacent to any Prince George’s County historic sites or resources. This proposal will not impact any historic sites or historic resources.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated August 28, 2023 (Thompson to Lockhart), discussion was provided as follows:

The Subregion 5 Master Plan and SMA indicates that Brandywine has sufficient local parkland to meet the needs through 2030. Nearby park facilities include the undeveloped Floral Park Road Park, located west of the subject site across Floral Park Road; Accokeek East Park, located approximately 3.5 miles west of Saddle Ridge; and the SAARC approximately 3.8 miles to the east. The Saddle Ridge development site is also adjacent to a 67-acre undeveloped park property known as Pleasant Springs Park, to the

east on MD 373. While the subject property is adjacent to M-NCPPC-owned property, there are no current plans for development.

The Burch Branch Stream is a larger tributary and a secondary environmental corridor that is part of the Piscataway Creek Watershed (Subregion 5 Master Plan and SMA page 67). This secondary corridor, identified in the 2017 *Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan*, is best managed by DPR as land steward experts. Conveyance to M-NCPPC provides the public benefit of improving natural resource conservation in this area. The Land Management and Environmental Stewardship Division recommended conveyance of approximately 90+ acres for park dedication, including woodland conservation area Pod B. The Planning Board supports the placement of woodland conservation easements on lands to be dedicated to M-NCPPC.

- g. **Prince George's County Fire/EMS Department**—At the time of the writing of this resolution, the Fire/EMS Department did not provide any comments.
  
- h. **Prince George's County Health Department**—In a memorandum dated August 31, 2023 (Adepoju to Shelly), the Health Department noted that a desktop health review of the CDP submission had been completed. Technical comments were provided:
  - (1) Health Department permit records indicate there are no existing carry out/ convenience stores and one grocery food facilities within a half mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors have a significantly higher prevalence of obesity and diabetes.
  - (2) Indicate how the project will provide connections to neighboring communities and public transportation.
  - (3) The SDP should include open spaces and “pet friendly” amenities for pets and their owners, such as the dog park, which includes pet refuse disposal stations and would promote proper pet waste disposal resulting in a clean environment.
  - (4) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
  - (5) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements, as specified in the 2011 *Maryland Standards and Specifications for Soil Erosion and Sediment Control*.



- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 11, 2023 (Giles to Lockhart), DPIE offered comments to be addressed as part of the permitting process.
  - j. **Washinton Suburban Sanitary Commission (WSSC)**—At the time of the writing of this resolution, WSSC did not provide any comments.
11. **Community Feedback:** At the time of the writing of the technical staff report for this application, the Prince George’s County Planning Department did not receive any written correspondence from the community. On October 19, 2023, the Planning Board held a public hearing for CDP-22001, Saddle Ridge. The public hearing began with a technical staff presentation, followed by an applicant presentation. The applicant and staff were in agreement with all proposed revisions to the conditions of approval, as outlined in Applicant Exhibit 1, with one minor edit to the suggested revision. The revised language was read into the record and is reflected in Finding 8b of this resolution.

During the Planning Board hearing, several residents expressed concerns regarding the location of amenities, transportation facilities, the number of traffic lanes, traffic congestion, emergency services response times, school capacity, and adequate utilities and infrastructure. These items will be reviewed in further detail during subsequent development applications. The applicant provided further testimony to address the concerns raised. Following the discussion, the Planning Board voted to approve CDP-22001 and TCP1-011-2023, subject to conditions as revised by Applicant Exhibit 1 and the correction made in Finding 8b that was read into the record.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 1 Tree Conservation Plan TCP1-011-2023, and further APPROVED Comprehensive Design Plan CDP-22001 for the above-described land, subject to the following conditions:

1. An approved stormwater management concept plan and approval letter, or an indication that an application for such approval has been filed, shall be submitted with the preliminary plan of subdivision application.
2. Prior to approval of the associated preliminary plan of subdivision (PPS), Phase I (Identification) archeological investigations, according to the Prince George’s County Planning Board’s 2005 *Guidelines for Archeological Review*, are recommended on the portions of the developing property that were not previously surveyed to determine if any cultural resources are present. The parcels to be surveyed include Parcel 143 (Tax ID 1140235); Parcel 037 (Tax ID 1174572); Parcel 236 (Tax ID 5528410); Parcel 188 (Tax ID 1189182); and the portion of Parcel 110 (Tax ID 1182534) south of the Potomac Electric Power Company right-of way. Evidence of Maryland-National Capital Park and Planning Commission concurrence with the final Phase I report and recommendations are required, prior to signature approval of the PPS.

3. At the time of specific design plan, the applicant shall submit a list of sustainable site and green building techniques that will be used in the development and will be included in the design guidelines.
4. Prior to approval of the associated final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Prince George's County Planning Department archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.
5. Prior to approval of a building permit for each single-family detached dwelling unit, the applicant and the applicant's heirs, successors, and/or assignees shall provide a fee calculated of \$1,472 per dwelling unit multiplied by (Engineering News Record Highway Construction Cost index at time of payment) / (Engineering News Record Highway Construction Cost Index for first quarter, 1993). All fees shall be paid to Prince George's County (or its designee) and can be indexed by any appropriate cost indices determined by the Prince George's County Department of Permitting, Inspections and Enforcement, or the Prince George's County Department of Public Works and Transportation.
6. Prior to approval of a building permit for each single-family attached dwelling unit, the applicant and the applicant's heirs, successors, and/or assignees shall provide a fee calculated of \$1,338 per dwelling unit multiplied by (Engineering News Record Highway Construction Cost index at time of payment) / (Engineering News Record Highway Construction Cost Index for first quarter, 1993). All fees shall be paid to Prince George's County (or its designee) and can be indexed by any appropriate cost indices determined by the Prince George's County Department of Permitting, Inspections and Enforcement, or the Prince George's County Department of Public Works and Transportation.
7. At the time of preliminary plan of subdivision, the applicant shall coordinate with the Prince George's County Department of Parks and Recreation on the exact acreage of the Burch Branch Stream Valley, the adjacent woodlands/forests, and Pod B to be conveyed to The Maryland-National Capital Park and Planning Commission, which may include Woodland and Wildlife Habitat Conservation Ordinance easements for on-site conservation.
8. The timing of construction of the master-planned trails shall be determined with the approval of the specific design plan.
9. Upon receipt of the Phase I report by the Prince George's County Planning Department, if it is determined that potentially significant archeological resources exist in the project area, a plan for evaluating the resource at the Phase II level, the Phase III level, or avoiding and preserving the resource in place shall be provided, prior to Prince George's County Planning Board approval of the final plat. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.

**CONSIDERATIONS**

1. At the time of specific design plan, the applicant shall evaluate an appropriate location(s) for a dog park and dog waste stations.
2. At the time of the preliminary plan of subdivision submission, the applicant shall make every effort to meet the entire woodland conservation requirement on-site, to include areas that may be conveyed to The Maryland-National Capital Park and Planning Commission.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the District Council of Prince George’s County within thirty (30) days following the final notice of the Planning Board’s decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, October 19, 2023, in Upper Marlboro, Maryland.


Adopted by the Prince George’s County Planning Board this 9th day of November 2023.

Peter A. Shapiro  
Chairman



By Jessica Jones  
Planning Board Administrator

PAS:JJ:DL:rpg



Approved for Legal Sufficiency  
M-NCPPC Office of General  
Counsel

Dated 11/2/23