

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on November 14, 2013, regarding Specific Design Plan SDP-0320/02 for Preserve at Piscataway, Danville Estates, the Planning Board finds:

1. **Request:** The subject request is to have a previously approved specific design plan (SDP) approved for 124 lots for single-family detached dwelling units in the Residential Low Development (R-L) Zone. The applicant has submitted the application in order to seek approval of revised plans in order to extend the validity date and for the following reasons as stated below in the applicant's justification statement dated May 3, 2013:
 - a. Correct the design standards for lot frontage/widths to match the existing lot layout.
 - b. Correct the lot frontages on several recorded lots.
 - c. Revise the grading limits of disturbance to eliminate off-site easements.
 - d. Update the landscape plans to the 2010 *Prince George's County Landscape Manual*.
 - e. Add tree canopy coverage requirements.
 - f. Eliminate the majority of the on-lot woodland preservation.
 - g. Revise the public road right-of-way width at the public utility crossing.
 - h. Eliminate the sewer outfall and include the location for the future sewer pumping station.
 - i. Add 12 new house types; the architecture is included in the application.

2. **Development Data Summary**

	EXISTING	APPROVED
Zone	R-L	R-L
Use(s)	Vacant	124 single-family detached lots
Acreage	145.32	145.32
Parcels	1	1
Lots	0	124
Square Footage/GFA	0	N/A
Dwelling Units		
Attached	0	0
Detached	0	124
Multifamily	0	0

Other Development Data

Parking Required (125 x 2)	252 spaces
Parking Provided	252 spaces

3. **Location:** The site is in Planning Area 84, Council District 9. More specifically, it is located on the west side of Danville Road, approximately 4,000 feet southeast of its intersection with Floral Park Road.
4. **Surrounding Uses:** The subject 145.32 acres are surrounded by future residential lots to the north (Lusby Village), existing single-family detached development to the east, and vacant land to the west and south.
5. **Previous Approvals:**

On September 14, 1993, the Prince George’s County Council, sitting as the District Council, adopted County Council Resolution CR-60-1993 approving the *Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B*. The sectional map amendment, in conjunction with Basic Plans A-9869 and A-9870, known as Villages at Piscataway, rezoned 858.7 acres in the R-A (Residential-Agricultural) Zone to the R-L Zone (1.0 to 1.5 du/acre) and 19.98 acres to the L-A-C (Local Activity Center) Zone. The basic plan was approved with 39 conditions and 11 considerations. The base residential density of the R-L Zone, in which the subject application is located, was approved as 818 dwelling units; the maximum residential density in the R-L Zone was approved as 1,000 dwelling units.

On March 24, 1994, the Prince George's County Planning Board reviewed and approved a Comprehensive Design Plan (CDP-9306) for the subject property known as Villages at Piscataway, as described in PGCPB Resolution No. 94-98(C). The comprehensive design plan (CDP) was approved with 36 conditions. The CDP included the entire 878.7 acres of land zoned R-L and L-A-C to be developed as a village community with a golf course component. Danville Estates is the large-lot component of the project, which was envisioned to be a traditional residential estate development.

On June 23, 1994, the Planning Board reviewed and approved a master Preliminary Plan of Subdivision (4-94017), Villages at Piscataway, for the entire acreage of the site, as described in PGCPB Resolution No. 94-213. The master preliminary plan was approved with 20 conditions. A revision to the Type I Tree Conservation Plan (TCPI/009/94-01) was also approved, dated June 14, 1994. That preliminary plan subsequently expired.

On November 14, 1996, the Planning Board reviewed and approved a detailed Preliminary Plan of Subdivision (4-96047) for Villages at Piscataway and Glassford Villages for approximately 74 acres of the site, as described in PGCPB Resolution No. 96-301. The preliminary plan was approved with 15 conditions. The preliminary plan approved 195 single-family detached units and 46 single-family attached units in Glassford Villages. That preliminary plan subsequently expired.

On June 17, 2003, the Planning Board approved Preliminary Plan of Subdivision 4-03027 for The Preserve for 836 dwelling units, which includes the area that is the subject of this application, shows 126 single-family detached lots. Variation requests for impacts to sensitive environmental features and a revised Type I tree conservation plan (TCPI) were included in that approval.

On July 8, 2004, the Planning Board approved the original Danville Estates SDP (PGCPB Resolution No. 04-133) for the subject property. The SDP was approved with 16 conditions. The SDP included the entire 145.95 acres of land zoned R-L to be developed as Danville Estates with 126 single-family attached units. The previous conditions have been included in the Recommendation section of this report as appropriate.

On August 31, 2005, the Planning Director approved a revision for Danville Estates, SDP-0320-01, for the limited purpose of approving three additional architectural models for Ryan Homes.

The record plats for the Danville Estates lots on the east side of the Potomac Electric Power Company (PEPCO) right-of-way were recorded, grading permits were issued, and partial site grading was completed. With the downturn in the economy, all work stopped on this project, and no houses have been constructed in Danville Estates. The SDP for Danville Estates would have originally expired in 2011, but with the extension approved by the County Council, the validity period was extended through the end of 2013. The validity of the underlying Preliminary Plan, 4-03027, was also extended through County legislation through the end of 2013.

Other SDPs have been approved for all of the five villages within the development including Bailey’s Village (105 single-family and 34 multifamily units), Glassford Village (200 single-family units), Edelen Village (256 single-family), and Lusby Village (265 single-family), for a total of 986 dwelling units approved for the overall property.

6. **Design Features:** The subdivision is divided into two sections by the school/park site and is accessed separately at two distinct points from Danville Road. The westerly access to the subdivision, parallel to the northwesterly boundary of the school/park site, provides a vehicular entrance to 20 lots of the subdivision. The second entrance is located on the eastern side of the subdivision’s Danville Road frontage, providing access to the remaining 104 lots. The subject subdivision, specified in the CDP as the “large lot” component of the Villages of Piscataway, is required by the R-L Zone. A PEPCO easement containing a high-voltage transmission line traverses the site and a hiker/biker/equestrian trail shown within homeowners association (HOA) property runs parallel to the easement. The trail is the only recreational facility included in this portion of the Villages of Piscataway; however, the development will be served by the central recreational facility located within Edelen Village North, which has been built. The 145.32 acres of the subdivision are divided into 79.29 acres for residential lots, 25.29 acres for the school/park site, and 41.37 acres for open space and HOA land. Stormwater management is provided for the subdivision by five separate stormwater management ponds.

The subject application includes the proposal of 12 NVR, Inc. architectural models. The three previously approved units under SDP-0320-01 were Ryan Homes, including the Avalon (1,638 square feet), Balmoral (2,020 square feet), and Courtland (1,477 square feet). The following models are proposed:

Model	Base Square Footage
Savoy	2,304
Ravenna	2,560
Jefferson Square	2,735
Verona	2,822
Belford	2,165
Yorkshire	2,508
Waverly	3,187
Oberlin Terrace	2,737
Courtland Gate	2,902
Jasmine Grove	2,746
Chantilly Place	2,539
Palermo	2,329

The proposed house types feature architectural styling comparable to models previously approved in the Preserve at Piscataway development under the umbrella architectural SDP for the project, SDP-0202 and subsequent revisions. The umbrella architecture SDP-0202 does not apply to Danville Estates, as this section of the overall development is the large-lot component of the development and was envisioned as a traditional estate residential development. All models exceed the base square footage of the smallest unit approved with the original architectural umbrella application, SDP-0202, which was 2,311 square feet, except for the Belford and Savoy models. Most of the units feature varied roof lines, high-quality detailing such as headpieces or brick jack arch and keystone treatments above windows, and front entries defined with pilasters. Many units feature optional side elevation features, specialty windows, and/or front porches.

The Belford and Savoy models should be enlarged to meet at least the minimum size of 2,311 square feet as has been previously approved for the overall development. A condition is recommended that the size of the units should be enlarged to include a sun room, or to make standard bump-out features that will contribute to larger units. Further, the previously approved units (Avalon, Balmoral, and Courtland), dating back to the 2005 approval, should be deleted unless they are enlarged to meet the minimum established size of the overall development for the project.

The Yorkshire and Savoy models include Elevation A, which lacks any variation in roofline. The Planning Board found that either these elevations should be deleted from the package, or roofline variation must be incorporated, prior to certificate of approval.

A number of the models indicate the minimum 7/12 roof pitch as required by CDP-9306-01, but the plans do not scale accordingly. The plans shall be revised appropriately.

The Yorkshire and Chantilly Place models include elevations that do not clearly indicate an attached two-car garage. The Planning Board found that either the plans should clarify the two-car garage as a standard feature, or those elevations shall be deleted.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-L Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-514.09, which governs permitted uses in residential zones. The proposed single-family detached units are a permitted use in the R-L Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-514.10, Regulations, regarding additional regulations for development in residential zones.
8. **Basic Plan A-9869:** The Basic Plan relevant to the proposed project was approved by the District Council as part of a sectional map amendment (CR 60-1993). The Planning Board has reviewed the subject SDP against the requirements of the basic plan and finds it to be in general conformance with its requirements. Specifically, the Planning Board reviewed the requirements

regarding transportation systems, environmental issues, the inclusion of trails and bike paths, and the necessary measures to be taken to ensure protection of and compatibility with historic resources.

9. **Comprehensive Design Plan CDP-9306:** The Comprehensive Design Plan (CDP-9306) approved for the project by the Planning Board via PGCPB Resolution No. 94-98 reiterates many of the basic plan concerns. The Planning Board has reviewed the subject SDP against the requirements of the CDP approval, including its revisions, and finds it to be in conformance with its requirements. Below is each relevant condition of the CDP in **boldface** type and the Planning Board's analyses follow.

7. **The master plan trail segment on or adjacent to the PEPCO right-of-way across the southeast corner of the property and the trail connection from this trail into Danville Estates shall be bonded prior to release of any building permits for Danville Estates, and shall be constructed prior to release of 50 percent of the building permits for Danville Estates. A Recreational Facilities Agreement encompassing Danville Estates shall reflect these requirements.**

The subject trail is shown on the plans for Danville Estates in accordance with Condition 7 of the CDP. The approved SDP included Condition 5, which addressed the timing of the trail and is reiterated in the Recommendation section of this report. It should be noted that the recreational facilities agreement (RFA) as recorded did not address the correct Planning Board resolution in regard to the timing of the construction of the trail and this notation herein is intended to recognize the error and to notify the applicant that an amended RFA may be necessary in the future.

8. **Prior to approval of each Specific Design Plan, the Trails Coordinator shall determine which streets, if any, shall be designated "bikeways." The applicant, his heirs, successors and/or assigns, shall indicate on the plan, following consultation with the Trails Coordinator and the Department of Public Works and Transportation (DPW&T), at which locations along the "bikeway" streets appropriate signs (or other appropriate treatment) shall be installed.**

The trails planner has provided detailed information regarding required bikeways in the subject subdivision, which includes Saint Mary's View Road and the existing Danville Road. Suggestions in this regard have been incorporated in the recommended conditions below.

9. **A 100-year Floodplain Study or Studies shall be approved by the Flood Management Section of the Department of Environmental Resources (DER) for each drainage area greater than 50 acres in size. Prior to approval of each Specific Design Plan or detailed Preliminary Plat of Subdivision, whichever comes first, a floodplain study shall be approved for any floodplain that is adjacent to or affecting the area of the plan.**

A floodplain study has been approved by the Prince George's County Department of Environmental Resources (DER). The approved 100-year floodplain is shown on the plans. No further action is required.

- 10. A Stormwater Management Concept Plan shall be approved by DER prior to approval of the first Specific Design Plan or the first Detailed Preliminary Plat of Subdivision, whichever comes first.**

A conceptual stormwater management plan has been approved by DER. Adequate provision has been made through the approval and validity of the stormwater management plan for the draining of surface water, so that there are no adverse effects on either the subject property or adjacent properties.

- 11. Prior to approval of the master Preliminary Plat of Subdivision, the applicant, his heirs, successors and/or assigns, shall submit a geotechnical report verifying the presence or absence of Marlboro clay in the southwest portion of the property in accordance with DER criteria. In areas where it is determined that Marlboro clay might affect structural stability, a detailed geotechnical report shall be submitted for review and verification by the Natural Resources Division prior to approval of any detailed Preliminary Plat of Subdivision.**

A soils report was submitted with Preliminary Plan 4-96047. That study indicated that Marlboro clay occurs on the site between elevations of 40 to 55 feet. Due to the elevation of this portion of the property, Marlboro clay should not be a factor for foundations or roads.

- 13. Prior to submittal of each Specific Design Plan, the applicant, his heirs, successors and/or assignees, shall field locate the specimen trees specified by the Natural Resources Division.**

All specimen trees are shown on the Type II tree conservation plan (TCPII).

- 14. Prior to submission of each Specific Design Plan, the applicant, his heirs, successors and/or assignees, shall confer with the Natural Resources Division regarding appropriate wildlife management measures to be employed in the portion of the development which is the subject of that Specific Design Plan.**

A wildlife management plan for the entire Preserve at Piscataway project was submitted with the original plans. In addition, the applicant has maximized the use of native plant materials in order to provide for wildlife habitat and food sources. The plan includes the preservation of wooded stream corridors, the retention of wood lots that have a low area-to-edge ratio, and the use of best management practices for stormwater management to provide for water quality control and avoid excessive water quantity flows. No further action is required.

26. Prior to certificate approval, the following additional standards and requirements shall be added to the CDP text or plans:

- c. A master street tree planting framework shall be provided which specifies a street tree type and typical tree spacing for each street in the villages and in Danville Estates.**

The master plan of street trees indicates the use of a variety of shade trees within the public right-of-way. This SDP correctly reflects the approved master plan of street trees. The average distance between street trees is 35 feet on center. The Planning Board adopts a condition requesting that the Department of Public Works and Transportation (DPW&T) approve street trees in accordance with the master plan of street trees.

10. **Preliminary Plan of Subdivision 4-03027:** Preliminary Plan of Subdivision 4-03027 was approved by the Planning Board on June 17, 2003. The resolution (PGCPB No. 03-122) was adopted on June 17, 2003. The following bolded conditions of approval apply to the review of the subject SDP. The Urban Design Section's comments follow each stated condition or subcondition of approval:

- 4. The applicant, his heirs, successors and/or assignees shall provide for the continuous occupancy of the Edelen House Historic Site 84-23-06. The applicant shall work with the Historic Preservation staff to ascertain methods of informing prospective purchasers and tenants of the availability of the property.**

The Edelen House is now vacant. The applicant has listed the Edelen House historic site for sale and has a potential purchaser. This condition should be carried forward and included as part of all subsequent applications until the Edelen House has been sold or transferred to a new owner and that new owner has obtained a use and occupancy permit for any use requiring one.

- 12. Upon request by the Board of Education and at such time as funds are allocated for the construction of an elementary school on the 25-acre park/school site, the Department of Parks and Recreation (DPR) shall convey a portion of park/school site to the Board of Education(BOE) for the construction of an elementary school.**

The park/school site (25.29 acres) is identified on the plan as property owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC). At the time the Board of Education allocates funds for the construction of an elementary school, the property will be conveyed from M-NCPPC to the Board of Education accordingly.

- 13. Stormwater Management Pond #12 shall be relocated on adjacent HOA land. If necessary, and the pond is located on the park/school site, it shall be located in an area acceptable to DPR away from the planned recreational facilities and shall be designed to serve the future needs of the school and park. The pond shall be designed as a recreation amenity. It shall be a wet pond with the special attention to**

appearance of inlet and outlet structures, to pond edge treatment, landscaping, location of trails, and other aesthetic considerations. Construction drawings for the SWM facility shall be reviewed and approved by Park Planning and Development staff prior to SDP approval if located on the park/school property.

Since Stormwater Management Pond 12 has been relocated to HOA land, this condition has been complied with.

- 14. The applicant, his heirs, successors and/or assignees shall provide the Historic Preservation staff with evidence of items a. through f. below, which may include copies of contracts, work orders, completion orders, and receipts.**
- a. Maintenance of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.**
 - b. Maintenance of “No Trespassing” signs at the street and around the environmental setting at locations determined by the Historic Preservation staff and the applicant.**
 - c. Provide an updated inspection report by a qualified professional of the current condition of the Historic Site (inclusive of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the environmental setting). The report shall include recommendations for repair if needed in order to preserve the integrity of the physical features.**
 - d. Provide routine maintenance of utilities inclusive of heating, plumbing and electrical systems.**
 - e. The applicant shall provide evidence of maintenance of fire insurance on the house.**
 - f. Provide evidence of good faith efforts made to locate a suitable organization or individual to take responsibility for the Edelen House Historic Site and any plans to find a suitable steward for the property. The developer shall also provide the Historic Preservation Commission with evidence of the current structural integrity and physical condition of the property with cost estimates for significant repair items identified.**

The applicant, his heirs, successors and/or assignees shall continue to provide this information (which shall be included in a report to be provided to the Historic Preservation staff every six months beginning on or before July 30, 2002) until the Historic Site (Edelen House Historic Site 84-23-06) is restored or adaptively reused.

The applicant is in compliance with Condition 14; required periodic status reports have been submitted according to the established schedule. This condition should be carried forward and included as part of all subsequent applications until the Edelen House historic site has been sold or transferred to a new owner and that new owner has obtained a use and occupancy permit for any use requiring one.

18. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan.

In comments made June 26, 2013, DPW&T stated that the site plan for Preserve at Piscataway, Danville Estates, SDP-0320-02, is consistent with Stormwater Management Plans 40424-2004, 40425-2004, 40427-2004, 40449-2004, and 40452-2004.

30. The applicant, his heirs, successors and/or assignees shall construct a multiuse (hiker/biker/equestrian) trail within the entire length of Parcels F and G. This trail shall be constructed in conformance with Park Trail Standards of the *Adopted and Approved Subregion V Master Plan*. If necessary due to TCP considerations, the equestrian portion of this trail can be reduced to no less than four feet in width.

The subject application includes an eight-foot-wide trail with a four-foot-wide shoulder for equestrian use, within the entire length of Parcels F and G, which also includes Parcel J south of Emory Ridge Road that connects the trail to an adjoining property for future extensions by others. The trail will be constructed with park trail standards. The details of the trail standards are shown on the subject application (Sheet 39).

32. The applicant, his heirs, successors and or assignees shall provide standard sidewalks along both sides of internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.

Sidewalks appear to be adequate and approximately four feet in width. Sidewalks are proposed along both sides of all internal public roads, including Emory Ridge Drive, Emory Ridge Court, Claggett Run Road, Quarry View Way, and Quarry View Road.

45. Prior to the submittal of the 177th residential building permit for the development or 12 months from the date of the Planning Board's adoption of this preliminary plan, whichever is earlier, the applicant, his heirs, successors and/or assignees shall complete all agreed-upon improvements to the Edelen House Historic Site (84-23-06) to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. As evidence of the completion of the improvements, the applicant shall provide the Historic Preservation Commission with a description of the work and itemized receipts.

The applicant's Historic Area Work Permit application for improvements to be implemented through the Edelen House Improvement Disbursement Fund (HAWP 10-04) was reviewed by the Historic Preservation Commission on May 18, 2004. The work completed on the house included replacement of the building's roof, repairs to exterior windows, repair and replacement of gutters, repair and repainting of exterior trim and woodwork, and masonry repairs, including entry and porch steps and selected repointing. The applicant submitted status reports detailing the completed work, along with itemized receipts. This condition has been fulfilled and is no longer necessary.

11. **2010 Prince George's County Landscape Manual:** The subject application is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) including the provisions of Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements of the Landscape Manual. The Planning Board reviewed the project against those requirements and found that the submittal will be in general compliance with the Landscape Manual with certain conditions attached to this approval.

Per the Landscape Manual, a designated historic road in the Developing Tier requires that a minimum 20-foot-wide buffer be provided along the frontage of the historic road. The 20-foot-wide buffer is required to be provided behind the public utility easement. It should be noted that the south side of Danville Road adjacent to Danville Estates is located in the Developing Tier. The applicant should provide a schedule to include the 20-foot-wide designation schedule and the entire frontage of the property associated with the residential development along Danville Road in the frontage calculation. Credit for existing woodland is allowed to be taken for those portions of the frontage that include existing trees to remain. The schedule should be revised as stated above prior to signature approval of the plans.

In regard to Section 4.7, Buffering Incompatible uses, a Type B bufferyard (30-foot setback, 20-foot yard) is required by the Landscape Manual where residential lands abut the PEPCO right-of-way. Where existing woodland is located within the entire minimum landscaped yard, preservation of that woodland would be allowed to substitute for the required plant materials. When existing woodland is located in only part of the minimum landscaped yard, the number of plant units required may be reduced in proportion to the percentage of the area of the landscaped yard occupied by existing woodland. No buffer is required where a stormwater management pond is located directly adjacent to the right-of-way.

12. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This site is subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance (Woodland Conservation Ordinance) because the entire site is more than 40,000 square feet in size and has more than 10,000 square feet of woodland. A tree conservation plan is required.

A forest stand delineation (FSD) was reviewed with Comprehensive Design Plan CDP-9306, and a revised FSD was reviewed with Preliminary Plan 4-94017. A Type I Tree Conservation Plan (TCPI-009-94) was approved with CDP-9306, and revised TCPI-009-94-01 was approved with 4-94017. A further revision to TCPI-009-94-02 was approved with 4-03027. The TCPI provides

for all woodland conservation requirements to be met on-site, applies a minimum woodland conservation requirement of 35 percent of the net tract, and does not allow woodland conservation areas on lots less than 20,000 square feet in area, the use of fee-in-lieu, or the use of off-site woodland conservation easements.

Type II Tree Conservation Plan TCPII-048-04 was approved with SDP-0320, which included 145.95 acres of the entire 793.20 acre project. Type II Tree Conservation Plan TCPII-048-04 contained 133.31 acres of upland woodland and 3.33 acres of floodplain woodland, and the plan proposed clearing 71.78 acres of upland woodland and 0.42 acre of floodplain woodland. The approved plan proposed preservation of 41.53 acres and afforestation of 1.87 acres, for a total of 43.40 acres. The design of the woodland conservation areas on TCPII-049-04 was found to be in conformance with TCPI-009-94-02. All priority woodland areas were to be preserved, except for areas where variation requests were approved during the approval of Preliminary Plan 4-03027. Many of the areas, where grading and clearing of wooded expanded stream buffers occurred, are proposed to be reforested. A woodland conservation summary chart was established for the overall project which calculates and tracks the overall woodland conservation for the project, and for each individual phase. The overall project was found to be in compliance with Consideration 4 of Basic Plans A-9869 and A-9870 (CR-60-1999, September 14, 1993), and provides for woodland conservation of 35 percent as well as the preservation of a large contiguous wooded area in the southern portion of the site.

A revision to TCPII-048-04-01 is proposed under the current application for the second revision to SDP-0320. The gross tract area has been slightly modified by more exact measurement, to include 145.32 acres of the entire 793.05 acre project. Type II Tree Conservation Plan TCPII-048-04-01 now indicates 141.26 acres of upland woodland due to natural regeneration and 3.33 acres of floodplain woodland. The revised plan proposes an increase in woodland clearing, due to the addition of woodland retained (assumed cleared), from 71.78 acres of upland woodland to either 74.73 or 74.47 acres because the numbers cited in the individual worksheet do not match the overall worksheet. There may also be an increase in woodland floodplain clearing from 0.60 acre to 0.61 acre because both figures are cited in the worksheets. The current plan proposes on-site preservation of 30.26 acres and no afforestation/reforestation, for a total of 30.26 acres.

The design of the woodland conservation areas on TCPII-049-04-01 was found to be in general conformance with TCPI-009-94-02, and the overall project was found to be in compliance with Consideration 4 of A-9869 and A-9870 (CR-60-1999, September 14, 1993), and provides for a minimum woodland conservation threshold of 35 percent of the net tract and the preservation of a large contiguous wooded area in the southern portion of the site.

The plan requires a variety of technical revisions as follows:

The individual TCPII woodland conservation worksheet for SDP-0320 and TCPII-049-04-01 was found not to be consistent with the numbers of the woodland conservation summary table for the site or the overall woodland conservation table. All three tables must consistently reflect the woodland conservation requirements for the current application, and how they are fulfilled.

The overall woodland conservation table must be revised to correct the calculations based on the woodland conservation summary table. The quantities and calculations for TCPII-044-07-01 (open space, formerly golf course) must also be revised to reflect the quantities shown on the most recent approval, which is pending review by the District Council, and should not include the numbers associated with a future -02 revision to that TCPII.

The notes on the cover sheet should be revised to add the following notes:

- Danville Road is a designated historic road.
- The entirety of the current application is located in the Mount Vernon Viewshed Area of Primary Concern.

The easements shown on the previous plats and noted on the plan are conservation easements and not woodland or forest conservation easements. All platted conservation easements should be included on the TCPII and correctly labeled. Graphic elements for conservation easements and stormwater management easements should be added to the legend.

The term primary management area in the legend should be expanded to include “formerly referred to as Expanded Stream Buffer.”

The Environmental Planning Section has reviewed the TCPII and recommends its approval with conditions in the Recommendation section of this report, which will bring the plans into general conformance with the requirements of the Woodland Conservation Ordinance.

13. **Prince George’s County Tree Canopy Coverage Ordinance:** The plans are in conformance with the Tree Canopy Coverage Ordinance, Subtitle 25, Division 3, which came into effect on September 1, 2010. The required tree canopy for this site in the M-X-T Zone is ten percent of the site area, or a total of 15,202 square feet. The proposed landscaping on the site accounts for 17,180 square feet, which meets the requirement for the site.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation—**The Planning Board reviewed the historic preservation-related issues and found the following:

The subject application, SDP-0320-02, Danville Estates, is a portion of a larger development that includes the Edelen House (Historic Site 84-023-06). The subject application is adjacent to the historic village of Piscataway (84-023-00) that includes Hardy’s Tavern (Historic Site 84-023-05) and several other historic sites and resources

regulated by the *Prince George's County Historic Sites and Districts Plan* and the Prince George's County Historic Preservation Ordinance (Subtitle 29).

- (1) A Phase I archeological survey was conducted on the Preserve of Piscataway property in 1996 and 1997 when Bailey's Associates, L.P. applied for a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers. The issuance of the Section 404 permit constituted an undertaking pursuant to the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended, which requires that the federal agency take into account the effects on cultural resources. Fifty-four archeological sites were identified in the Phase I survey. Eight archeological sites, 18PR483, 18PR484, 18PR485, 18PR486, 18PR487, 18PR488, 18PR489, and 18PR490, were identified in the area within the subject application. All of these sites were identified as prehistoric resources ranging from small lithic scatters to short-term resource procurement and base camps. Phase II investigations were conducted on Sites 18PR483, 18PR485, 18PR487, 18PR489, and 18PR490 in 1998. The Army Corps of Engineers and the Maryland Historical Trust did not require any further archeological investigations on any of these sites. No significant archeological resources will be impacted by the proposed development and no further archeological investigations are recommended.
- (2) Conditions 7, 8, and 9 of PGCPB Resolution No. 04-133 should be carried forward and included as part of all subsequent applications until a new owner for the Edelen House historic site, unaffiliated with the applicant, has been secured.

Condition 9 is derived from and supported by the Planning Board's Condition 5, and its accompanying justification, in PGCPB Resolution No. 94-98(C)(A).

- b. **Community Planning**—Master plan issues were addressed during the approval of Comprehensive Design Zone Basic Plans A-9869 and A-9870 and Comprehensive Design Plan CDP-9306. The proposed development is within the Mount Vernon Viewshed Area of Primary Concern.

The 2002 *Prince George's County Approved General Plan* (General Plan) identifies the Preserve at Piscataway, comprised of approximately 879 acres and originally known as the Villages at Piscataway, as being within the Developing Tier. The overall project is specifically recognized in the 1993 *Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B* (Subregion V Master Plan and SMA) as appropriate for a comprehensively-designed, planned, recreational community development. Specific Design Plan SDP-0320 for Danville Estates pertains to approximately 143 acres of the Preserve at Piscataway. The master plan recommends the following for the part of the project subject to SDP-0320:

Semi-Rural residential land use at up to 0.5 dwelling units per acre, generally reflecting the density for this section of the Villages at Piscataway project approved for the R-L Zone by application A-9869 as part of the 1993 Subregion V SMA.

A floating symbol for an elementary school site is shown on the plan map for the northern part of this application, which is shown as a park-school site on this application.

A high-voltage electric power transmission line bisects the site from the southwest to the northeast and is shown on the plan.

The Subregion V Master Plan and SMA approved a comprehensive design zone basic plan that classified the Villages at Piscataway in the R-L (A-9869) and L-A-C (A-9870) comprehensive design zones. The development concept was for a planned recreational community designed around a series of five villages, a golf course, and other facilities. The Planning Board approved Specific Design Plan SDP-0608 for the golf course. Other SDPs have been approved for all of the five villages within the development (Bailey's Village, Glassford Village, Edelen Village, Lusby Village, and Danville Estates) for a total of 986 dwelling units.

Specific Design Plan SDP-0608-01 eliminated the proposed golf course and revised the recreational facilities proposed for the development. That plan delineated the location of added trails provided within the area of land previously proposed for the golf course. The basic plan and a subsequently approved Comprehensive Design Plan (CDP-9306) addressed all of the master plan issues for this development project. This Specific Design Plan, SDP-0320, for the development of Danville Estates has been evaluated for consistency with these previously approved plans.

Mount Vernon Viewshed Analysis Area

The Subregion V Master Plan and SMA recognizes the Mount Vernon Viewshed Analysis Area (now referred to as the Area of Primary Concern) and calls for areas of critical vegetation identified in the Mount Vernon viewshed analysis to be considered during the review of tree conservation plans. Danville Estates is approximately eight miles from Mount Vernon. The highest point in the proposed development is along Danville Road, approximately 220 feet above sea level. Although this is at a higher elevation than land to the west, a three-dimensional (3D) viewshed model done for the proposal shows that none of the proposed buildings would be visible from Mount Vernon. The viewshed model, using the tree canopy layer based on planned tree clearing to take place in the Lusby Village and Edelen Village site plans for adjacent planned development, shows that mature trees in existing forests would effectively screen any 34-foot-high development along the profile line. The model also shows that high topography north of Piscataway Creek would screen 34-foot-high development along the profile line from the viewshed of Mount Vernon.

Although new buildings would be suitably screened from view from Mount Vernon, there is some potential for localized visual impacts during winter months when deciduous trees are leafless, or if existing mature forest providing screening is removed. In that regard, the applicant is encouraged to do the following to allow the new buildings to blend with the surrounding landscape:

- (1) Use dark and earth-tone colors for façades and roof tops.
- (2) Avoid highly reflective materials and brightly painted or metal surfaces.

Note: Additional discussion of this issue is also included in the Environmental Planning Section's analysis below.

A determination has been made that none of the proposed buildings would be visible from Mount Vernon, but there is some potential for localized visual impacts. There are no additional master plan or General Plan issues related to this SDP application.

- c. **Transportation Planning**—The Planning Board finds that the subject application conforms to the approved subdivision plan, the approved CDP, and the approved basic plans from the standpoint of transportation.

Access and on-site circulation is acceptable. This area has been reviewed for infrastructure in the past and, between the previous SDP application and other preceding applications, all access and circulation issues have been resolved.

A finding is required that the development will be adequately served within a reasonable period of time with existing or programmed transportation facilities, or facilities to be provided by the applicant. The review of conformance to this finding has typically focused on demonstrating the period of time required for implementation of any needed transportation facilities. "Needed transportation facilities" would typically involve programmed or bonded transportation facilities that were assumed to be part of background development during preliminary plan review, along with any facilities to be constructed by the applicant. The subject property is required to make roadway improvements pursuant to a finding of adequate public facilities made in 2003 and supported by traffic studies and analyses done in 1994 and 2002. These conditions are enforceable with the submission of building permits. All required signal warrant studies required for submittal prior to SDP approval have been submitted. It is therefore determined that this finding can be made.

To summarize, the Planning Board finds that the subject application conforms to the approved subdivision plans, the approved CDP, and the approved basic plans from the standpoint of transportation. Furthermore, Transportation Planning staff finds that the area within this plan will be adequately served within a reasonable period of time with existing

or programmed transportation facilities, or with transportation facilities to be provided as a part of the subject development.

- d. **Subdivision Review**—The subject property is located on Tax Map 143 in Grid C-3, is 145.32 acres, and is within the Residential Low Development (R-L) Zone. The application is specifically for Lots 1 through 4; part of Parcel D in Block A; Lots 1 through 16 in Block B; Lots 1 through 28 in Block C; Lots 1 through 9 in Block D; Lots 1 through 12 in Block E; Lots 1 through 15 in Block F; Lots 1 through 12 in Block G; Lots 1 through 13 in Block H; Lots 1 through 15 in Block I; and Parcels E and F in the Preserve of Piscataway subdivision. The applicant submitted a revised Specific Design Plan (SDP-0320-02) which includes revisions to acreages, design standards, and woodland preservation.

The site is the subject of approved Preliminary Plan of Subdivision 4-03027, and the resolution was adopted by the Planning Board on June 17, 2003 (PGCPB No. 03-122). The preliminary plan is valid until December 31, 2013. The SDP shows 124 single-family detached lots, while the approved preliminary plan was for 126 single-family detached lots. The reduction in two lots is not inconsistent with the approved preliminary plan, as discussed further below.

Lots 1 through 4, part of Parcel D in Block A, and Lots 1 through 16 in Block B have been recorded in Plat Book PM 224-57. Lots 1 through 12 in Block E, Lots 1 through 15 in Block F, Lots 1 through 12 in Block G, Lots 1 through 13 in Block H, and Lots 1 through 15 in Block I have been record in Plat Book REP 207-70, 207-71, and 207-72. Parcel E has been conveyed to M-NCPPC and recorded in Plat Book REP 207-73. Parcel F, Lots 1 through 28 in Block C, and Lots 1 through 9 in Block D have not been platted and have been reviewed for conformance to the approved preliminary plan. With the exception of the lotting pattern on Sheets 6 and 11, the layout is consistent with the preliminary plan. On Sheet 6, the SDP shifts Lot 26 to the north and adds a new stormwater management access road between Lots 26 and 27, which is an extension of Parcel F (25 feet wide) to connect to Hidden Meadow Drive. The site plan should be revised to clearly label the bearings and distances on the north side of the extension of Parcel F (HOA) and label Parcel F to be conveyed to the HOA on all sheets of the site plan. On Sheet 11, the preliminary plan lotting pattern in Block C extends on the north side of Emory Ridge Road to the east of Lot 28. One additional lot was located in this block across from Lot 1, Block D. The SDP has Lot 1, Block D, facing the side of the dwelling on Lot 28, Block C, and a new stormwater management facility that was not reflected on the preliminary plan. The preliminary plan located the stormwater management facility north of Lot 26, Block C (Sheet 6). These modifications are not inconsistent with the preliminary plan approval.

Final plats for the entire area which is subject to the preliminary plan property must be accepted by M-NCPPC prior to the expiry of the preliminary plan, or a new preliminary plan is required for that portion of the site that is not the subject of a record plat. The

applicant may ask for an extension of the validity period for the preliminary plan beyond December 31, 2013.

Failure of the SDP and the record plats to match will result in permits being placed on hold until the plans are corrected. Recommendations relating to the correction of the SDP to conform to the final plats are included in the Recommendation section of this report. There are no other subdivision issues at this time if the above recommendations are addressed.

- e. **Trails**—The Planning Board determined that the subject application is within the area covered by the Subregion V Master Plan and SMA (area master plan) and the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*.

The MPOT recommends that Danville Road be designated as a bikeway. Additionally, a trail will be constructed from Danville Road to the subject site's southern property line, and standard sidewalks will be constructed along both sides of all internal roads. Prior approvals (4-03027 and SDP-0320) addressed all master plan trail issues, as well as the internal sidewalk and bikeway system. Conditions are adopted as were previously approved for the original SDP, as well as an added condition(s).

- f. **Parks**—The Planning Board finds that the mandatory dedication requirements have been met with the dedication of land area for the park/school site. The proposed grading minimally impacts the existing parkland.

- g. **Public Facilities**—The Planning Board reviewed this SDP in accordance with Section 27-528(a)(2) of the Zoning Ordinance, which states that:

The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

Fire and Rescue

The Special Projects Section has determined that this SDP is within the seven-minute required response time for the first due fire station using the *Seven-Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

First Due Fire/EMS Company #	Fire/EMS Station	Address
47	Ritchie	10900 Fort Washington Road

The required fire and rescue facility has been determined to be adequate.

Capital Improvement Program (CIP)

The Prince George’s County Capital Improvement Program for Fiscal Years 2013–2018 provides funding for a new three-bay fire/EMS station near the intersection of Piscataway Road and Floral Park Road.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

Police Facilities

The Special Projects Section has determined that this SDP is located in District IV, Oxon Hill. Police facilities have been determined to be adequate.

Schools

Single-Family Detached

Affected School Cluster #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	124 DU	124 DU	124 DU
Pupil Yield Factor	0.164	0.130	0.144
Subdivision Enrollment	20	16	18
Actual Enrollment	3,841	3,126	6,260
Total Enrollment	3,861	3,142	6,278
State Rated Capacity	4,484	4,198	7,862
Percent Capacity	86%	75%	80%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between the Capital Beltway (I-95/495) and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority (WMATA); or \$12,000 per dwelling for all other buildings. Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$8,762 and \$ 15,020 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings, or other systemic changes.

Water and Sewerage Findings

Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

- h. **Environmental Planning**—The Planning Board finds that current application is not subject to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010 because the site has a previously approved preliminary plan and SDP.

The application is also not subject to the Woodland and Wildlife Habitat Conservation Ordinance, Subtitle 25, Division 2, which became effective September 1, 2010, because there are previously approved Type I and Type II tree conservation plans for the site. As stated in Finding 12, the application is subject to the Woodland Conservation and Tree Preservation Ordinance, the precursor to the more recently approved Woodland and Wildlife Habitat Conservation Ordinance.

Site Description

This revised SDP for the Preserve at Piscataway, Danville Estates, containing 145.32 acres in the R-L Zone is located in Planning Area 84, Subregion V, primarily south of Floral Park Road and west of Danville Road. According to current air photos at the time of the original approval, about 90 percent of the site was wooded. Floral Park Road and Piscataway Road were designated historic roads in 2001. Danville Road was designated a historic road with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). There are no nearby transportation noise sources which require regulation. The proposed use is not expected to be a noise generator. There are streams, wetlands, and floodplain associated with Piscataway Creek in the Potomac River watershed on-site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. The *Prince George's County Soil Survey* previously indicated that the principal soils on the site are in the Aura, Beltsville, Bibb, Elkton, Galestown, Othello, and Sassafras soils series. This soil classification predates the current Soil Web Survey update. Marlboro clay is known to occur on the site. The site is in the Developing Tier according to the General Plan. According to the 2005 *Approved Countywide Green Infrastructure Plan*, the Mattawoman stream valley along the southern boundary is a regulated area and approximately the lower half of the property is within an evaluation area. According to the Green Infrastructure Plan, the portion of the site east of the PEPCO right-of-way contains regulated area, evaluation area, and network gap.

Environmental Review

- (1) A natural resources inventory (NRI) was not required for the subject application because approval of the preliminary plan and SDP pre-date subdivision and zoning requirements for submittal of a NRI. The application also has a valid stormwater management concept approval letter, which pre-dates the requirement for a NRI. No further information is required with regard to a NRI.
- (2) This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations.

The revised SDP and TCPII show streams on the site, the required minimum 50-foot stream buffers, wetlands and required 25-foot wetland buffers, the 100-year floodplain, all slopes exceeding 25 percent, and all slopes between 15 and 25 percent on highly-erodible soils ($K > 0.35$) included with an expanded stream buffer.

The SDP proposes impacts to expanded stream buffers delineated on-site. Impacts to this buffer are prohibited by Section 24-130 unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. All of the impacts proposed on Specific Design Plan SDP-0320 were granted variations by the Planning Board during the review and approval of Preliminary Plan 4-03027. Disturbances to the expanded stream buffer proposed with the current application are consistent with variances approved by the Planning Board at the time of preliminary plan, and as shown on the prior SDP application.

- (3) Marlboro clay is known to occur on the site. A soils report was submitted with 4-96047 which indicated that Marlboro clay occurs on the site between elevations of 40 to 55 feet mean sea level. A more detailed study was submitted with SDP-9804. Because of the elevation of the clay layer, it will not be exposed under the proposed grading development and slope failure is not an issue. Footers for foundations cannot be set in Marlboro clay, and Marlboro clay is unsuited as a sub-base material for roads. Due to the elevation in this portion of the property, Marlboro clay was found to be lower than the proposed grading levels for the site and, as a result, will not be a factor for foundations or roads. This information is provided for the applicant's benefit. A soils report may be required by Prince George's County during the permit review process.
- (4) Danville Road was designated a historic road in the MPOT and has the functional classification of collector. Any improvements within the right-of-way of a historic road are subject to approval by DPW&T under the *Design Guidelines and Standards for Scenic and Historic Roads*. Because Danville Road was not designated historic until after the approval of SDP-0320, this topic was not addressed in the previous application.

Conservation and enhancement of these specially-designated roadways are intended to provide safe and enjoyable travel, while preserving the scenic and historic resources both within the rights-of-way and on adjacent land. The MPOT included the following policies and strategies for the conservation and enhancement of special roadways which are applicable to the current application.

Policy 1: Conserve and enhance the scenic and historic values along special roadways.

STRATEGIES:

- 1. Identify opportunities for designation of additional scenic or historic roads as new master and sector plans are prepared.**
- 2. Require submission of an inventory of scenic and historic features with all applications that propose work within the right-of-way of a designated roadway.**
- 3. Utilize the “Guidelines for the Design of Scenic and Historic Roadways in Prince George’s County, Maryland” (DPW&T, 2006) when evaluating applications within the rights-of-way of scenic and historic roadways.**
- 4. Consider a variety of techniques in order to protect the scenic and historic qualities of the designated roads during the review of applications that involve work within the right-of-way of a designated roadway. These techniques include alternative ways to circulate traffic; the use of the historic road section as one leg of a needed dual highway; provision of bypass roads; and limiting certain types of development and signs in the viewshed.**

Policy 2: Conserve and enhance the viewsheds along designated roadways.

STRATEGIES:

- 1. Require submission of an inventory of scenic and historic features with all applications that propose work adjacent to the right-of-way of a designated roadway.**
- 2. Require the conservation and enhancement of the existing viewsheds of designated roads to the fullest extent possible during the review of land development or permit applications, whichever comes first. Elements to be considered shall include views of structures from the**

roadway; design character and materials of constructed features; preservation of existing vegetation, slopes and tree tunnels; use of scenic easements; and limited access points.

Because this item was not applicable at the time of CDP, preliminary plan, or prior SDP approval, an inventory of scenic and historic features was not previously required for the Danville Estates portion of the Preserve at Piscataway.

When a roadway is designated as historic, it is because it is located in its historic alignment and there is an expectation that historic features will be found along its length, although not on every property. Roadways are a linear element, and the intention of the scenic buffer is to preserve or enhance the extent of the roadway and enhance the travel experience if scenic qualities or historic features have not been preserved. The plans should note the historic roadway.

The design of the scenic buffering and any entrance features proposed along Danville Road have been reviewed as part of the SDP to ensure that the design is in keeping with the desired visual characteristics of the historic road; integrated into an overall streetscape treatment along Danville Road with regard to signage, materials, and plant species choices; and coordinated with the entrance feature and landscape treatment proposed for the proposed development.

- (5) The entire property subject to the current application is located in the Mount Vernon Viewshed Area of Primary Concern, which has been delineated as an evaluation tool for the protection of the Mount Vernon viewshed. Properties located within the area of primary concern are evaluated based on a partnership with the National Park Service, National Capital Region, for an analysis of the location and elevation of the subject property, the elevation of structures proposed on the site, and the potential for vegetative management and screening between the subject property and the front porch of Mount Vernon as the viewing point.

Some of the past development at Preserve at Piscataway, particularly that previously constructed in Edelen Village South which was placed at a ground level elevation of 180 feet mean sea level, has been found to be highly-visible from Mount Vernon due to a sudden rise in elevation, which occurs along the Piscataway Creek stream valley. A careful evaluation of the height of the proposed construction, the ground level elevation, and retained areas of vegetation to determine the potential visibility of the proposed structures is appropriate. If an evaluation determines that there is potential for visibility related to the viewshed of concern, an additional level of woodland conservation/landscaping and architectural review may be found appropriate.

Using GIS topographic modeling techniques, crosssections were drawn from the front porch of Mount Vernon, which is situated 124 feet above mean sea level,

through various locations on the subject property in order to evaluate the impact of vegetation removal and vegetation retention proposed with the current application. This evaluation also considered additional woodland retention resulting from the recent approval of SDP-0608, which eliminated a previously proposed golf course and retains significant additional woodlands on areas located between the viewing point and the current application. The height and location of the structures proposed was also evaluated using GIS modeling.

The highest point on the development, approximately 220 feet above mean sea level, is located on this section of the development along Danville Road. The viewshed modeling showed that mature trees in existing forests would effectively screen any development up to 34 feet in height, which is consistent with the current architectural revisions proposed.

The potential impacts of the current proposal to the conservation and protection of the area of primary concern related to the Mount Vernon viewshed appear to be sufficiently addressed by the proposed on-site preservation and afforestation/ reforestation proposed, if these areas are permanently protected as perpetual woodlands.

There is some potential for local visual impacts during the winter months. In that regard, the following conditions are applied to this application:

Prior to certification of the SDP, the following notes should be placed on all sheets of the architecture plan set:

- (a) Dark and earth-tone colors shall be used for façades and roof tops. The use of white for roofing, trim, or siding shall be discouraged.
- (b) The use of highly-reflective materials and unpainted metal surfaces shall be avoided.

Further, as another tool to protect the Mount Vernon viewshed the Planning Board finds that a woodland and wildlife habitat conservation easement should be recorded which provides perpetual protection for the woodland conservation areas approved with TCPII-048-04-01, which conserve and enhance the area of primary concern related to the Mount Vernon viewshed, and the liber and folio of the easement should be included in a note on the TCPII plan.

- (6) The *Prince George's County Soil Survey* indicates that the principal soils on the site are in the Aura, Beltsville, Bibb, Elkton, Galestown, Othello, and Sassafras soils series. Condition 17 of Preliminary Plan 4-94017 (PGCPB Resolution No. 94-213) was specifically included to require on-going review of areas where highly-erodible soils occur on slopes in excess of 15 percent. Aura, Beltsville,

Elkton, and Othello soils are highly-erodible. This information is provided for the applicant's benefit. A soils report may be required by the County during the permit review process.

- (7) Approved Stormwater Management Concept Plans CSD 40424-2004-00, CSD 40425-2004-00, CSD 40427-2004-00, CSD 40449-2004-00, and CSD 406452-2004-00 have been approved by DPW&T and are valid until May 16, 2014. No further action regarding stormwater management is required with regard to this SDP review.

i. **The Prince George's County Health Department**—The Health Department has completed a desktop health impact assessment review of the "02" revision submission of the specific design plan for the Preserves at Piscataway, Danville Estates. The Planning Board analysis is in **bold**:

- (1) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.

All lighting for this large-lot residential project is located within public streets and is under the jurisdiction of DPW&T.

- (2) According to the National Institute of Environmental Health Sciences, there is a weak association between exposure to electromagnetic fields (EMFs) and an increased risk of childhood leukemia. There is no evidence of a link between residential EMF exposure and adult cancers. The site is bisected by a PEPCO electric transmission line right-of-way and adjacent parcels are proposed for school, park, and residential development. As the project moves forward, the applicant should ensure that none of the proposed school/park/sports fields and/or residential dwelling units is sited within 150 feet of the right-of-way.

The applicant only has control over the proposed residential lots and the proposed open space that will eventually be conveyed to the HOA. Since the writing of the original report, the school/park property has been conveyed to M-NCPPC. The plans have been revised to remove all of the proposed residential structures outside of 150 feet of the PEPCO property. The PEPCO property is 350 feet wide and the actual electrical lines are well within the boundary of their property. In addition, there is a required bufferyard that is made up of both a building setback and a landscaped yard. This bufferyard will provide vegetation at the edge of the property adjacent to the PEPCO property, which will provide a visual buffer from the electrical lines.

- (3) There are no grocery stores/markets within a half-mile radius of the site. There is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.

This large-lot development consists of lots that are a quarter of an acre or more. The future residents will have ample room to garden on their own property so, in this case, the concept of community gardens is not warranted.

- (4) During the demolition/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.

This requirement will be enforced at the time of permit; however, a note should be provided on the SDP indicating conformance with these requirements.

- (5) During the demolition/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.

This requirement will be enforced at the time of permit; however, a note should be provided on the SDP indicating conformance with these requirements.

- j. **Prince George's County Police Department**—No response has been received from the Police Department.
15. As required by Section 27-523 of the Zoning Ordinance, the Planning Board finds:
- a. The specific design plan conforms to an approved Comprehensive Design Plan, CDP-9306 and its revisions and conditions, and the applicable standards of the Landscape Manual if the plans are revised according to the proposed conditions;
- b. The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate capital improvement program, or provided as part of the private development, as determined in the review of the transportation systems and public facilities;

- c. Adequate provision has been made for draining surface water, so that there are no adverse effects on either the subject property or adjacent properties, as evidenced by the approval of a stormwater management plan; and
- d. The plan is in conformance with an approved Tree Conservation Plan, TCPII-048-04-01, if the plans are revised according to the proposed conditions.

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 the Type II Tree Conservation Plan (TCPII-048-04-01), and further APPROVED Specific Design Plan SDP-0320/02 for the above-described land, subject to the following conditions:

1. Prior to certification of the plans, the following revisions shall be made:
 - a. Add a note to the coversheet of the specific design plan and the landscape plan stating that Danville Road is a historic road, and label as a historic road on the plan sheets where it appears.
 - b. Revise the plans to include a connection to the sidewalk within Claggett Run Road, either within the public right-of-way of Danville Road, or within a reconfigured homeowners association (HOA) parcel of land to be extended between Lot 12, Block G, and Danville Road.
 - c. Revise the landscape plans to demonstrate conformance to Sections 4.6 and 4.7 of the 2010 *Prince George's County Landscape Manual*.
 - d. Revise the plans to show all trails a minimum of 20 feet from all private lot lines and 25 feet from all dwelling units, excluding where trails intersect with the road network.
 - e. Label the building restriction lines reflected on the specific design plan as setback lines or remove the wording "BRL" to be consistent with the final plats.
 - f. Label the recorded conservation easements on the site plan.
 - g. Label and dimension the bearings and distances on all stormdrain easements.
 - h. Reflect the proposed conservation easement which will be recorded at the time of record plat.
 - i. Label the hiker/biker trail as private and owned by the homeowners association (HOA).
 - j. Demonstrate conformance to the Prince George's County Tree Canopy Coverage Ordinance.

2. Prior to certification of the specific design plan, the Type II tree conservation plan (TCPII) shall be revised as follows:
 - a. Revise the individual TCPII woodland conservation worksheet for Specific Design Plan SDP-0320-02 and TCPII-049-04-01 to be consistent with the overall woodland conservation worksheet (as approved by the District Council in their action on SDP-0608-01) and with the numbers of the woodland conservation summary tables. All three tables shall consistently reflect the woodland conservation requirements for the current application and how they are fulfilled.
 - b. Revise the overall woodland conservation table to correct the calculations based on the woodland conservation summary table.
 - c. The quantities and calculations for TCPII-044-07/01 (open space, formerly golf course) shall also be revised to reflect the quantities shown on the most recent approval (-01), which is pending review by the District Council, and remove the quantities associated with a future -02 revision to that TCPII.
 - d. Revise the notes on the coversheet to add the following notes:
 - (1) Danville Road is a designated historic road.
 - (2) The entirety of the current application is located within the Mount Vernon Viewshed Area of Primary Concern.
 - e. Note on the plan which easements are conservation easements and which are woodland conservation easements. All platted conservation easements shall be included on the TCPII plan and correctly labeled. The graphic elements for conservation easements and stormwater management easements shall be added to the legend.
 - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
 - g. An easement shall be recorded which provides perpetual protection for the woodland conservation areas approved with TCPII-048-04-01 which conserve and enhance the area of primary concern related to the Mount Vernon viewshed, and the liber and folio of the easement shall be included in a note on the TCPII plan.
3. Prior to issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit currently valid copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and the associated mitigation plans.

4. Prior to issuance of permits for Danville Road, conformance with the *Prince George's County Design Guidelines and Standards for Scenic and Historic Roads* shall be demonstrated in accordance with Department of Public Works and Transportation standards.
5. Prior to certification of the architectural elevations for the project, the following revisions shall be made:
 - a. A note shall be added to the plans to indicate that dark color shall be used for rooftops and earth-tone colors shall be used for façades. All exterior building materials shall be non-white.
 - b. A note shall be added to the plans to indicate that the use of highly-reflective materials and unpainted metal surfaces shall be avoided.
 - c. The Belford and Savoy models shall be enlarged to meet the minimum size for these units as has been approved under Specific Design Plan SDP-0202, and not less than 2,311 square feet of finished living area above grade, or the units shall be deleted.
 - d. The previously approved units including Avalon, Balmoral, and Courtland shall be deleted, unless they are enlarged to meet the minimum established size for these units, as has been approved under Specific Design Plan SDP-0202, and not less than 2,311 square feet of finished living area above grade.
 - e. Elevation A of the Yorkshire and Savoy models shall be revised to incorporate roofline variation, or be deleted.
 - f. The plans shall be revised to clearly indicate a minimum 7/12 roof pitch and shall scale accordingly.
 - g. The plans shall be revised to clearly indicate attached two-car garages as a standard feature.
 - h. The plans shall be revised to contain a minimum of three endwall features for all models.
6. The applicant and the applicant's heirs, successors, and/or assignees shall construct the eight-foot-wide multi-use (hiker/biker/equestrian) trail within the entire length of Parcels G and H. This trail shall be bonded prior to the release of any building permits for Danville Estates and shall be constructed prior to the release of the 64th building permit, in conformance with *Park and Recreation Facilities Guidelines*. The existing recreational facilities agreement encompassing these requirements shall be revised, if necessary, to make the agreement consistent with this decision.
7. The applicant shall work with Historic Preservation staff (M-NCPPC) to ascertain methods of informing prospective purchasers and tenants of the availability of the property.

8. The applicant and the applicant's heirs, successors, and/or assignees shall provide Historic Preservation staff (M-NCPPC) with evidence of items (a) through (f) below, which may include copies of contracts, work orders, completion orders, and receipts.
 - a. Maintenance of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.
 - b. Maintenance of "No Trespassing" signs at the street and around the environmental setting at locations determined by Historic Preservation staff and the applicant.
 - c. Provide an updated inspection report by a qualified professional of the current condition of the historic site (inclusive of the roof, walls, chimneys, windows, doors, and foundations of the main house and all significant outbuildings and structures within the environmental setting). The report shall include recommendations for repair, if needed, in order to preserve the integrity of the physical features.
 - d. Provide routine maintenance of utilities inclusive of heating, plumbing, and electrical systems.
 - e. The applicant shall provide evidence of maintenance of fire insurance on the house.
 - f. Provide evidence of good faith efforts made to locate a suitable organization or individual to take responsibility for the Edelen House historic site and any plans to find a suitable steward for the property. The developer shall also provide the Historic Preservation Commission with evidence of the current structural integrity and physical condition of the property with cost estimates for significant repair items identified.

The applicant and the applicant's heirs, successors, and/or assignees shall continue to provide this information (which shall be included in a report to be provided to Historic Preservation staff every six months beginning on or before July 30, 2002) until Edelen House (Historic Site 84-23-06) is restored or adaptively reused.

9. Prior to issuance of each residential building permit, the applicant and the applicant's heirs, successors, and/or assignees shall provide evidence of the contribution of \$400.00 to the Piscataway Preservation Grant and Loan Fund (Piscataway Preservation Corporation).
10. In order to alleviate the negative impact on fire and rescue services due to inadequate service, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

11. Prior to issuance of building permits:
 - a. The applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$410.00 to the Department of Public Works and Transportation (DPW&T) for the placement of a bikeway sign(s) along Danville Road, designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to issuance of the first building permit. If DPW&T declines the signage, this condition shall be void. If road frontage improvements along Danville Road are required by DPW&T, seven- to ten-foot-wide asphalt shoulders are recommended to accommodate bicycle traffic in accordance with Comprehensive Design Plan CDP-9306, Consideration 20.
 - b. The applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$420.00 to the Department of Public Works and Transportation (DPW&T) for the placement of a bikeway sign(s) along Saint Mary's View Road, designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to issuance of the first building permit. If DPW&T declines the signage, this condition shall be void.
12. The applicant and the applicant's heirs, successors, and/or assignees shall provide standard sidewalks along both sides of all internal public streets as shown.
13. The applicant and the applicant's heirs, successors, and/or assignees shall display, in the sales office, all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the specific design plan, tree conservation plan, landscape plan, and plans for recreational facilities.
14. Prior to issuance of the first building permit for the project, the applicant shall provide a fee in the amount of \$479.00 per dwelling unit to Prince George's County as a fair-share contribution towards the construction of the Brandywine Special Study Area Station and the acquisition of an ambulance and paramedic unit.
15. Prior to issuance of the first building permit for the subject application, the applicant shall demonstrate approval of the paving plans by the Department of Public Works and Transportation (DPW&T) and the street trees within the right-of-way shall be in general conformance to the master plan of street trees, particularly in regard to size (2.5- to 3-inch caliper) and spacing (approximately 35 feet on center).
16. Prior to issuance of building permits, the plans shall indicate that houses on corner lots shall front on the most heavily traveled street, where possible.
17. Provide a plan note that indicates conformance to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

18. Provide a plan note that indicates the applicant's intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

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 Bailey, seconded by Commissioner Washington, with Commissioners Bailey, Washington, Shoaff, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, November 14, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of December 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:SL:arj