

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George’s County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 30, 2019, regarding Detailed Site Plan DSP-05036-03 for Villages of Savannah, the Planning Board finds:

1. **Request:** The application is for approval of a detailed site plan (DSP) to revise the recreational facilities and the on-site trail network for a 357 single-family detached cluster subdivision.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	R-R	R-R
Use	Single-family residential	Single-family residential
Total Acreage	518.16	518.16

3. **Location:** The Villages of Savannah is located on the west side of Brandywine Road, approximately 5,000 feet north of the intersection of Brandywine Road and Floral Park Road. The site is in Planning Area 85A and Council District 9.
4. **Surrounding Uses:** The site has approximately 780 linear feet of frontage on Brandywine Road. To the north of this property are single-family detached communities in the R-A (Residential-Agricultural) and R-E (Residential-Estate) Zones. The site is also bordered by Piscataway Creek to the north. To the west and south are properties in the R-A and R-R (Rural Residential) Zones, and single-family detached houses in the R-R and R-E Zones.
5. **Previous Approvals:** The 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A, and 85B* classified this site in the R-R Zone. The subject site, known then as Saddle Creek subdivision, received preliminary plan of subdivision (PPS) approval by the Prince George’s County Planning Board for 4-02126 (PGCPB Resolution No. 03-100), on May 15, 2003. DSP-05036 was approved by the Planning Board on July 6, 2006 (PGCPB Resolution No. 06-163). Four subsequent amendments to this DSP received Director-level approval to change the limits of disturbance; to add 11 additional architectural models; to add a fence; and to update the DSP per the approval of Departure from Sign Design Standards DSDS-697. On July 26, 2018, the Planning Board approved DSDS-697 for the gateway signs located at the entrance to the community from Brandywine Road (PGCPB Resolution No. 18-68).

6. **Design Features:** At the time of PPS 4-02126 approval, the Prince George's County Department of Parks and Recreation (DPR) recommended dedication of 119 acres of parkland in the Piscataway Creek Stream Valley, dedication of 26 acres in the Saddle Creek subdivision, now known as Villages of Savannah (or 36 acres on Floral Park Road), and provision of on-site private recreational facilities. The applicant was also required to install an internal trail through the northern section of the community, connecting to Old Marbury Road, an equestrian trail along master-planned right-of-way A-65 in the southern section of the site, and a short trail connecting the equestrian trail to the community from Big Huntingdon Lane. The on-site private recreational facilities proposed in the approved DSP included an open play area, a softball field, two pre-teen playgrounds, a tennis court, and approximately 2.70 miles of the multiuse and equestrian trails.

Changes in the market since PPS and DSP approval regarding desired recreational amenities have led the applicant to reevaluate the facilities provided, and as a result, a determination was made that the tennis court and softball field are too specific for a community recreation area. The applicant has also found that there is no interest in an equestrian trail through a community that cannot otherwise accommodate horses. Regarding the trail connecting Old Marbury Road, neither DPR nor the Department of Public Works and Transportation are interested in maintaining or operating a trail at that location. Furthermore, the planned trail at this location was removed from the 2009 Approved Countywide Master Plan of Transportation and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* due to the current policy of not requiring public trail connections on private open space. Pedestrian connections throughout the site will be accommodated by the sidewalks provided along the internal roads.

This application seeks to allow more flexibility for recreation by providing a multipurpose court to replace the tennis court, an open play field to replace the softball field, and to remove the equestrian and selective on-site trails throughout the community from the plans, allowing those areas to remain undeveloped. The Planning Board finds these changes to be acceptable based on the discussion herein.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R Zone and the site plan design guidelines of the Zoning Ordinance.

The subject application is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs permitted uses in residential zones. The proposed single-family detached dwellings are a permitted use in the R-R Zone.

The proposal is in conformance with the requirements of Section 27-442, Regulations, regarding net lot area, lot coverage and green area, lot/width frontage, yards, building height, and density as no changes are proposed to the residential lots.

8. **Preliminary Plan of Subdivision 4-02126:** PPS 4-02126 was approved by the Planning Board on May 15, 2003 (PGCPB Resolution No. 03-100), for the creation of 389 lots and 14 parcels, subject to 39 conditions, of which the following are relevant to this application:

23. **The applicant, his heirs, successors and/or assignees shall construct the master plan trail on Parcel A from the end of Old Marbury Road as delineated on the preliminary plan. This trail shall be a minimum of eight feet wide and made of asphalt for its entire length.**
24. **The location and surface type of all trails shall be indicated on the detailed site plan. The equestrian trail shown along the southern edge of the subject property is acceptable.**

The applicant filed a separate reconsideration of Conditions 23 and 24 to remove the master plan trail from the end of Old Marbury Road and to remove the equestrian trails on the property. The PPS reconsiderations were approved by the Planning Board on May 30, 2019 (PGCPB Resolution No. 03-100(A)). The Planning Board finds this DSP to be in conformance with the modified conditions of the PPS.

25. **The applicant shall provide standard sidewalks along both sides of all internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.**

The DSP shows standard sidewalks along both sides of all internal public streets throughout the community.

26. **All trails not on land dedicated to M-NCPPC, the HOA, or within a public right-of-way shall be within a public use easement that shall be clearly marked and labeled on the detailed site plan.**

This application does not show trails proposed on lands other than those dedicated to the Maryland-National Capital Park and Planning Commission or public rights-of-way.

36. **The recreation facilities shall be designed and constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.**

This condition was carried forward and modified as a condition of approval for DSP-05036.

9. **Detailed Site Plan DSP-05036:** DSP-05036 was approved by the Planning Board on July 6, 2006 (PGCPB Resolution No. 06-163), for 357 single-family detached homes. This resolution was subject to 17 conditions, of which the following conditions are relevant to this application:

**1. Prior to certificate approval of this DSP, the applicant shall:**

- d. Provide a landscaped bufferyard and the corresponding schedule along the rear yards of Lots 1, 2, 5, and 6, Block A, fronting Brandywine Road pursuant to the requirement of Section 4.6 of the Landscape Manual.**

This condition has been addressed. Refer to the discussion in the 2010 *Prince George's County Landscape Manual* (Landscape Manual) section on page 7 of this report.

- h. Add a note to the landscape plan stating that no lighting will be provided for the proposed recreation facilities on the homeowners' association land. Provide the cut sheet for proposed recreation facilities on the site plans.**

The cut sheets for the proposed recreation facilities were provided with this application; however, the note regarding lighting is not included on the plans. This condition shall be carried forward and modified as a condition of approval for this DSP.

- i. Alternate recreational facilities of equal value may be proposed in substitution for the tennis court proposed in the eastern part of the development. In addition, the applicant shall relocate some of the proposed recreational facilities to the western part of the development. The alternate facilities and the allocation of the facilities between the eastern, central and western parts of the development shall be reviewed and approved by the Urban Design Section.**

This application seeks to replace the original tennis court with a multi-use court, which the Planning Board considers to be of equal value. The relocation of proposed recreational facilities was addressed with the certification of the original DSP.

- j. Provide an enlarged site plan for the proposed play areas with recreation facility details and associated information regarding landscaping, lighting and trash collection.**

The plans include enlargements sufficiently showing the recreational facility details.

**r. Revise the plans to include:**

- (1) A six-foot wide paved trail connector on HOA land between Lot 39 and Lot 40 from Madison Park Court to the master plan trail.**

This trail was designed to provide a connection from the community to the master plan trail from Old Marbury Road. The reconsideration of the PPS approved the removal of the master plan trail, which makes this connector trail unnecessary. Therefore, the trail is not shown on the plan. The connection from the site to Brandywine Road will be accommodated along the internal sidewalks. Therefore, the Planning Board concurs that Condition 1.r. is no longer necessary.

- (2) A public use trail easement on HOA land from Big Huntington Lane to the planned equestrian trail between either Lots 191 and 192 or between Lots 185 and 186. This trail shall utilize the stormwater management access road and connect the subdivision with the planned natural surface**

The referenced trail, between Lots 185 and 186, is no longer shown or deemed necessary with the reconsideration to remove the equestrian component. The stormwater management (SWM) access road between Lots 191 and 192 remains on the plans. Therefore, the Planning Board concurs that Condition 1.r. is no longer necessary.

- 11. All play equipment shall comply with the requirements of the Consumer Product Safety Commission (CPSC) and the American Society for Testing and Materials (ASTM). All play areas shall comply with the requirements of the Americans with Disabilities Act and with the *Park and Recreation Facilities Guidelines*.**

This condition shall be carried forward as a condition of approval for this DSP.

- 16. The trails included in this DSP are subject to the following conditions:**

- a. The applicant, his heirs, successors and/or assignees shall construct the master plan trail along the approximate alignment of Old Marbury Road as delineated on the preliminary plan. This trail shall be a minimum of eight feet wide and asphalt for its entire length.**
- b. All equestrian trails shall be natural surface (natural turf), unless additional improvements are necessary for stormwater management or utility access.**

- c. Equestrian trails within HOA lands shall be within a 25-foot wide public use trail easement. The trail and easement shall be marked and labeled on the approved DSP.**

The PPS reconsideration was approved by the Planning Board on May 30, 2019 (PGCPB Resolution No. 03-100(A)) to have the master plan trail and equestrian trails removed from the requirements for the property. The Planning Board approved the removal of equestrian trails from the proposed plan, with the exception of the master plan trails or bikeways along Piscataway Creek, A-65, and Brandywine Road. The Planning Board also approved the removal of the trail along Old Marbury Road, as this facility has been removed from various approved master plans, and shares the applicant's concerns with running the trail immediately behind residential lots. Due to the removal of the equestrian element of the proposed development, the Planning Board concurs that Condition 16 is no longer necessary.

10. **2010 Prince George's County Landscape Manual:** This site is subject to Sections 4.1, Residential Requirements, 4.6, Buffering Development from the Streets, 4.7, Buffering Incompatible Uses, and 4.9, Sustainable Landscaping Requirements of the Landscape Manual. The correct schedules are provided on the landscape and lighting plan, demonstrating conformance to all of these sections with sufficient buffer widths and plantings separating residential and recreational uses.

It should be noted that the site has frontage along Brandywine Road, a master plan collector right-of-way, and designated historic road. Although the residential lots oriented toward Brandywine Road are not the subject of this application, the correct buffers and schedules are provided on the landscape plan, in conformance with the Landscape Manual, showing the 35-foot-wide bufferyard with sufficient planting units.

11. **Prince George's County 1993 Woodland Conservation and Tree Preservation Ordinance:** This application is not subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance because the site has a Type I and Type II tree conservation plan (TCP II) approved prior to September 1, 2010; however, this site is subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance because the initial TCP II was approved in 2002. The Environmental Planning Section initially approved a stand-alone Type II Tree Conservation Plan, TCP II-149-02, for the subject property, but it has been a companion application to DSP-05036 in subsequent revisions.

TCP II-149-02-05 covers a gross tract area of 517.78 acres. The woodland conservation threshold for the site is 79.5 acres, based on the R-R zoning and a net tract area of 397.94 acres. The site contains 402.00 acres of upland woodlands and 95.97 acres of wooded floodplain. The revised TCP II proposes clearing 106.32 acres of upland woodlands, 1.31 acres of wooded floodplain, and 0.26 acre of off-site clearing, and proposes to meet the woodland conservation requirement with 163.96-acres of on-site preservation, and 9.03 acres of on-site afforestation/reforestation.

The revised TCPII plan shows areas of woodlands retained but not utilized to meet any requirement of this project. During the review and approval of PPS 4-02106 for Saddle Creek and PPS 4-03072 for Heritage Reserve, the use of woodland conservation on the Saddle Creek property to benefit the Heritage Reserve Property was requested, but not approved. This was because Saddle Creek is a cluster subdivision, with a cluster open space requirement, which exceeds the woodland conservation requirement for the project. The additional woodlands associated with the Villages of Savannah that are retained, but not utilized, to meet on-site requirements of the Woodland Conservation Ordinance (WCO) for the project may not be used as an off-site woodland bank.

The development includes the master-planned right-of-way for A-65, a 120-foot-wide, master-planned arterial roadway as shown on the TCPII. Woodlands within a master-planned right-of-way cannot be credited as preservation but should instead be characterized as “Woodlands Retained – Not Credited.” They are not assumed to be cleared with the current application, but associated clearing will be addressed by the implementing agency.

The TCPII requires technical revisions to be in conformance with the applicable WCO, Environmental Planning Section policies, and the Environmental Technical Manual prior to certification of the DSP, as included in the conditions of this resolution.

12. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the tree canopy coverage ordinance, requires a 15 percent tree canopy coverage on R-R zoned properties that propose more than 5,000 square feet of disturbance. Information regarding tree canopy coverage was not provided on the plans. A condition has been included in this resolution requiring that the appropriate schedule be provided.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the following agencies and divisions. The referral comments are summarized as follows:
  - a. **Trails**—The Planning Board adopted, herein by reference, a memorandum dated May 3, 2019 (Shaffer to Burke), which provided trail-related comments summarized within the context of this report.
  - b. **Prince George’s County Department of Parks and Recreation (DPR)**—DPR did not provide any comments on the subject application.
  - c. **Permits**—The Planning Board adopted, herein by reference, a memorandum dated April 2, 2019 (Jacobs to Burke), which offered no permit-related comments on this application.
  - d. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated April 24, 2019 (Finch to Burke), which indicated that Brandywine Road is designated as a historic road, and also part of the state designated Booth’s Escape

Scenic Byway. The Landscape Manual includes provisions for Buffering Development from Special Roadways, Section 4.6, which should be applied along with other landscape requirements with the review of the revised DSP. This is discussed in Finding 10 above.

A SWM Concept Approval Letter, 30920-2002-01, was submitted with the original DSP approval, which expired on December 14, 2007. Materials included with the current application do not include a valid SWM concept letter of approval or plan, due to the scope of the application.

- e. **Prince George's County Fire/EMS Department**—The Office of the Fire Marshall did not provide any comments on the subject application.
  - f. **Prince George's County Police Department**—The Police Department did not provide any comments on the subject application.
  - g. **Prince George's County Health Department**—The Health Department did not provide any comments on the subject application.
14. Based on the foregoing and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code, without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
15. As required by Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:

**The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The preservation of environmental features was found with the approval of DSP-05036 and TCPII-149-02 and continues to be found with the subject application. Revisions to the recreational facilities provided on-site have not resulted in additional impacts. The elimination of the equestrian trail has further minimized clearing, although for the most part the trail system was located over existing and proposed utility easements. Therefore, the Planning Board found that the regulated environmental features have been preserved and/or restored to the fullest extent possible.

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 II Tree Conservation Plan TCPII-149-02-05, and further APPROVED Detailed Site Plan DSP-05036-03 for the above described land, subject to the following conditions:

1. All conditions of Detailed Site Plan DSP-05036 (PGCPB Resolution No. 06-163) remain applicable, except for Conditions 1.r. and 16.
2. Prior to certification of this detailed site plan:
  - a. On all plan sheets, correct the project reference above the title block and within the approval block to DSP-05036-03.
  - b. Correct General Note 14 on all plan sets to refer to this application.
  - c. Correct the general note to represent the -01 revision of the stormwater concept number on all plan sets.
  - d. The Type II tree conservation plan shall be revised as follows:
    - (1) Add a graphic for the permanent tree protection device in the plan sheet legend and show where it will be installed.
    - (2) Show the location of all existing and proposed on-site easements.
    - (3) On sheet 3 of 36, the following note shall be added: "Note: The source for these soils types in the "Prince George's County Soil Survey" (1967) and do not represent the most current soil types for this site."
    - (4) The location of permanent tree protection fencing to protect the vulnerable edges of afforestation/reforestation areas shall be shown on the plan and included in plan sheet legend.
    - (5) An owner's awareness certificate shall be provided on the cover sheet of the plan set and be signed.
    - (6) Add a graphic and labeling for "Woodland Preservation," which is already graphically shown on the plan set.
    - (7) Where applicable, relabel "10' gravel equestrian trail/stormwater management access" to correctly reflect the change of use.
    - (8) In the legend, differentiate more clearly the pattern that is used to identify woodlands-retained, counted as cleared and not credited in individual lots.
    - (9) Metes and bounds shall be provided for all property lines.

- (10) All stormwater management easements shall be shown on the plan.
  - (11) A planting schedule shall be added to detail sheet to address the plantings proposed in afforestation/reforestation areas by genus and species. Native plants are required, and trees with high pollinator values are preferred. Red maples are discouraged.
  - (12) Provide legends on all plan sheets.
  - (13) Delineate the location of temporary tree protection devices for woodland preservation areas retained within the construction zone. Change the graphic currently used for temporary woodland conservation in the legend to match standard symbols found in the Environmental Technical Manual.
  - (14) Woodlands within the master-planned right-of-way for A-65 shall be characterized as “Woodland Retained-Not Credited.”
  - (15) All tables and calculations shall be revised as needed to reflect the required revisions.
  - (16) Have the revised plan signed and dated by the qualified professional who prepared it.
- e. The Landscape Plan shall be revised to show the following:
- (1) Correct the scale shown on the title block to match the scale provided on the plan.
  - (2) Add a note that no lighting will be provided for the proposed recreation facilities on the homeowners association land.
  - (3) Provide a schedule demonstrating compliance with the tree canopy coverage ordinance.
3. All play equipment shall comply with the requirements of the Consumer Product Safety Commission and the American Society for Testing and Materials. All play areas shall comply with the requirements of the Americans with Disabilities Act and with the Prince George’s County Park and Recreation Facilities Guidelines.
  4. Prior to issuance of adjacent building permits, all afforestation and associated fencing shall be installed. The following note shall be relocated to the TCPII:  
  
“All afforestation and associated fencing shall be installed prior to the issuance of the adjacent building permits. A certification prepared by a qualified professional may be used to provide verification that the afforestation has been completed. It must include, at a

minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.”

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.

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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 Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, and Hewlett voting in favor of the motion, and with Commissioners Doerner and Washington absent at its regular meeting held on Thursday, May 30, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 20th day of June 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:TB:gh