



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

Note: Staff reports can be accessed at <http://mncppc.igmp2.com/Citizens/Default.aspx>

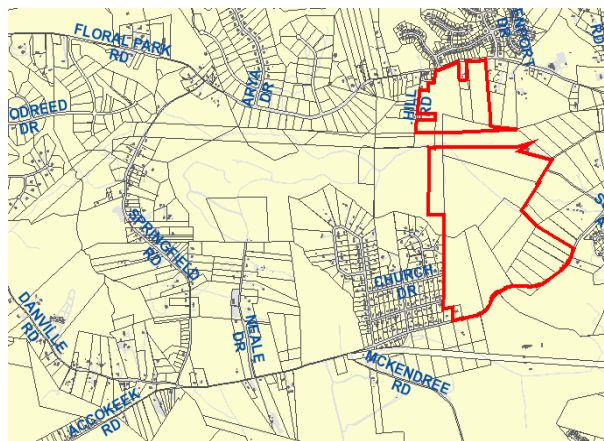
Zoning Map Amendment

Saddle Ridge

A-10060

REQUEST	STAFF RECOMMENDATION
Rezone property from Residential-Estate (R-E) and Rural Residential (R-R) Zones to the Residential Suburban Development (R-S) Zone.	APPROVAL

Location: On the south side of Floral Park Road and north side of Accokeek Road.	
Gross Acreage:	289.01
Zone:	R-E/R-R
Gross Floor Area:	N/A
Lots:	10
Parcels:	8
Planning Area:	85A
Council District:	09
Election District:	11
Municipality:	N/A
200-Scale Base Map:	217SE06
Applicant/Address: D.R. Horton 181 Harry S. Truman Parkway, Suite 250 Annapolis, MD 21401	
Staff Reviewer: Tom Sievers Phone Number: 301-952-3994 Email: Thomas.Sievers@ppd.mncppc.org	



Planning Board Date:	07/08/2021
Planning Board Action Limit:	N/A
Staff Report Date:	06/03/2021
Date Accepted:	04/07/2021
Informational Mailing:	10/22/2020
Acceptance Mailing:	03/25/2021
Sign Posting Deadline:	06/08/2021

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

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Jeremy Hurlbutt, Supervisor, Zoning Section
Development Review Division

FROM: Thomas Sievers, Senior Planner, Zoning Section
Development Review Division

SUBJECT: **Zoning Map Amendment Application A-10060**
Saddle Ridge

REQUEST: **Rezoning from the Residential-Estate (R-E), and Rural Residential (R-R) Zones
to the Residential Suburban Development (R-S) Zone**

RECOMMENDATION: **APPROVAL**

NOTE:

The Planning Board will hear the application on the agenda date of July 8, 2021 and will provide a recommendation to the Zoning Hearing Examiner. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Zoning Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

1. **Location and Site Description:** The subject property is 289.10 acres, found on Tax Map 144 in Grids C-1, C-2, C-3, C-4, D-2, and D-3 in the southern portion of Prince George's County. The property is located south of Floral Park Drive and approximately 6,500 feet west of the intersection of Branch Avenue and Brandywine Road. A Potomac Electric Power Company (PEPCO) right-of-way bisects the site. The proposed access to the property is provided from two points on Floral Park Road and two points on Accokeek Road.
2. **History:** The subject property is a combination of record lots and acreage parcels. The record lots included in the subject property are Partial Lots 43–44, Lots 45–47, and Partial Lots 61–66 of the Littlewood Subdivision, recorded in Plat Book SDH 3 at page 86, dated May 13, 1930. The acreage parcels included in the subject property are Tax Parcels 37, 66, 110, 143, and 236, recorded among the Prince George's County Land Records in Liber 43180 at folio 565 and Tax Parcels 86 and 157, recorded among the aforementioned Land Records in Liber 37115 at folio 531. Tax Parcels 37, 143, and 236 are not subject to a previously approved preliminary plan of subdivision (PPS). Partial Lots 43–44, Lots 45–47, and Partial Lots 61–66 of the Littlewood Subdivision, and Tax Parcels 86, 110, 157, and 166 are subject to a Sketch Plan (S-07002) and PPS 4-07076 for the Estates at Pleasant Valley. PPS 4-07076 was approved by the Prince George's County Planning Board (PGCPB Resolution No. 08-64(A)) as a conservation subdivision on March 22, 2012 for 258 single-family detached residences, subject to 31 conditions of approval. S-07002 expired on November 7, 2009, and PPS 4-07076 is valid until December 31, 2021. The subject property was retained in the Residential-Estate (R-E), and Rural Residential (R-R) Zones in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (Subregion 5 Master Plan and SMA). Portions of the property have been used for surface mining operations permitted by special exception and listed below. The property has been cleared of the mining operation and the majority of the site remains wooded.

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

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

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

3. **Neighborhood:** Significant natural features or major roads usually define neighborhoods. The following roadways/natural features define the boundary of this neighborhood:

North— Floral Park Road;

South— Accokeek Road;

East— MD 381 (Brandywine Road), a local scenic and historic road; and

West— South Springfield Road.

Surrounding Uses and Roadways: The following uses and roadways immediately surround the site:

North— Single-family detached dwellings in the R-R Zone.

East— Single-family detached dwellings in the R-E Zone and vacant land in the R-R Zone.

South— Surface mining; sand and gravel wet-processing, vacant land, and a single-family detached dwelling in the R-R Zone.

West— Single-family detached dwellings and vacant land in the R-E Zone.

4. **Request:** The application seeks the rezoning of the site from the R-E and R-R Zones to the Residential Suburban Development (R-S) Zone, to permit a residential development with up to 955 single-family attached and detached dwellings.
5. **General and Master Plan Recommendations:** Pursuant to Section 27-195(b)(1)(A) Criteria for Approval, of the Prince George's County Zoning Ordinance, the proposed basic plan amendment is in conformance with the Subregion 5 Master Plan and SMA and with the vision of *Plan Prince George's 2035 Approved General Plan* (Plan 2035) Established Communities Growth Policy Area.

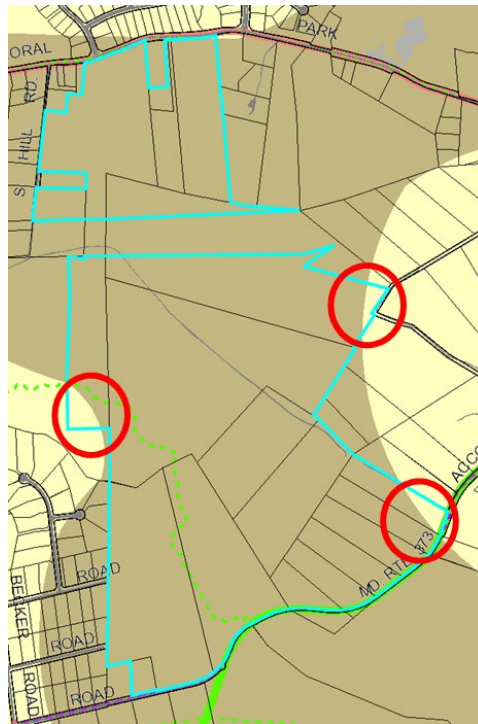
LAND USE

2014 Plan Prince George's 2035 Approved General Plan

Plan 2035 places the subject property in the Established Communities Growth Policy Area. Established Communities are most appropriate for context-sensitive infill and low- to medium-density development (page 20; also refer to Map 1, Prince George's County Growth Policy Map, page 18).

There are three locations in the lower portion of the subject property, as depicted in the graphic below, that are not currently part of the Future Water and Sewer Service Area. Plan 2035 recommends placing properties that are located within the growth boundary, but which have not been approved for a water and sewer category change (which would allow for denser development) in future water and sewer service areas. The future water and sewer service areas are holding zones in which near-term development is deferred until additional residential capacity is required (page 20). In other words, denser development is not able to occur in those areas not covered by the future water and sewer service areas. The three areas are unlikely to be densely developed, as they are located on the fringes of the property in wooded areas or areas that are otherwise unfavorable for development. The majority of the site is within the sewer envelope for planned or existing sewer service. The portions of the property not within the future water and sewer service area are not detrimental to the approval of this application. Additional details concerning water and

sewer categories may be found below in Part 7 (response to Section 27-195(b)(1)(D)) of this technical staff report.



2013 Approved Subregion 5 Master Plan

The Subregion 5 Master Plan and SMA recommends the future land use of residential low on the subject property.

Residential Low

According to the master plan, property classified as residential low “is intended for single-family detached residential development that may have up to 3.5 dwelling units per acre.”

Master Plan Conformance Issues

Pursuant to Section 27-195(b)(1)(A), the proposed basic plan does conform to the recommended residential low future land use in the Subregion 5 Master Plan and SMA. However, the proposed basic plan does not conform with all of the text which states “residential low” areas are designated for single-family detached suburban residential development (page 33).

The applicant has made clear in the statement of justification (SOJ) that the applicant envisions “a residential low density development of townhouses and single-family homes.” The townhouses envisioned are not consistent with the intent of the master plan. The applicant proposes a “high-quality suburban development, below the maximum density envisioned for Residential Low areas.”

The applicant has tied the vision for the subject property to the vision for the Brandywine Community Center. The Brandywine Community Center is a medium-density development intended for mixed-use. The subject property is neither in, nor adjacent to, the Brandywine

Community Center and should not derive proposed densities from the Brandywine Community Center.

2017 Countywide Green Infrastructure Plan

According to the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the entire site is within the evaluation and regulated areas designations. Evaluation areas contain environmentally sensitive features, such as interior forests, colonial waterbird nesting sites, and unique habitats, that are not regulated (i.e., not protected) during the land development process. Regulated areas, however, contain environmentally sensitive features, such as streams, wetlands, 100-year floodplains, severe slopes, and their associated buffers, that are regulated (i.e., protected) during the land development process. The referral from the Environmental Planning Section (Schneider to Sievers, dated May 24, 2021), which is incorporated herein, outlines policies that support the stated measurable objectives of the Green Infrastructure Plan.

6. **Environmental Review:** This finding is provided to describe the existing site features on the property and the impact of the requested rezoning as it pertains to environmental conformance.

Existing Conditions/Natural Resources Inventory

A natural resources inventory (NRI) is not required as part of a zoning amendment application; however, an approved NRI covering a portion of the site, but showing the entire land area included in the application was provided. Previously, NRI-0150-06 was approved in March 2007. This NRI has since expired and now a new NRI is required with any new development applications to include the additional property proposed with the zoning map amendment. A review of the NRI plan showed regulated environmental features and 118 specimen trees. No further information is needed at this time.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George's County Code that came into effect on September 1, 2010 and February 1, 2012 because the development proposal will be required to file a PPS application to reflect the development proposed with the basic plan.

The entire site is within the Environmental Strategy Area 2 (formerly the Developing Tier) as designated by Plan 2035. The property is within the Subregion 5 Master Plan and SMA.

The site fronts on Floral Park Road and Accokeek Road, which are designated as scenic and historic roads. The 2009 *Master Plan of Transportation* (MPOT) designates Floral Park as a primary roadway, and a portion of Accokeek Road as a collector.

Plan Principles and Guidelines

GENERAL PLAN

Plan Prince George's 2035 Approved General Plan

Plan 2035 located the entire application area within the Established Community's growth policy areas, residential low future land use, future water and service area policy area, and the Environmental Strategy Area (ESA) 2.

The Zoning Ordinance provides guidance regarding the impact and relationship of general plans with master plans and functional master plans. Specifically, Section 27-640(a) of the Zoning Ordinance states the following regarding the approval of a general plan, and its effect on a previously approved master plan:

Section 27-640. Relationship between Master, General, and Functional Plans.

- (a) When Functional Master Plans (and amendments thereof) and General Plan amendments are approved after the adoption and approval of Area Master Plans, the Area Master Plans shall be amended only to the extent specified by the District Council in the resolution of approval. Any Area Master Plan or Functional Master Plan (or amendment) shall be an amendment of the General Plan unless otherwise stated by the District Council.**

MASTER PLAN

The Subregion 5 Master Plan and SMA approved by the District Council is the current master plan for this area. The master plan identifies the on-site Burch Branch as a secondary corridor to Piscataway Creek (a primary corridor). This master plan included environmentally related policies and their respective strategies in the Environmental Infrastructure section.

Summary of Subregion 5 Master Plan Conformance

The proposed application to rezone 289.36-acres in the R-E and R-R Zones to the R-S Zone does meet the intent of the Environmental Infrastructure section within the Subregion 5 Master Plan because the approval would only result in slightly lower woodland conservation threshold (WCT). The existing WCT goes from 25 percent in the R-E Zone and 20 percent in the R-R Zone to a proposed 20 percent for the entire property in the proposed R-S Zone. This difference is minimal and will allow similar overall woodland clearing. The basic plan shows woodland preservation within the riparian buffer areas and areas adjacent to the riparian buffers, in accordance with established preservation priorities. One stream road crossing and four development pods are shown on the plans, as submitted. The applicant shall provide the minimum WCT on-site to the fullest extent practicable.

Green Infrastructure Plan

The entire site is mapped within the green infrastructure network, as delineated in accordance with the Green Infrastructure Plan. The mapped green infrastructure network on this site contains regulated and evaluation areas. The regulated areas are mapped in association with Burch Branch stream and its tributaries, and the evaluation area is associated with the woodlands adjacent to the stream valleys, which provide wildlife connections between the streams.

Summary of Master Plan Conformance

The basic plan is in conformance with Plan 2035, the Subregion 5 Master Plan and SMA, and the Green Infrastructure Plan, and reflects the intent of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). The proposed zoning change will have a minimal effect on the overall WCT, and the applicant has shown on the basic plan the proposed preservation of wooded regulated environmental features and the reduction of stream impacts. The WCT shall be met on-site.

Environmental Considerations

Woodland Conservation

This property is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland.

The requested change in use will result in a minimal change to the WCT, which is currently 25 percent in the R-E Zone and 20 percent in the R-R Zone. The proposed zoning change to the R-S Zone would reduce the WCT to 20 percent.

All future development review applications are subject to the WCO and are not grandfathered for woodland conservation regulations. A tree conservation plan, in accordance with the current regulations, is required with future applications.

Specimen Trees

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

With the NRI review, all on-site specimen trees will be identified, and health status will be noted. A variance request for the removal of specimen trees shall be submitted with the acceptance of future development applications.

Regulated Environmental Features

There is primary management area, comprised of regulated environmental features, which include floodplain, streams and associated buffers, steep slopes, and wetlands with their associated buffers located on-site. Under Section 27-521(a)(11) of the Zoning Ordinance, the plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible. A letter of justification with exhibits shall be submitted for review, prior to acceptance of any application requesting impacts to regulated environmental features.

Stormwater Management

A site development concept will be reviewed by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) and should be submitted for review with the acceptance of future development applications.

Erosion and Sediment Control

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

District. The limits of development on the erosion and sediment control plans must match the limits of development on the site development plan and the tree conservation plans.

Scenic and Historic Roads

Floral Park Road is designated as a scenic/historic road and Accokeek Road is designated as an historic road in the MPOT.

The MPOT includes a section on special roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to these roadways, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of an historic road are subject to approval by the County under the 1994 *Prince George's County Design Guidelines and Standards for Scenic and Historic Roads*.

The 2010 *Prince George's County Landscape Manual* (Landscape Manual) addresses the requirements regarding buffers on scenic and historic roads. These provisions will be evaluated at the time of the review of the specific design plan. Adjacent to an historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the development tier (now ESA 2). In ESA 2, the required buffer along an historic road is a minimum of 20-feet-wide, to be planted with a minimum of 80 plant units per 100 linear feet of frontage, excluding driveway openings. Landscaping is a cost-effective treatment which provides a significant visual enhancement to the appearance of an historic road.

The special roadway buffer must be located outside of the right-of-way and public utility easements, and preferably by the retention of existing good quality woodlands, when possible.

Summary

The rezoning request is supported because it has been found to meet Section 27-195(b)(1)(A) and (E). The proposal will result in a minimal change to the WCT, which is currently 25 percent in the R-E Zone and 20 percent in the R-R Zone. The proposed zoning change to the R-S Zone would reduce the WCT to 20 percent for the entire site. This proposed application will be required to have an environmental site design to measure, control, and treat stormwater runoff, in accordance with current County requirements. The basic plan shows woodland preservation, with limited impacts to the on-site riparian buffer areas, for one stream road crossing and four development pods. The basic plan demonstrates that the 20 percent WCT can be met on-site. Future development applications shall demonstrate preservation of the designated scenic and historic nature of both Floral Park Road and Accokeek Road.

7. **Zoning Requirements:** The District Council cannot approve a basic plan unless it finds that the entire development meets the criteria for approval set forth in Section 27-195(b).

Section 27-195. - Map Amendment approval.

(a) In general.

- (1) **The District Council may approve or deny the application (including the Basic Plan). Approval shall be an approval of the general land use**

types; range of dwelling unit densities, including the base, minimum, and maximum densities; and commercial/industrial intensities, general circulation pattern, general location of major access points and land use relationships shown on the Basic Plan. Whenever an applicant designates a limitation of uses within an application, the District Council may approve specific land use types and their general locations within the development, in accordance with the applicant's designation, as part of its approval of the Basic Plan, in order to ensure overall compatibility of land use types within the proposed development and with surrounding land uses. Such an approval by the District Council shall become a part of the approved Basic Plan. The District Council may also specify certain planning and development matters (known as "considerations") for the Planning Board and Technical Staff to consider in later Comprehensive Design Plan, Specific Design Plan, or subdivision plat review. The specifics of the considerations shall be followed, unless there is a clear showing that the requirement is unreasonable under the circumstances.

The applicant seeks approval to amend the basic plan with single-family attached, single-family detached, open space, trails, and recreational facilities with density ranging from 737 to 955 dwellings, or 2.7 to 3.5 dwellings per acre, in accordance with the low-density recommendations and provisions of the R-S Zone. Density above 2.7 units per acre will require the provisions of public benefit features; those proposed include paths, open areas, and a pool with clubhouse.

Ingress and egress are proposed at two access points on Floral Park Road, with a right-of-way of 70-feet, and two access points on Accokeek Road, with a right-of-way of 80 feet.

- (2) **The finding by the Council of adequate public facilities shall not prevent the Planning Board from changing or modifying this finding during its review of Comprehensive Design Plans, Specific Design Plans, or subdivision plats. The Planning Board shall, at each phase of plan or subdivision review, find that the staging of development will not be an unreasonable burden on available public facilities or violate the planning and development considerations set forth by the District Council in the approval of the Basic Plan.**

The staging of development will not be an unreasonable burden on the available public facilities and will not violate the planning and development consideration made by the District Council.

- (3) **Where the property proposed for the Zoning Map Amendment is located within the Resource Conservation Overlay Zone, no Comprehensive Design Zone shall be granted for the subject property.**

The subject site is not located within a Resource Conservation Overlay Zone.

- (4) In the approval of a Basic Plan in the V-M and V-L Zones, the District Council shall find that a variety of types of dwelling units shall be constructed at each stage of development, and that the storefront, civic, and recreational uses are staged to coincide with the initial stages of development.**

The subject site is not located in the Village Medium (V-M) or Village Low (V-L) Zones.

(b) Criteria for approval.

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

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

- (i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text that address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact that the development may have on the environment and surrounding properties;**
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses; or**
- (iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.**

The Future Land Use Map (Map IV-1, page 32, Subregion 5 Master Plan and SMA) places the property within the Residential Low area. The intent of the residential low designation is for single-family detached suburban development. This residential low development may have up to 3.5 dwelling units per acre.

The subject site proposes density from 2.7 to 3.5 dwelling units per acre, in keeping with the residential low recommendation. However, the provided SOJ further describes the development project as containing single-family detached and attached (townhouse) units. The application does not conform to subpart (ii) of the above criteria, as the proposed townhouses do not follow the text or designation of the site as a single-family detached suburban development. Furthermore, as discussed above, three areas of the

subject site are not located in the Future Water and Sewer Service Area.

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

No commercial uses are proposed with this application.

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

The site would generate 4,869 additional daily trips with the rezoning. The rezoning would also result in 400 to 500 additional peak-hour trips. Staff does not believe that the additional volumes would lower the level-of-service anticipated by the master plan. The Subregion 5 Master Plan and SMA is, to a degree, based on the continued use of the Brandywine Road Club as a means of sharing in the major roadway improvements in the area. To augment the roadway recommendations, the master plan also recommends a transit line (also known as the Southern Maryland Rapid Transit line) parallel to MD 5 between the Branch Avenue Metrorail Station and Charles County. These facilities together ensure that adequate capacity exists in the MD 5 corridor to accommodate the rezoning.

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

Per Subtitle 24 of the Subdivision Regulations, methodology for testing adequate public facilities occurs at the time of PPS review; however, the above-referenced section requires a public facilities finding at the time of review of a proposed map amendment. The following information is provided in response to these findings, in order to allow for a determination of compliance.

RESIDENTIAL

Water and Sewer

The 2018 *Water and Sewer Plan* identifies the proposed development within water and sewer Category 4 (Community System Adequate for Development Planning) and Category 5 (Future Community Service).

Specifically, Parcel 188 (identified as Walton Maryland, LLC ETAL, Tax ID 11891820), and Part of Lot 44 (Walton Maryland, LLC ETAL, Tax District 11 and Tax Account 1189141) are designated water and sewer Category 5, Future Community Service. Parcel 188 is not included in Pod E of future development, per the basic plan exhibit. Likewise, the parts of Lot 44 in Category 5 fall within regulated environmental features and will not be developed. If the applicant wishes to develop any land in Category 5, they will need to apply for a change to Category 4 before PPS.

The Prince George's County Council Resolution CR-045-2020 changed Parcels 37, 143, and 236 from water and sewer Category 5 to Category 4.

In addition, Parcels 037, 143, 236, 188, Part of Lot 44 totaling 37.52, and Part of Lot 43 totaling 1.04 acres are in Tier 2 of the Sustainable Growth Act. Tier 2 comprises property currently planned for public sewer service.

Per the Growth Policy Map, the majority of the subject property is within a future water and sewer service area.

Capital Improvement Program (CIP)

The subject project is located in Planning Area 85A, Brandywine Vicinity. The Prince George's County FY 2021–2026 Approved Capital Improvement Program does not identify any schools and/or public safety facilities in the planning area.

Police

This project is served by Police District VII, Fort Washington, located at 11108 Fort Washington Road in Fort Washington. Per Section 24-122.01(c)(1)(A) of the Prince George's County Subdivision Regulations, the Planning Board test for police adequacy is based on a response time residential standard of 10 minutes for emergency calls and 25 minutes for nonemergency calls. The residential response time standard of 10 minutes for priority calls in this area is currently failing (as of acceptance); therefore, mitigation may be required. However, per Section 24-122.01(f) (CB-20-2020, enacted July 21, 2020) the public safety facilities mitigation requirement may be waived by Council Resolution. The test for police adequacy will be further evaluated at the time of specific design plan and again at time of PPS review.

Fire and Rescue

This project is served by Brandywine Volunteer Fire/EMS, Company 840, located at 13809 Brandywine Road in Brandywine, as the first due station. Per Section 24-122.01(d)(1)(A), the Planning Board test for adequacy recognizes the national standard of a 7-minute total response time for fire/EMS response times for residential development. This will be further evaluated at the time of PPS review.

Schools

This project is in School Cluster 6. Gwynn Park High School, Gwynn Park Middle School, and Brandywine Elementary School serve this area. Per Section 24-122.02, Council Resolutions CR-23-2001 and CR-38-2002, *Adequate Public Schools Facility Regulations for Schools*, impacts to school facilities will be further evaluated at the time of PPS.

Library

This area is served by the Accokeek Branch Library, 15773 Livingston Road, Accokeek, Maryland and the Surratts-Clinton Branch Library, 9400 Piscataway Road, Clinton, Maryland.

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

The proposed basic plan does meet the environmental criteria for approval. The basic plan does conform to the specific recommendations of Plan 2035, the Subregion 5 Master Plan and SMA, or the Green Infrastructure Plan. The principles and guidelines set forth in those plans seek to preserve, enhance, and restore the County's natural and built ecosystems; and with the rezoning to R-S, the application must follow the guidelines of the above approved plans.

Under the WCO, the forest conservation threshold would be slightly lower in the R-S Zone, requiring 20 percent for the entire application area, compared to that found for the two existing zones, which required 25 and 20 percent. The on-site wooded stream systems and riparian stream buffers, if preserved to the fullest extent practicable, could provide the minimum amount of woodland conservation required on-site.

(2) Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six

(6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.

The applicant has indicated in the SOJ that the development project will be completed within six years.

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

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

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

The subject site is not located in the Local Activity Center Zone.

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

The subject site is not located in the V-M or V-L Zones.

Section 27-511. – Purposes.

(a) The purposes of the R-S Zone are to:

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

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

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

(C) Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.

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

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

The specific zone in which a property is located designates the density ranges and other regulations. The criteria of the R-S Zone and the recommendations of Plan 2035 and the Subregion 5 Master Plan and SMA govern the subject site.

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

The area immediately surrounding the subject site is composed of undeveloped land and single-family detached residences. The application includes a conceptual layout for both single-family attached and detached dwellings. The townhouses in the conceptual layout are proposed near the periphery of the property where they are separated from adjoining uses by PEPCO transmission lines and/or natural features. Private recreational facilities are also proposed towards the interior of the development. The development is situated in the larger Brandywine community, where further residential development will help to stimulate the commercial businesses in the area. As stated above, public facilities are present and will be further tested at the time of PPS. While the townhouse use does not meet the text/intent of the Subregion 5 Master Plan and SMA, the conceptual layout exhibits compatibility with existing and proposed surrounding land uses and is found to promote the health, safety, and welfare of the present and future inhabitants of the regional district.

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

The proposed zone will allow for more density, which encourages the preservation of open space. The applicant has proposed on-site recreational facilities such as a swimming pool and club house, open space areas, and walking paths with sitting areas throughout the community.

(5) Encourage and stimulate balanced land development;

The development of the site is purely residential in nature, which will help to stimulate the economic activity of the Brandywine Community. Through the rezoning of the site, the proposed development will offer a set of housing types and lot sizes that are unique to the surrounding zones, thereby encouraging varied yet balanced land development.

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

The current zoning of the property is intended for larger lot sizes and less density. The rezoning and subsequent development of the property to the R-S Zone will improve the overall quality and variety of surrounding residential environments by allowing density and lot sizes that will help to preserve natural features on-site, such as the Burch Branch stream, and wooded and open space areas.

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

All proposed uses are permitted in the R-S Zone. The development proposal is not associated with uses pertinent to the Employment and Institutional Use Area Zone; therefore, this purpose does not apply.

8. Referral Comments: Referral memoranda comments directly related to the request to rezone the property were included in the body of this technical staff report. Referral memoranda were received from the following divisions, all are included as backup to this report and are incorporated herein by reference:

- a. Transportation Planning Section (Bicycle/Pedestrian Facilities), dated May 22, 2021 (Ryan to Sievers);
- b. Transportation Planning Section (Traffic), dated June 3, 2021 (Masog to Sievers);
- c. Prince George's County Department of Parks and Recreation, dated May 10, 2021 (Burke to Sievers);
- d. Community Planning Section, dated May 24, 2021 (Calomese to Sievers);
- e. Urban Design Section, dated May 18, 2021 (Zhang to Sievers);
- f. Environmental Planning Section, dated May 21, 2021 (Schneider to Sievers);
- g. Historic Planning Section, dated April 28, 2021 (Stabler to Sievers);

- h. Subdivision Section, dated May 14, 2021 (DiCristina to Sievers);
- i. Special Projects Section, dated May 14, 2021 (Perry to Sievers);
- j. Prince George's County Department of Permitting, Inspections and Enforcement (Water/Sewer), dated April 16, 2021 (Branch to Sievers); and
- k. Prince George's County Department of Permitting, Inspections and Enforcement (Site/Road), dated April 30, 2021 (Giles to Sievers).

CONCLUSION

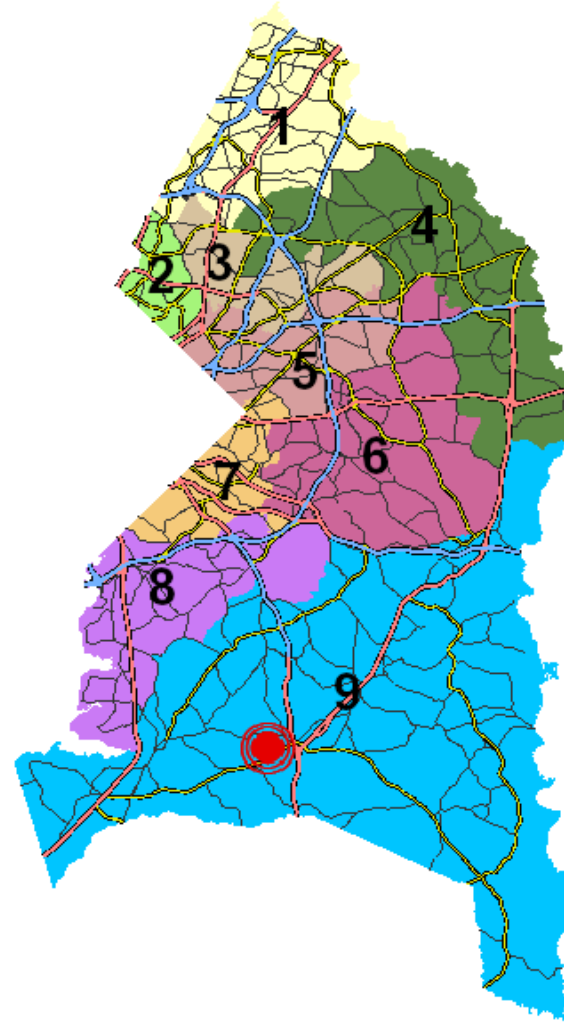
While this application meets all other requirements for approval, it does not meet the requirements of Section 27-195(b)(1)(A)(ii) of the Prince George's County Zoning Ordinance. The proposed townhouses of the associated development project are not supported in the text of the master plan, but the intent of the Residential Suburban Development Zone is to allow flexibility in development. The master plan text calls primarily for single-family detached residential but does not specifically limit attached. Furthermore, there are three portions of the subject site that are currently located outside of the Future Water and Sewer Service Area that will have to address the need for a water and sewer category change at the time of future development. Staff recommends APPROVAL of Zoning Map Amendment A-10060, Saddle Ridge, for rezoning from the Residential-Estate and Rural Residential Zones to the Residential Suburban Development Zone.

ITEM: 5
CASE: A-10060

SADDLE RIDGE

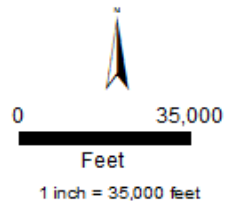
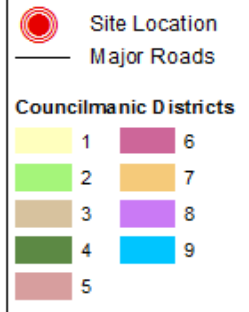
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT

GENERAL LOCATION MAP



GENERAL LOCATION MAP

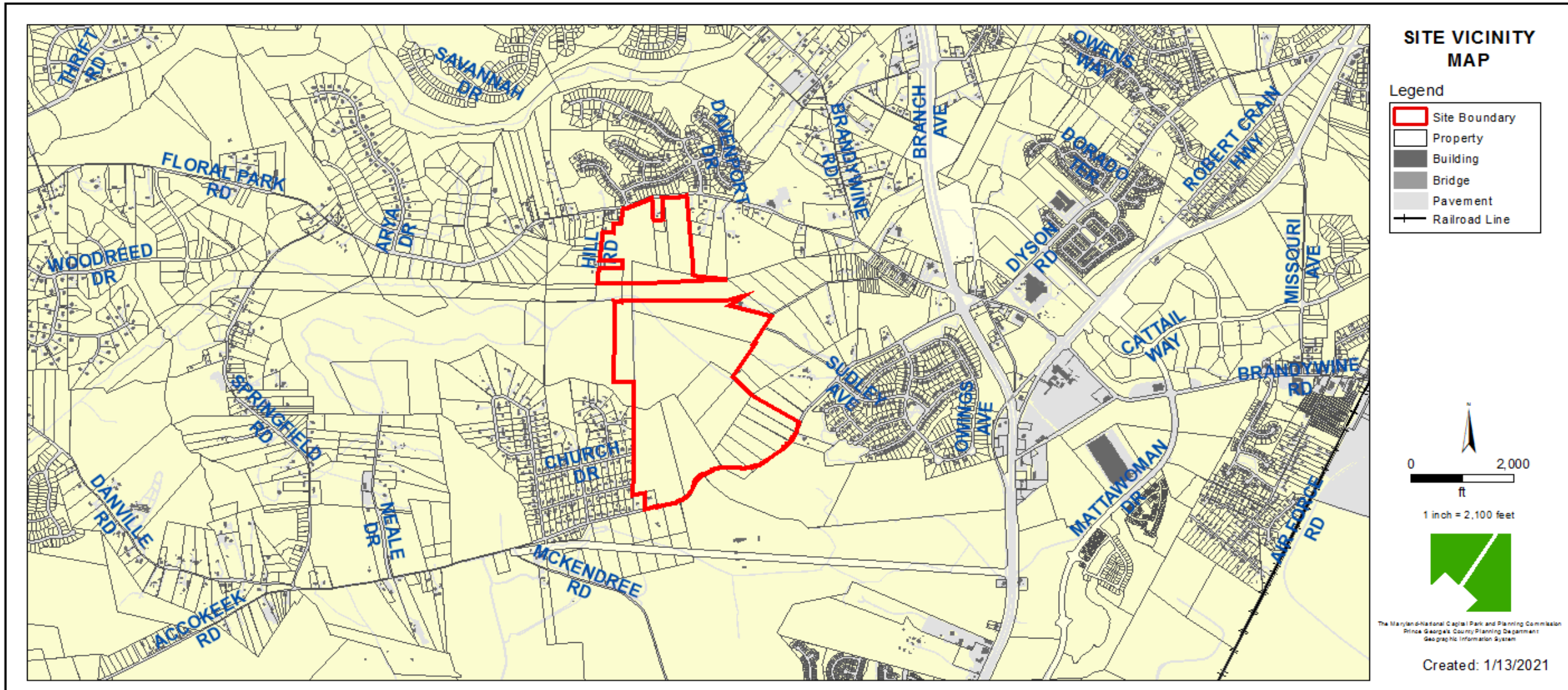
Legend



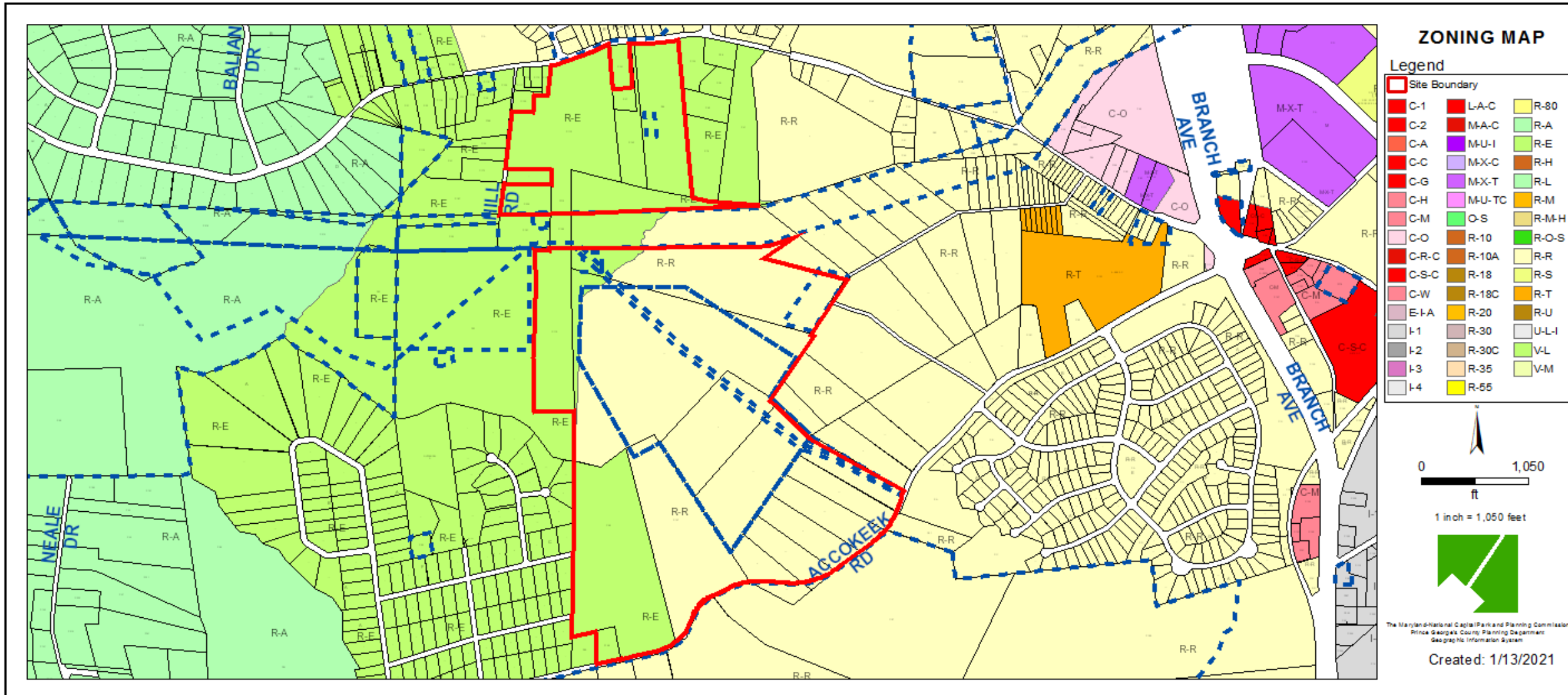
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: Date: 1/13/2021

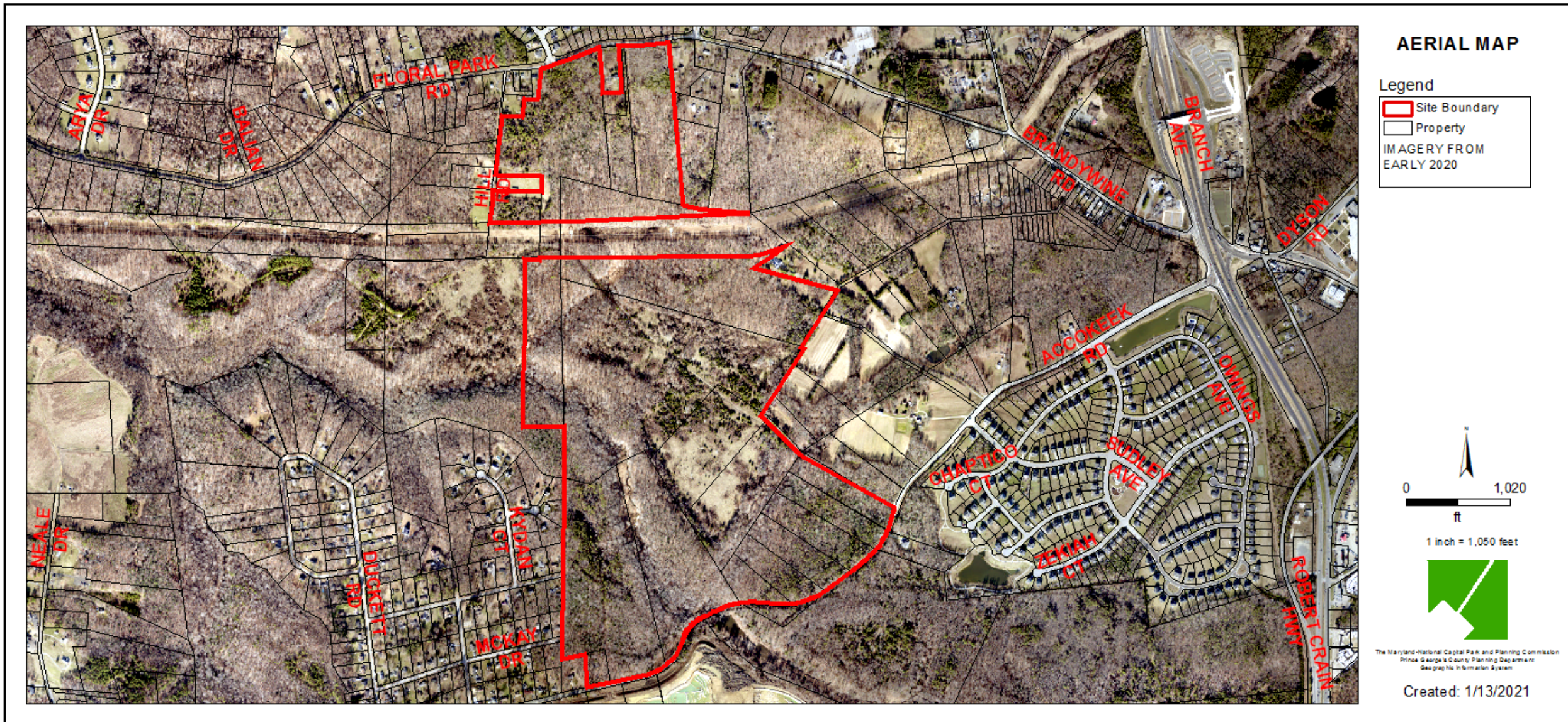
SITE VICINITY



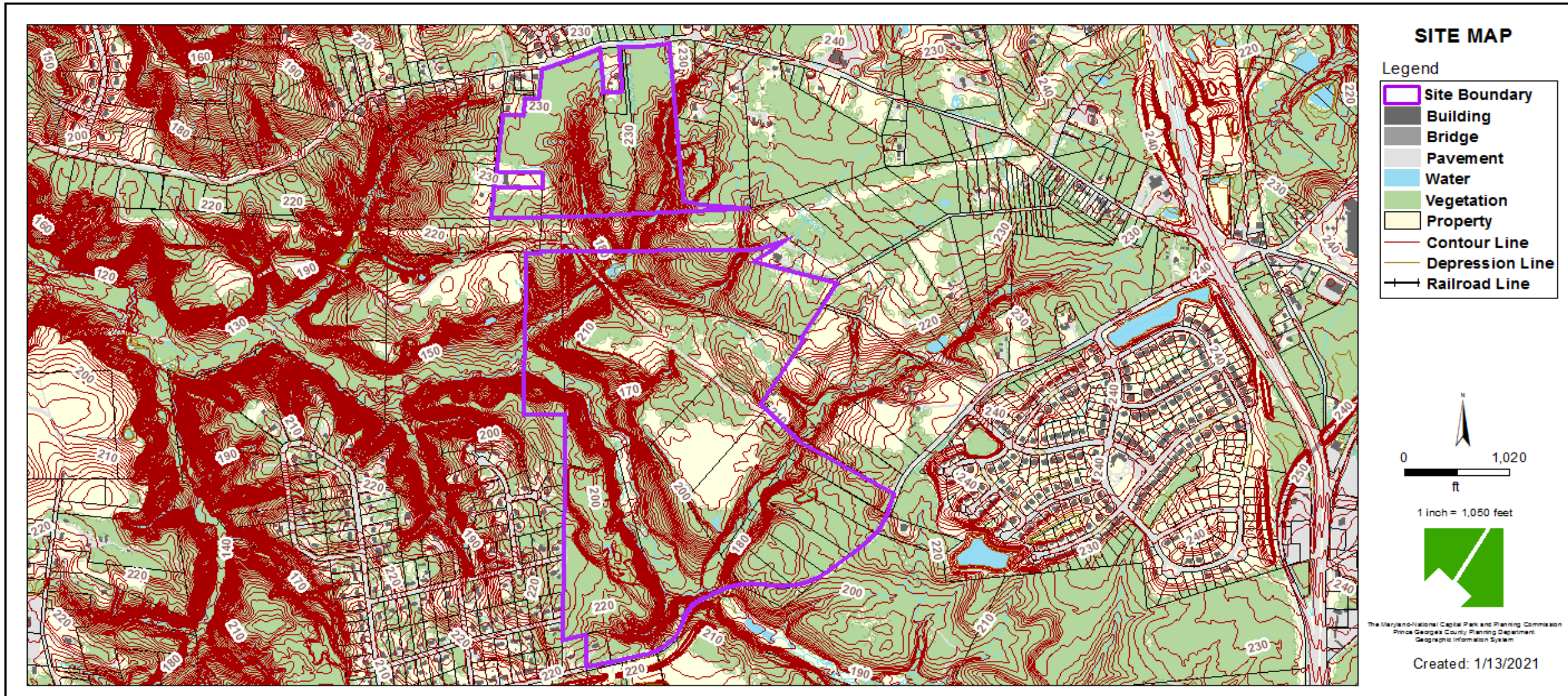
ZONING MAP



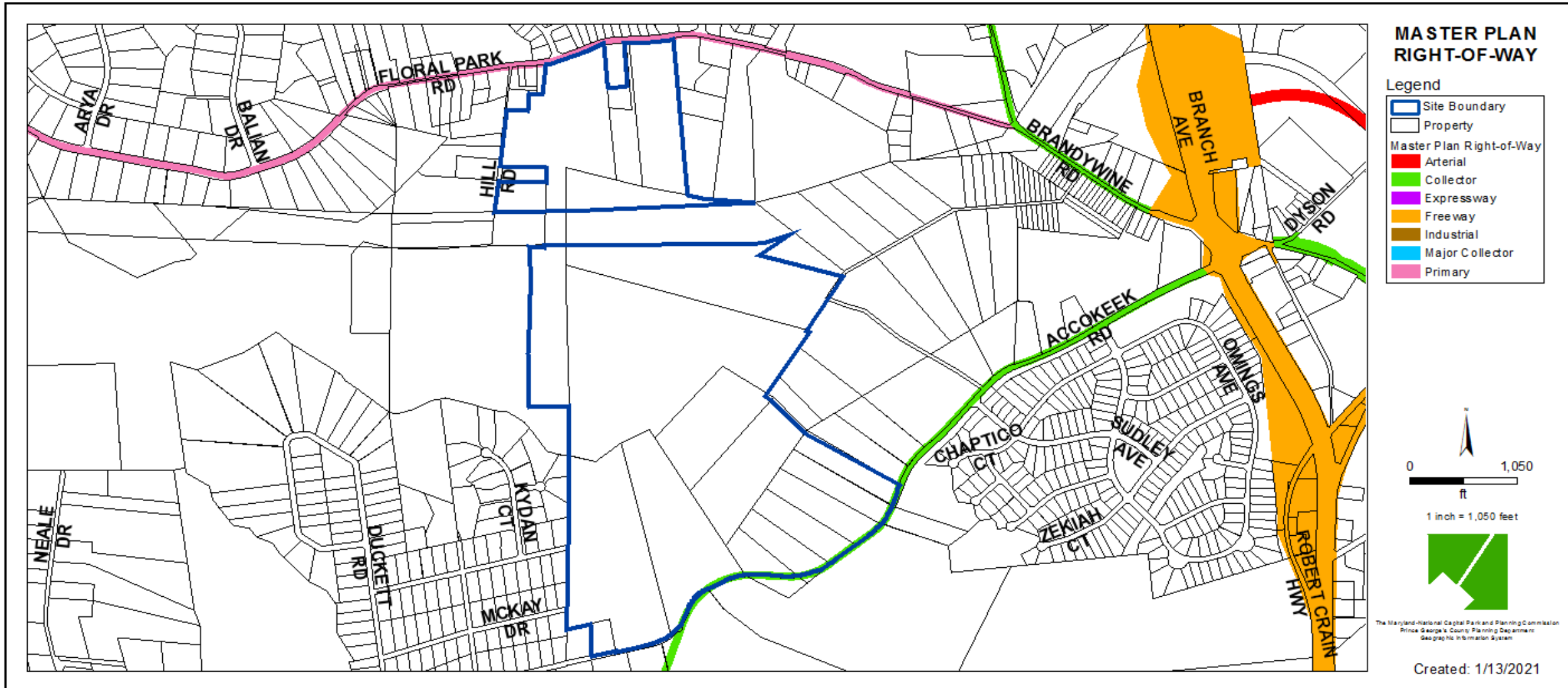
AERIAL MAP



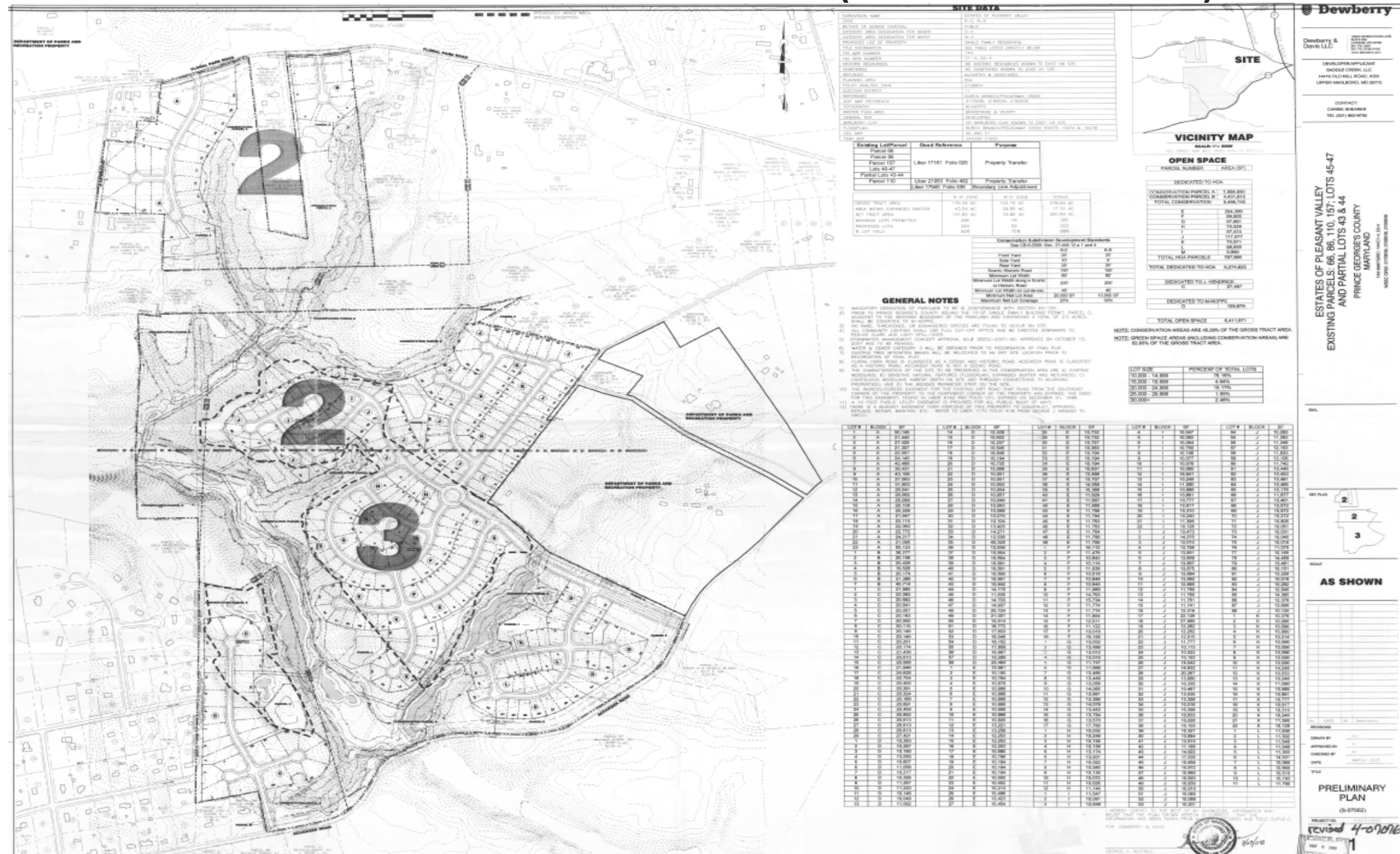
SITE MAP



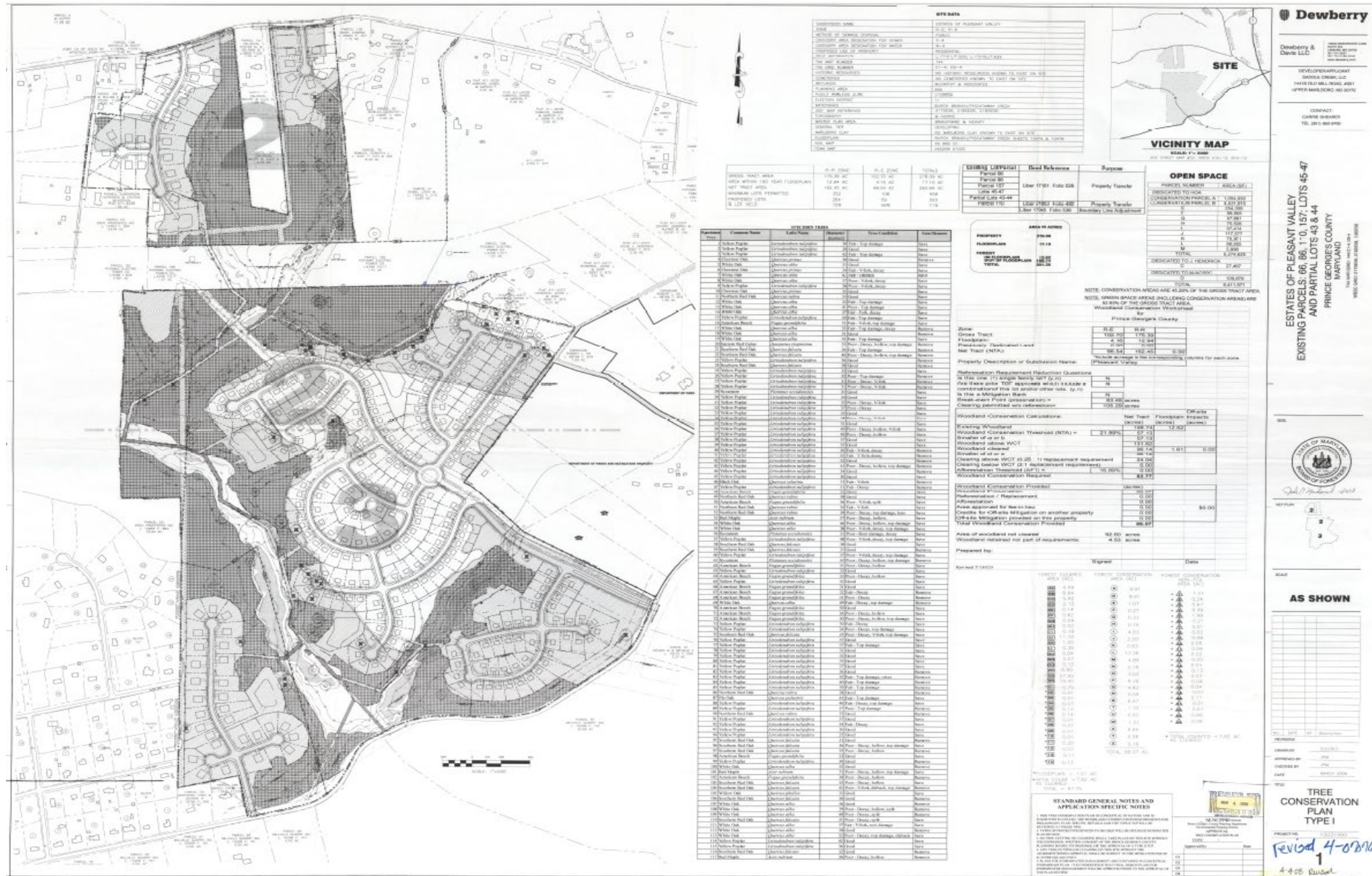
MASTER PLAN RIGHT-OF-WAY MAP



PRELIMINARY PLAN OF SUBDIVISION (UNCERTIFIED)



TYPE I TREE CONSERVATION PLAN (UNCERTIFIED)



BASIC PLAN LAYOUT



DENSITY EXHIBIT



APPLICANT / DEVELOPER:
D.R. HORTON
151 Harry S. Truman Parkway, Suite 250
Annapolis, MD 21401
Phone: 571-309-8470
Contact: Griffin Burns
Email: gburns@drhorton.com

OWNER:
c/o WALTON MARYLAND, LLC
14014 N. Kierland Ste 120
Scottsdale, AZ 85254
Phone: 571-297-9075

SADDLE RIDGE EXHIBIT 'B': DENSITY RANGE

11th ELECTION DISTRICT, PRINCE GEORGES COUNTY, MARYLAND

RODGERS
CONSULTING
1101 Pheasant Lane, Suite 300, Largo, Maryland 20774
Ph: 202-746-4700, Fax: 202-746-6226, mmm@rogersconsulting.com



SADDLE RIDGE

Zoning Map Amendment A-10060

Basic Plan Text

and

Statement of Justification

March 31, 2021

I. INTRODUCTION

A. PROPERTY LOCATION AND DESCRIPTION

Saddle Ridge, (the “Property”) is located on the north side of Accokeek Road and the south side of Floral Park Road, approximately a mile west of the Branch Avenue (MD 5) / Brandywine Road / Accokeek Road intersection. The irregularly-shaped 289.01± Property is characterized by rolling terrain, with steeper slopes associated with the Burch Branch, which runs north-south through the Property. A Pepco transmission line bisects the northern section of the Property. Detailed parcel information can be found in Appendix “A.”

B. PURPOSE OF THE APPLICATION

D.R. Horton, the “Applicant,” seeks a rezoning on the subject Property from the R-R (Rural Residential) and R-E (Residential Estate) Zones to the R-S (Residential-Suburban 2.7 to 3.5 dwellings/acre) Zone. In consideration of this request, the Applicant seeks approval of a Basic Plan (Exhibit A) in accordance with Part 3, Division 2, Subdivision 3 of the Zoning Ordinance.

C. NEIGHBORHOOD LAND USE AND ZONING

The Applicant proposes the following triangular neighborhood for zoning purposes:

NORTH:	Floral Park and Brandywine Roads
SOUTH:	Accokeek Road
WEST:	South Springfield Road

The neighborhood is an olio (Exhibit B). It is mostly farm and woodland. A few single-family detached homes can be found on the perimeter, including large parcels along Brandywine and Floral Park Roads, and the Arthur Lusby Estates linear subdivision along South Springfield Road. Pleasant Springs subdivision of three-quarter acre lots (with some larger lots) is on the north side of Accokeek just west of subject Property. Burch Branch runs generally from west to east through the neighborhood; with its associated tributaries, this system is a major feature of the area.

Just south of the neighborhood, across Accokeek Road, is Lakeview at Brandywine, a community of single-family detached homes on half acre lots. Just north, across Floral Park Road, is the Village of Savannah-Chatham Village, another community of single-family detached home on half acre lots.

II. MASTER PLAN AND GENERAL PLAN

The Property is found in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (“Master Plan” and “SMA”). The overall vision for Subregion 5 is:

Communities will have a system of sidewalks and multiuse trails connecting to parks, open space, recreation centers, and other destinations.

In the Piscataway, Mattawoman, and Potomac watersheds, land along the periphery of the County, is preserved to protect the landscape, rivers, creeks, forests, farms, and rich history that defines and unites the subregion. Historic sites and new businesses complement each other to promote tourism, which will encourage visitors to experience agricultural and rural lifestyles first hand. The rural character of the region is preserved through measures that minimize sprawl and protect cultural, natural, and agricultural resources. Existing agricultural and mineral resources serve as catalysts for economic activities conducted in an environmentally sensitive manner. (p. 27)

The Master Plan also includes specific visions for the three subareas, Accokeek, Brandywine, and Clinton/Tippett. Brandywine is in the southeast section of the Subregion and includes the entire Property. The Vision for the Brandywine area is:

Brandywine develops into the center envisioned in the 2002 Prince George’s County Approved General Plan. It is a large, mixed-use community within the MD 5/US 301 corridor with transit-oriented neighborhoods designed so residents and employees can walk to nearby bus or light rail commuter stations. A variety of housing choices are available to residents, from apartments to single-family dwellings, and there are many opportunities to shop, dine, and be entertained. A well-planned road network allows local traffic to circulate throughout the community without relying, on the regional highway network. A key feature in Brandywine is the network of pedestrian trails and bike paths that connect living areas to schools, shops, and parks. East of Brandywine is the

original village of Brandywine, is a vital part of the larger community and includes one-of-a-kind restaurants and small shops along a traditional main street, MD 381. West of Brandywine, the land uses transition to rural, low density residential development. (p. 28)

A low- to medium-density development of townhouses and single-family homes perfectly fits the Brandywine Vision. Key ingredients of the proposed Basic Plan include a variety of housing types, open spaces with pedestrian paths and sidewalks, bike paths and lanes connecting residents with a series of private recreational facilities throughout the community. It also provides easy access to the emerging Brandywine Center, an auto-reliant Local Town Center along Crain Highway just to the north.

The Future Land Use Map (Map VI-1; p. 32), recommends the Property for Residential Low land use. The Master Plan, on Page 33, discusses these areas.

Residential Low areas are “...designated for single-family detached suburban development. Most of the land in Subregion 5 is in this category, which is intended for single-family detached residential development that may have up to 3.5 dwelling units per acre.” (p. 31)

The focus of the Master Plan recommendation for the Residential Low land use area is to limit density and preserve large areas of woodland and environmentally sensitive areas. The Basic Plan map includes a density below the recommended maximum in the Residential Low area and a Concept Plan (Exhibit C) that clusters development away from the environmentally sensitive areas associated with Burch Branch and its tributaries.

Proposed is a high-quality suburban development, below the maximum density envisioned for Residential Low areas, with a network of open space, private recreational facilities and trails, in line with the overall goals of the Master Plan. The conceptual design indicates demonstrates the attention to detail in advancing these goals (p. 35).

The portions of Brandywine not in the Village of Brandywine, are envisioned “as being primarily low density residential. Much of the future residential development would be in large master-planned subdivisions, particularly in the northern and western portions of the community, such as Saddle Ridge and the Estates at Pleasant Valley.” (p. 42)

This Property, identified in the Brandywine Area. is prime for such large master-planned subdivisions as it is very close to Brandywine Local Town Center just north of the

Property on Crain Highway. The Brandywine Local Town Center was later identified in *Plan Prince George's 2035* ("Plan 2035") as an automobile dependent center. New homes in the area can catalyze the further development in the center.

The Master Plan also identifies several historic sites and resources near the Property. The closest historic site is the Hawkins Tobacco Barn (85A-086) approximately 1,500 feet east on Floral Park Road. Union Bethel AME Church, a historic resource (85A-018), is approximately 1,700 feet east, across Floral Park Road from the Hawkins Tobacco Barn. Farther away are the Marlow Huntt Store (Historic Site 85A-033-14) is 3,000± east on Brandywine Road, and the McKendree Church Cemetery (historic resource 85A-20) approximately 4,300 feet west on Accokeek Road. Given their distance from the Property, no impact to these sites or their environmental settings are anticipated.

Finally, the Master Plan shows a shared road trail along Accokeek Road. This trail will provide quick bike access to the Brandywine Center, a little over a mile to the east.

Plan 3035

Plan 2035, approved in 2014, placed the Property in the Established Communities Growth Policy Area. Plan 2035:

"classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established Communities are most appropriate for context-sensitive infill and low-to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met." (p. 20)

Plan 2035 describes Low residential density as up to 3.5 dwellings per acre and medium density as up to 8.0 dwellings per acre. The proposal fits the Residential Low recommendation of both the Master Plan and Plan 2035.

Plan 2035 sets forth the following 12 *Land Use* and 8 *Housing and Neighborhood Policies* (starting p. 100). These policies include goals and strategies aimed at promoting the health, safety and welfare of current and future residents and workers by ensuring that a mix of housing types and quantities are provided throughout the County, with a range of

accessibility and affordability options. Not all of the policies are within an Applicant's control, but Saddle Ridge helps advance those that are.

LAND USE POLICIES

POLICY 1: Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

Goals

LU1.1 To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).

LU1.2 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.

LU1.3 Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired population and employment targets set forth by the Center Classification System (see Table 16).

LU1.4 Annually review and report on county growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.

LU1.5 Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).

LU1.6 Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential

development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.

RESPONSE: This Plan 2035 policy and its goals encourage projected new residential and employment growth to concentrate in the Downtowns, but recognizes that residential development will occur in the Established Communities (p. 110). The County is currently in a Countywide Map Amendment (CMA) process. The Zoning Ordinance and Subdivision Regulations have been revamped and the revisions approved, but they will not take effect until the CMA is adopted. While many of the zones have been replaced with new districts, the new Zoning Ordinance continues to include the R-S Zone. With the Master Plan, Plan 2035, and the proposed future land use associated with the coming CMA, all recommending residential low development at a density of up to 3.5 dwellings per acre, Saddle Ridge presents a development that fit easily into the residential priorities set by these plans. It is poised to become a premier development in southern Prince George's County.

POLICY 2: Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

Goals

LU2.1 Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of Environmental Resources (DER) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.

LU2.2 Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the county's Water and Sewer Plan.

RESPONSE: The Property is within the Growth Boundary. The Public Facilities Element sets a Policy Goal to "Ensure public facilities provide efficient and equitable service to existing and future County residents and businesses." (p. 238) With the exception of a small parcel in the northern section, the Property is in Water and Sewer Category 4, meaning water and sewer are available to the Property.

Water and sewer area available to the Property and will not be extended beyond the Growth Boundary.

POLICY 3: Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

Goals

LU3.1 Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.

LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (see also Section V: under Plan Administration for Amendments and Updates).

LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.

RESPONSE: All of the Property is in the Established Communities Growth Policy Area. As noted, this Policy Area is defined as being appropriate for context-sensitive in-fill development. The Saddle Ridge Basic Plan and its illustrative conceptual plan show a development that falls under the density cap (3.5 dwellings per acre) described in the Master Plan and is contextually similar to other developments west of US 301 / MD 5, approved and/or constructed (McKendree Village, Chaddsford, Calm Retreat M-X-T, and Branch Avenue M-X-T). Upon approval, the Applicant will take this proposal through the Comprehensive Design Plan and Preliminary Plan of Subdivision processes, allowing the Applicant to pursue a development in conformance with the Master Plan.

POLICY 4: Phase new residential development to coincide with the provision of public facilities and services.

Goals

LU4.1 Annually evaluate the county's residential and employment forecast projections to identify the amount of new land area required to meet demand.

LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the county code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.

LU4.3 Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.

RESPONSE: The Property is mostly in Water and Sewer Category 4. A small portion is in Category 5. Water and Sewer are available to the Property. Private recreational facilities are proposed—a swimming pool, clubhouse, paths and open areas—to reduce the impacts on the public park system. Adequacy of other public facilities will be established here and will be re-evaluated at the time of Preliminary Plan of Subdivision. County policies and regulations regarding adequacy of all public facilities will be examined per the requirements in effect at each stage.

POLICY 5: Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

RESPONSE: The Transportation Policies found beginning on Page 152 aim to improve transportation standards and options, including more transportation options, the implementation of complete streets, and other ways of accommodating pedestrians and bike traffic. While the particulars of the streets within Saddle Ridge will be examined at three later stages of the approval process (Comprehensive Design Plan, Preliminary Plan of Subdivision, and Specific Design Plan), the Applicant fully intends to accommodate pedestrians and bicyclists within the development. Accokeek Road is a shared bike road and Floral Park is a side path roadway. Not only will cyclists and pedestrians move through the neighborhood harmoniously with automobiles, cyclists will be able to access local businesses through the countywide bike path system.

POLICY 6: Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

Goals

LU6.1 Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).

RESPONSE: The Property is not in an Employment Area and the proposal does not include employment uses which are generally more appropriate in those locations.

POLICY 7: Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

Goals

LU7.1 Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.

LU7.2 Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.

RESPONSE: Saddle Ridge is not in a Regional Transit District or Local Center, although it is fairly close to the Brandywine Local Town Center described in Plan 2035. As such, mixed uses are neither recommended nor proposed.

POLICY 8: Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Goals

LU8.1 Coordinate land use planning with county municipalities.

LU8.2 Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.

LU8.3 Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.

LU8.4 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they help protect, strengthen, and revitalize the Established Communities.

LU8.5 Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.

RESPONSE: Saddle Ridge is not within or near a municipality. A conservation subdivision is not proposed here as the R-S Zone enables superior opportunities to “transition density and to encourage preservation of green infrastructure corridors as defined by the county’s Green Infrastructure Plan.” Green Infrastructure Plan Regulated and Evaluation areas are present on the Property, mostly associated with the Burch Branch and its tributaries, and the Basic Plan and conceptual design show a development that respects the Burch Branch system and preserves it to the fullest extent possible. Only necessary intrusions into the environmental system will occur and will be more fully examined in the next phases of the review process.

POLICY 9: Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

Goals

LU9.1 Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.

LU9.2 Develop a countywide strategic plan for future retail development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.

RESPONSE: Commercial zoning or uses are not proposed.

POLICY 10: Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Goals

LU10.1 Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.

LU10.2 Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.

LU10.3 Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).

RESPONSE: Saddle Ridge is prime for residential development. It is not within the Future Water and Sewer Growth Policy Area; it is in the Established Communities and public water and sewer are available to the Property.

POLICY 11: Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Goals

LU11.1 Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.

LU11.2 Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.

LU11.3 Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations,

update and revise development standards, and identify post-reclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.

LU11.4 To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.

RESPONSE: Saddle Ridge does not impact the Rural and Agricultural Growth Policy Area.

POLICY 12: Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Goals

LU12.1 Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.

LU12.2 Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).

LU12.3 Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.

RESPONSE: Policy 12 applies to the County; it does not apply to the subject request.

HOUSING AND NEIGHBORHOOD POLICIES

Policy 1: Concentrate medium- to high-density housing development in Regional Transit Districts and Local Centers with convenient access to jobs, schools, child care, shopping, recreation, and other services to meet projected demand and changing consumer preferences.

Goals

HN1.1 - Provide tax credits, financial assistance, zoning, and other tools to promote the development of higher-density housing in transit-oriented, mixed-use communities. A variety of tools and financing options are identified in the 2011 Economic Development Toolbox and the Transit-Oriented Development (TOD) Toolbox.

HN1.2 - Prioritize public investment in critical infrastructure, streetscape improvements that include landscaping and lighting, public facilities, parks, public art, and other amenities in the Regional Transit Districts and the Innovation Corridor.

RESPONSE: Both the Master Plan and Plan 2035 recommend densities up to 3.5 dwellings per acre for the Saddle Ridge Property. Current County policies reserve Regional Transit Districts and Local Centers for residential densities above 3.5 units per acre. Low- to medium-density development is appropriate in the Established Communities Growth Policy Area. Saddle Ridge's proposed low- to medium-density (up to 3.5 dwellings per acre) is within the limits established by these plans, leaving higher densities to the regional Transit Districts and Local Centers.

Policy 2: Preserve and expand the range of housing types and ownership opportunities, such as owner/resident of multifamily building and housing cooperatives, at different price points ranging from workforce and affordable units to upper-income housing to reduce housing and transportation cost burdens.

Goals

HN2.1 - Adopt an inclusionary zoning ordinance to require market-rate housing projects set aside a percentage of units for low and moderate income household to create mixed-income communities. Units should be distributed within individual projects and the larger community to maximize their contributions to diversity and quality of life.

HN2.2 - Promote and support public-private partnerships, nonprofit housing providers, expand existing housing programs, and pursue state and federal funding to rehabilitate and maintain the County's existing affordable housing stock.

HN2.3 - Support tools, such as residents' right-of-first offer, that enable renters to individually purchase their units or collectively purchase their apartment buildings when faced with a condominium conversion.

HN2.4 - Target student housing at locations identified by the University of Maryland, Bowie State University, the City of College Park, and the State of Maryland in order to accommodate future demand and preserve existing neighborhoods.

HN2.5 - Revise and update the Zoning Ordinance to encourage a range of housing types and ownership opportunities.

RESPONSE: Recognizing that the current housing stock does not offer a wide enough range of options to regional housing consumers and that regional affordability is an asset to the county, the County in 2019 published its Comprehensive Housing Strategy. This study recommends that a mix of affordability be provided both across the County and within new developments. Targeted Strategy 1 calls for the development of more mixed-use and mixed-income developments. Saddle Ridge offers a broad mix of housing opportunities are provided including a range of price points to accommodate a range of housing options.

Policy 3: Stabilize existing communities and encourage revitalization and rehabilitation.

Goals

HN3.1 - Prepare revitalization plans for individual neighborhoods under the Transforming Neighborhoods Initiative using the Prince George's County Residential Market Value Analysis that is currently being prepared by the County.

HN3.2 - Biannually inventory foreclosed and neglected properties to ensure effective monitoring and mitigation of housing blight. Continue to work with state and County agencies to provide assistance to areas with high concentrations of foreclosures. The Prince George's County Residential Market Value Analysis will provide additional data on neighborhood stabilization strategies.

HN3.3 - Partner with nonprofits and Department of Housing and Community Development (DHCD) to expand access to foreclosure prevention counseling services and financial literacy.

HN3.4 - Enforce housing maintenance standards and building codes. Particular attention should be directed towards Neighborhood Reinvestment areas and established communities.

HN3.5 - Provide additional funding to purchase and rehabilitate deteriorated rental and single-family properties in Neighborhood Reinvestment Areas. Allocate initial operating and capital funding to a rehabilitation program with the intent of moving to a self-sustaining program by using the proceeds from sold rehabilitated properties to fund further acquisitions. This effort should be coordinated by DHCD and the Redevelopment Authority.

HN3.6 - Partner with private developers, community organizations, and County agencies to construct and repair public facilities, amenities, and services in established communities. Establish an inventory of critical service infrastructure repairs and maintenance.

RESPONSE: The approval of Saddle Ridge does not impact the County's ability to focus on revitalization and rehabilitation efforts elsewhere in the County. The Property is not in need of such efforts.

Policy 4: Expand housing options to meet the needs of the County's seniors who wish to age in place.

Goals

HN4.1 - Encourage new housing development to incorporate universal design features by providing incentives through the zoning ordinance, reduction in permit fees, tax credits, streamlined permit review, and other tools.

HN4.2 - Encourage universal design renovations by providing grants and loans to enable residents to modify existing dwelling units by removing architectural barriers, adapting units, installing handicap accessories, and adding accessory apartments. Potential grant funding could be established through nonprofits or through DHCD with assistance from social service agencies.

HN4.3 - Educate nonprofit organizations and the senior community on the programs and services available to assist those who choose to age in place.

RESPONSE: Saddle Ridge provides an array of housing types and sizes. The Applicant supports the County's efforts to provide grants and loads to residents for any necessary interior renovations, as well as a streamlined review proves to enable quick renovations.

Policy 5: Increase the supply of housing types that are suitable for, and attractive to, the County's growing vulnerable populations. These include the elderly, the homeless, and residents with special needs.

Goals

HN5.1 - Expand housing options by eliminating regulatory barriers to the construction of elderly accessible housing, accessory apartments, and assisted living facilities. Revise the Zoning Ordinance to encourage a variety of housing types.

HN5.2 - Provide financial incentives, such as low-interest revolving loan funds, to landlords of multifamily housing to retrofit existing dwelling units. This can be used to remove architectural barriers, adapt units, and improve handicap accessibility for the elderly and residents with special needs.

HN5.3 - Pursue state, federal, and private-sector funds to expand programs that deliver down payment and closing cost assistance and loans for rehabilitation and accessibility modifications for low-income, vulnerable populations.

HN5.4 - Build partnerships with, and provide technical support and incentives to, faith-based institutions and nonprofits to undertake housing projects and programs for vulnerable populations, in particular the homeless, the mentally ill, at-risk veterans, residents with special needs, and those living with HIV/AIDS. Projects and

programs could include transitional housing, group homes, and shelters with services to help residents transition to stability.

RESPONSE: As with Policy 5 above, approval of this proposal does not preclude the County providing funds to vulnerable communities to acquire or renovate the proposed housing.

Policy 6: Increase funding for county housing projects and programs and leverage state, federal, and nonprofit funding and resources.

Goals

HN6.1 - Establish and capitalize a County Housing Trust Fund with a dedicated source of revenue. This will help construct and rehabilitate low- and moderate-income housing.

HN6.2 - Pursue state, federal, private sector, and foundation support to complement Community Development Block Grants, the HOME Investment Partnership, and other sources of funding.

HN6.3 - DHCD will partner with County agencies, municipalities, neighborhood organizations, private nonprofit organizations, foundations, religious institutions, and for-profit housing developers to leverage County investments in housing projects to create new housing through sharing of resources.

RESPONSE: Saddle Ridge does not include low- and moderate-income housing, specifically, but it does include a range of price points ensuring affordability within the community. It does not preclude the County from pursuing these goals.

Policy 7: Integrate green building practices and achieve LEED® or equivalent certification in housing construction and rehabilitation to enhance indoor air quality, health, energy efficiency, and water quality, among other factors.

RESPONSE: The Applicant will investigate energy efficiency in construction. Specific details will be provided during subsequent review stages.

Policy 8: Strengthen the County's institutional capacity to streamline, administer, and implement the housing programs.

Goals

HN8.1 Increase staffing and funding for DHCD and supporting agencies to effectively manage housing production and rehabilitation and to streamline and administer housing programs and services.

HN8.2 Recruit established national and regional nonprofit housing organizations and foundations to develop new affordable housing, rehabilitate existing housing, and provide homeowner education, nonprofit mentoring, and job training in the County.

HN8.3 Recruit experienced housing developers to serve as mentors to nonprofit organizations in order to strengthen their financial, project, and construction management, and other skills critical to cost-effective and sustainable housing production.

RESPONSE: This applies specifically to the County and the approval of this application does not hamper the County's pursuit of these goals.

III. ZONING

The Property has been in the R-R and R-A Zones since at least as far back as 1993. The proposed Zoning Map (Countywide Zoning Amendment) retains the property in the R-E and R-R Zones.

IV. THE PROPOSED BASIC PLAN

A. BASIC PLAN FRAMEWORK

Brandywine was at one time rural in nature. As far back as 1965, aerial photos confirm what is well-known: with the exception of Pleasant Springs, this was a farming community with little other residential or commercial activity. Pleasant Springs was approved in 1950s and began developing almost immediately. Over the past couple of decades, the rest of Brandywine has been developing in a suburban pattern, with the developments of McKendree Village, Chaddsford, Calm Retreat M-X-T, and the Branch Avenue M-X-T, all west of Crain Highway in the proximity of the Property. (See Exhibit D.) Brandywine Center has been developing with local and regional commercial uses near the US 301 / MD 5 intersection to the east.

Like much of the Brandywine Planning Area, at one time the flatter portions of the subject Property's interior were farmed, but it is mostly wooded now. Gently rolling terrain on the Property gives way to more significant sloping near Burch Branch and its tributaries.

Into this setting, the Basic Plan proposes a development of single-family attached and detached houses in five development pods surrounding a central pool and clubhouse. The Basic Plan presents an opportunity to bring a high quality, diverse, walkable community to the area, complementing the development patterns established in the Brandywine area and supporting the nearby Brandywine Center.

The conceptual construct of the Basic Plan is to provide an array of housing types and architecture, with active and passive recreation (including the pool and clubhouse); many of the lots have premium views into Burch Branch. All of this is accomplished with minimal impacts the environmental system. Slopes within the PMA will be preserved to the greatest extent possible. Access to the Property is provided from two points on Floral Park Road and two points on Accokeek Road. The conceptual plan shows a neighborhood and road system that bends with the environmental features, rather than intrude upon them unnecessarily.

B. DEVELOPMENT DATA

Land Use Types and Quantities

736 - 954 single-family attached and detached dwellings.

Open Space

Homeowner Recreation Facilities

Trails

Single-family attached and detached dwellings are based on the following density breakdown:

GROSS TRACT AREA: 289.01 acres

FLOODPLAIN: 32.75 acres

½ FLOODPLAIN: 16.38 acres

NET TRACT AREA: 272.62 acres

R-S Base Density 272.62 acres at 2.7 du/acre: 736 units

R-S Maximum Density 272.62 acres at 3.5 du/acre: 954 units

V. NATURAL RESOURCES

The Saddle Ridge Property is comprised of varying environments that include the perennial channel ravines, upland and lowland woodland and both isolated and connected Palustrine Forested (PFO) wetlands. The topography is of rolling terrain, with steeper slopes associated with the Burch Branch, which runs north-south through the Property.

The woodlands observed on site account for over 250 acres of the site's 289+/- acres. The successive stages of the forest vary with exposure to moisture and sunlight. Over 100 (118) specimen trees were observed on site ranging in species from tulip poplars to black oaks and American beech. Seven stands were observed during the development of the Natural Resource Inventory. These stands ranged from Immature Upland Hardwood, Mixed Immature Hardwood to Immature Bottomland Hardwood. Dominant species found with the upland stands ranged from chestnut oak (*Quercus montana*), hickory (*Carya sp.*), and red maple (*Acer rubrum*) to sweet gum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), and blackgum (*Nyssa sylvatica*) in the immature bottomland. Loblolly pine (*Pinus taeda*) and sycamore (*Platanus occidentalis*) were observed in the mixed hardwood stand. Stand characteristics and retention potential ranged from 'low' to 'high to excellent', with excellent being the woodland surrounding the Burch Branch. The highest priority stand equated to nearly 70 acres of the woodland.

The forested floodplain found within the site consists of nearly 33 acres primarily straddling the Burch Branch and contains the most mature of the forest stands on site. The perennial channel tributaries are relegated to the adjacencies of Bruch Branch its floodplain. This stream is flanked by dense forest and steep slopes leading to potential erosive conditions.

No historic resources or cemeteries are known to exist on site.

Multiple wetlands were observed through desktop analysis: primarily PFO (*palustrine forested*) wetlands within the Burch Branch floodplain with the potential of emergent isolated wetland toward the eastern side of the property. These identified woodlands and water resources are typical of the natural resources found within the Piscataway Creek watershed.

VI. COMPLIANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE

A. SECTION 27-195: REQUIRED FINDINGS

Sec. 27-195. - Map Amendment approval.

(a) In general.

(1) The District Council may approve or deny the application (including the Basic Plan). Approval shall be an approval of the general land use types; range of dwelling unit densities, including the base, minimum, and maximum densities; and commercial/industrial intensities, general circulation pattern, general location of major access points and land use relationships shown on the Basic Plan. Whenever an applicant designates a limitation of uses within an application, the District Council may approve specific land use types and their general locations within the development, in accordance with the applicant's designation, as part of its approval of the Basic Plan, in order to ensure overall compatibility of land use types within the proposed development and with surrounding land uses. Such an approval by the District Council shall become a part of the approved Basic Plan. The District Council may also specify certain planning and development matters (known as "considerations") for the Planning Board and Technical Staff to consider in later Comprehensive Design Plan, Specific Design Plan, or subdivision plat review. The specifics of the considerations shall be followed, unless there is a clear showing that the requirement is unreasonable under the circumstances.

COMMENT: The Applicant seeks approval of this Basic Plan with the land use types (single-family attached, single-family detached, open space, trails, recreational facilities), with density ranging from 726 to 942 dwellings, or 2.7 to 3.5 dwellings per acre, in accordance with the provisions of the R-S Zone. Density above 2.7 units per acre will require the provision of Public Benefit Features; some of the proposed features include paths and active and passive recreational facilities—open areas and a pool with clubhouse. Details of these will be examined at the time of Comprehensive Design Plan and any density increment above 2.7 units per acre will be accompanied by an appropriate Public Benefit Feature.

Ingress and egress is proposed at two points along Floral Park Road, Primary Road with a proposed right-of-way of 70 feet; and two points along Accokeek Road, a Collector with a proposed right-of-way of 80 feet. Floral Park Road includes a planned side path and Accokeek Road is a shared road bike lane.

(2) The finding by the Council of adequate public facilities shall not prevent the Planning Board from changing or modifying this finding during its review of Comprehensive Design Plans, Specific Design Plans, or subdivision plats. The Planning Board shall, at each phase of plan or subdivision review, find that the staging of development will not be an unreasonable burden on available public facilities or violate the planning and development considerations set forth by the District Council in the approval of the Basic Plan.

COMMENT: The Applicant understands this provision.

(3) Where the property proposed for the Zoning Map Amendment is located within the Resource Conservation Overlay Zone, no Comprehensive Design Zone shall be granted for the subject property.

COMMENT: The Property is not located in the Resource Conservation Overlay Zone.

(4) In the approval of a Basic Plan in the V-M and V-L Zones, the District Council shall find that a variety of types of dwelling units shall be constructed at each stage of development, and that the storefront, civic, and recreational uses are staged to coincide with the initial stages of development.

COMMENT: The Property is not in the V-M or V-L Zones.

(b) Criteria for approval.

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

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

(i) The specific recommendation of a General Map plan, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public

facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties;

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

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

COMMENT: As noted in Section II of this text, the Master Plan recommends Residential Low land use for the Property. There are no design considerations in the Master Plan specific to this Property, except to say that “Much of the future residential development would be in large master-planned subdivisions, particularly in the northern and western portions of the community, such as Saddle Ridge and the Estates at Pleasant Valley.” (p. 42) The Master Plan recognized the existing approved Preliminary Plan on for the Estates of Pleasant Valley on the Property and directs much of the future residential development to occur here. The Master Plan further indicates that Residential Low refers to development of up to 3.5 dwellings per acre. The overall proposed density of 2.7-3.5 dwellings per acre is in keeping with Residential Low designation. The conceptual layout respects the environmental features on the Property. The Basic Plan conforms to the principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, and the location of land uses.

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

COMMENT: No commercial uses are proposed.

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

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

COMMENT: A Traffic Study has been prepared and submitted to Transportation Planning Staff for the purposes of providing traffic data for MNCPPC's use in analyzing the master plan roads utilizing MNCPPC's TransForm modelling software. It should also be noted that the subject property is located within Planning area 85A and is affected by the Brandywine Road Club. Future entitlement applications will require more detailed Traffic Impact Analyses and the participation in the Brandywine Road Club is an allowable means of addressing 24-124 of the County Zoning Code. Prince George's County Council Resolution CR-9-2017 indicates the following:

- (1) Establishes the use of the Brandywine Road Club for properties within Planning Areas 85A and 85B as a means of addressing significant and persistent transportation deficiencies within these planning areas.
- (2) Establishes a list of projects for which funding from the Brandywine Road Club can be applied.
- (3) Establishes standard fees by development type associated with the Brandywine Road Club to be assessed on approved development.

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

COMMENT: The Property is in Water and Sewer Categories W4/W5 and S4/S5. A category change to Category 4 will be requested for the small parcel in Category 5. Category 4 water and sewer are available to the Property.

The nearest Fire/EMS station is Brandywine 840, on Brandywine Road, approximately one mile east.

There are two libraries within 7.5 miles: the Accokeek Branch on Livingston Road to the west; and the Surratts-Clinton Branch on Piscataway Road to the north. The James O. Hall Research Center at the Surratts House provides additional opportunities for Civil War research within 7 miles.

The nearest public schools are:

Elementary School:	Brandywine
Middle School:	Gwynn Park
High School:	Gwynn Park

These schools, all near the T.B. intersection, are between one and two miles east of the Property. These may not be the schools students from Dobson Creek will attend; however, school adequacy is ensured by the surcharge imposed at the time of Preliminary Plan of Subdivision.

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

COMMENT: Internally, single-family detached and attached dwellings are generally compatible with one another, and recreational facilities are proposed to be convenient to all residents, while separated from individual residences by streets or open space, ensuring internal compatibility. The Basic Plan provides easy access to local shops, a plethora of recreational opportunities and calming views into stunning environmental features, all helping to promote the health, safety and welfare of future residents.

As noted, the neighborhood—within which the Property sits—is mostly undeveloped and wooded. To the southwest, the Property does abut a long-established residential community (Pleasant Springs) of single-family detached homes. Shown as part of the

Basic Plan for conceptual purposes, the area immediately abutting Pleasant Springs is proposed also to be developed with single-family detached homes; still, the two adjacent uses will be separated by a wooded buffer. Townhomes are generally located to be separated from other residential uses on adjoining parcels by the Pepco transmission lines and environmental features. Private recreational facilities have been located internally to minimize impact on outside properties; the health, safety and welfare of neighboring residents are unaffected by this compatible development.

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

COMMENT: The Applicant anticipates this project will be completed within six years.

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

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

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

COMMENT: The Property is not in the L-A-C Zone.

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

COMMENT: The Property is not in the V-M or V-L Zones.

B. COMPLIANCE WITH THE R-S ZONE AND ITS PURPOSES

Section 27-511 of the Zoning Ordinance lays out the purposes of the R-S Zone. These are:

Sec. 27-511. - Purposes.

(a) The purposes of the R-S Zone are to:

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

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

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

(C) Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.

COMMENT: The R-S Zone is uniquely suited for this Property. It allows the maximum density recommended by the Master Plan, but conditions it on the provision of Public Benefit Features. The Master Plan and Plan 2035 recognize both the rural history of the area and the changing nature of Brandywine itself, with suburban style developments approved and either under construction or completed throughout the area. Over the years

several similar developments have been approved in the area. Plan 2035 identifies the Brandywine Local Town Center just north of the Property. Brandywine, though still somewhat pastoral, has seen an increase in residential and commercial uses, largely due to its great access to transportation routes; it is, after all, just a 15-mile drive to the Nation's Capital. The R-S Zone is in keeping with the Subregion 5 Master Plan and General Plan. (See a deeper dive discussion in Section II of this text.)

With the density range of 2.7 to 3.5 dwellings per acre, the Applicant anticipates Public Benefit Features will be necessary to achieve a density somewhere above base density of 2.7 units per acre. Therefore, ultimate density will be dependent on the provision of Public Benefit Features.

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

COMMENT: The R-S Zone establishes the density ranges and regulations. This Basic Plan will establish the specific land use types and quantities outlined in Section IV. B. of this document, within the allowable limits; the Comprehensive Design Plan will establish an exact density and apply the other R-S Zone regulations.

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

COMMENT: As has been noted in this text, the proposed single-family homes are compatible with the zoning of surrounding undeveloped land and with the single-family homes adjacent to the Property. Where the conceptual layout shows proposed townhouses on the Property periphery, they are either separated from adjoining uses by the Pepco Transmission lines or natural features, such as streams, slopes and their associated. Private recreational facilities are proposed in the interior of the development. Health, safety and welfare of present and future residents are unimpaired by this proposed development.

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

COMMENT: The main active recreational area is the proposed centralized outdoor swimming pool and clubhouse. Other amenities, including open play areas, paths and sitting areas are provided throughout the community creating an active environment for residents and easing the impact on the public park system.

(5) Encourage and stimulate balanced land development;

COMMENT: Balanced land development ensures land is available for all types of uses; this proposal is but one development in the larger, more diverse Brandywine Community. The use is residential, including is supportive private recreational uses; no commercial activity is appropriate here given the nearby existing and planned commercial uses. The addition of housing on this property will provide additional population to help stimulate the growth of new commercial businesses in the area, and promote the viability of existing businesses.

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

COMMENT: The Property includes part of the pristine Burch Branch. The Applicant proposes a development that largely preserves this stream while providing a high-quality housing environment. These breathtaking environmental features demand high value and this development will demand the high-quality residential environment detailed in this purpose.

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

COMMENT: All uses proposed are allowed in the R-S Zone; this purposes in not applicable.

VII. CONCLUSION

Saddle Ridge provides a wonderful opportunity to bring a high-quality residential subdivision to this area to. Nestled compatibly in the Floral Park Road / Accokeek Road section of Brandywine, it provides residential units at a Master Plan density with onsite recreational facilities all within a short drive, walk of bike ride to Brandywine Center. It takes into account the significance of Burch Branch, respecting its importance, while creating a community that celebrates its marvel. Onsite recreational facilities ease the impact of this development on the public park system.

Zoning Ordinance Section 27-179(c)(1)(C) requires the Applicant to set forth "the legal basis by which the requested amendment can be approved, and factual reasons showing why approval of the request will not be detrimental to the public health, safety and welfare." In this Statement of Justification, the Applicant has demonstrated that the proposed Saddle Ridge Basic Plan meets all legal requirements set forth by the Zoning Ordinance, including specific required findings and the recommendations of the Master Plan and Plan 2035; it implements the density recommendations of the Master Plan and the specific *Land Use* and *Housing and Neighborhood* policies of Plan 2035. The Applicant has also demonstrated that the proposal will not be detrimental to public health, safety, and welfare: adequate public facilities exist to serve the proposed development, including water and sewer, schools, fire and emergency services; the proposed plan includes active and passive recreational opportunities for the health and enjoyment of its residents; Burch Branch and its environmental setting are preserved to the fullest extent possible; and impacts to surrounding properties are minimized by placing compatible residential uses along the perimeter or by the use of buffers. Participation in the Brandywine Road Club and subsequent entitlement processes will ensure adequacy of transportation facilities. The proposal promotes health, safety and welfare, and the review of subsequent applications, including a Comprehensive Design Plan, Preliminary Plan of Subdivision and Specific Design Plans, will examine these in greater detail. It is the right development for the Property.

For these reasons, the Applicant respectfully requests approval of the Saddle Ridge Basic Plan and Zoning Map Amendment.

Respectfully Submitted,



Joseph Del Balzo, AICP

Appendix 'A'

This application includes the following unsubdivided parcels:

Tax Map	Grid	Parcel	Parcel ID	Street Address	Liber	Folio
144	C2	110	11-1182534	6301 Floral Park Rd. Brandywine, MD, 20613	43180	565
144	C2	143	11-1140235	6315 Floral Park Rd. Brandywine, MD, 20613	43180	565
144	C2	37	11-1174572	6405 Floral Park Rd. Brandywine, MD, 20613	43180	565
144	C2	66	11-1189125	6411 Floral Park Rd. Brandywine, MD, 20613	43180	565
144	C4	157	11-1161199	6600 Accokeek Rd. Brandywine, MD 20613	37115	531
144	C4	86	11-1189190	6500 Accokeek Rd. Brandywine, MD 20613	37115	531
144	C4	188	11-1189182	6306 Accokeek Rd. Brandywine, MD 20613	37115	531
144	B3	236	11-5528410	No Address per SDAT	43180	565

This application includes the following Lots in the Littleworth Subdivision (Plat Book SDH 3 Plat No. 86):

Note: There are no block designations for the Littleworth Subdivision.

Tax Map	Grid	Lots	Parcel ID	Street Address	Liber	Folio
144	D3	Part of Lots 45, 46 & 47	11-1189091	6920 Accokeek Rd. Brandywine, MD 20613	43180	565
144	D3	Part of Lots 45, 46 & 47	11-1137017	6910 Accokeek Rd. Brandywine, MD 20613	43180	565
144	D4	Lot 61 & Part of Lots 62-66	11-1137025	6940 Accokeek Rd. Brandywine, MD 20613	37115	531
144	D4	Part of Lots 62-66	11-1189109	6900 Accokeek Rd. Brandywine, MD 20613	37115	531
144	D2	Part of Lot 44	11-1189141	6980 Accokeek Rd. Brandywine, MD 20613	43180	565
144	D2	Part of Lots 43 & 44	11-1189323	13535 Brandywine Rd. Brandywine, MD 20613	43180	565

March 27, 2012

Saddle Creek LLC
14416 Old Mill Road, Suite 201
Upper Marlboro, Maryland 20772

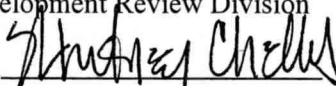
Re: Notification of Planning Board Action on
Preliminary Plan 4-07076
Estates At Pleasant Valley

Dear Applicant:

This is to advise you that on **March 22, 2012** the above-referenced Preliminary Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Article 28, Section 7-116(g) of the Maryland Annotated Code, an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) calendar days after the date of the final notice **March 27, 2012**.

Very truly yours,
Alan Hirsch, Chief
Development Review Division

By: 
Reviewer

cc: Persons of Record

PGCPB No. **08-64(A)**

PGCPB No. 08-64(A)

File No. 4-07076

A M E N D E D R E S O L U T I O N

WHEREAS, Saddle Creek, LLC is the owner of a 278.09-acre parcel of land located on Tax Map 144 in Grid D-3, and known as Lots 44-47, 61-66 and Parcels 86, 157, 110 and 66, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-R and R-E; and

WHEREAS, on November 21, 2007, Saddle Creek LLC filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 323 lots and 13 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-07076 for Estates at Pleasant Valley Conservation Subdivision was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on April 17, 2008, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on April 17, 2008, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

*WHEREAS, on or about July 1, 2008, Petitioners filed an action with the Circuit Court for Prince George's County, seeking judicial review of the Planning Board's approval of the preliminary plan of subdivision; and

*WHEREAS, on September 9, 2008, the Prince George's County Council adopted CB-33-2008 relating to public benefit and conservation subdivisions; and

*WHEREAS, the Circuit Court for Prince Georges County by order CAL-16311 dated April 1, 2011, remanded the preliminary plan of subdivision to the Planning Board to decide whether the conservation subdivision plan meets all the requirements of CB-33-2008; and

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/44/07), and further APPROVED Preliminary Plan of Subdivision 4-07076, Estates at Pleasant Valley Conservation Subdivision, including approval of Variations from Section 24-130 and disapproval of 1 Variation for Lots 1-258 and 13 parcels with the following conditions:

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1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Extend the sewer easement to the property line to provide for the mainline extension.
2. Prior to signature approval the preliminary plan shall be revised in accordance with:
 - a. Priority Area #1 (Staff Exhibit A),
 - b. Priority Area #4 Floral Park Road-Public Street Q cul-de-sac (Staff Exhibit D),
 - c. Priority Area #5 Extend Church Drive in to the subject site (Staff Exhibit E).
3. Development of this site shall be in conformance with the Stormwater Management Concept Plan, #38052-2007-00 as revised in accordance with the approved preliminary plan.
4. The final plat shall delineate the sewer easement abutting the western property line to provide for the mainline extension to the west.
5. The final plat shall dedicate a 10-foot public utility easement in accordance with Section 24-128(b)(12) and 24-122 of the Subdivision Regulations along all public and private streets and easements utilized for vehicular traffic.
6. In conformance with the approved Subregion V master plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
 - a. Construct the master plan trail along the subject site's entire frontage within the public right of way, unless modified by SHA, to provide a connection from Block C (adjacent to the Pleasant Valley to the west) to the Pleasant Valley Community Park (M-NCPPC).
 - b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.
7. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) open space land (Parcels A, B, and C). (See Condition 9 regarding Parcel C.) Land to be conveyed shall be subject the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.

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- c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with approved plans or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
8. At the time of final plat the applicant, his heirs, successors and/or assignees shall convey to M-NCPPC 13.9± acres of open space as shown on Applicant DRD Exhibit identified in the report as Applicant Exhibit 13.9 acres DPR Dedication. Land to be conveyed shall be subject the following:
- a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.
 - b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to Final Plat.
 - c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.

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- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
 - g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
 - h. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.
 - i. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to The M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.
9. Prior to approval of the final plat the applicant, his heirs, successors and/or assignees shall submit an executed deed of conveyance (signed by all parties) of Parcel C to the property owner of Lot 43 (SDH 3@86), Jesse L and Jean Hendrick, and shall submit recorded deeds of the conveyance prior to the approval of a grading permit which includes any lots that abut Parcel C. If Parcel C is not conveyed to the owners of Lot 43 as demonstrated with the grading permit, the applicant shall file a new record plat in accordance with Section 24-111(c) for which no preliminary plan of subdivision is required and the land area of proposed Parcel C shall be incorporated into the abutting lots and HOA Parcel B within the Estates of Pleasant Valley (after the removal of the structure). The final plat shall carry a plat note that lot line adjustments involving Parcel C shall not result in additional buildable lots without a new preliminary plan of subdivision.

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10. Prior to signature approval of the preliminary plan, the following note shall be placed on the preliminary plan and the TCPI and the existing note shall be removed:

“In accordance with Section 24-152, the priority design elements for preservation in this conservation subdivision are: the retention of high priority woodlands and clusters of specimen trees within and adjacent to regulated areas; preserving and/or improving the scenic qualities of the views of this subdivision from surrounding properties and that of Floral Park Road and Accokeek Road; and creating visually compatible boundaries with existing adjacent development and existing and proposed parkland.”

11. Prior to signature of the preliminary plan, the NRI shall be revised to show the limits of the previously mined areas.
12. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the regulated environmental features and their buffers, except for areas of approved impacts, and reviewed by the Environmental Planning Section prior to approval. The conservation easement shall not be on any proposed lots. The following note shall be placed on the final plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

13. Prior to signature of the preliminary plan, the presence of the existing mitigation banks and their associated easements must be shown on the preliminary plan and TCPI and a note must be provided stating the disposition of the easements and the woodland conservation acreages to be transferred.

14. Prior to final plat, new woodland mitigation banks shall be secured and the existing mitigation banks and their associated easements shall be extinguished.

15. Prior to signature of the preliminary plan, the following note shall be placed on the preliminary plan and TCPI:

“Prior to approval of a final plat, new woodland mitigation banks shall be secured and the existing mitigation banks and their associated easements shall be extinguished.”

16. Prior to signature of the preliminary plan, the TCPI shall be revised to redesign the stormwater management ponds associated with proposed impacts “F”, “G”, “H”, “I”, “J”, “K” and “M” to reduce the clearing of expanded stream buffers for the construction of the stormwater management facilities to the minimum necessary for required outfalls.

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17. The following note shall be placed on the final plats:

“Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.”

18. Prior to signature of the preliminary plan, the Type I tree conservation plan shall be revised to:

- a. revise the tree lines to conform to the tree lines shown on the NRI
- b. show any land to be dedicated to the Department of Parks and Recreation and include all woodland on the land as retained but not part of any woodland conservation area
- c. provide a pattern on the plan and in the legend for “woodland retained but calculated as cleared” for all woodland retained on lots
- d. remove clearing of areas where variation requests have not been approved
- e. revise the plan to conform to the approved revised stormwater management concept plan
- f. ensure that any needed off-site clearing related to the PEPCO right-of-way is accounted for
- g. revise the plan to conform to design issues as determined by the Planning Board
- h. recalculate the worksheet as needed
- i. have the revised plan signed and dated by the qualified professional who prepared the plan

19. The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/044/07), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

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20. Landscape buffers, a minimum of 40-foot-wide easements adjacent to the 10-foot public utility easements parallel to the land to be dedicated for Floral Park Road and Accokeek Road, shall be shown on the final plats as scenic easements and the following note shall be placed on the plats:

"Scenic easements described on this plat are areas where the installation of structures and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted."

21. The following note shall be placed on the final plat:

"Development of this property shall follow the recommendations of "Subsurface Soil Investigation Report, Proposed Estates of Pleasant Valley", dated March 8, 2008, or any subsequent report approved by the Prince George's County Department of Public Works and Transportation and/or the Department of Environmental Resources."

22. **MD 5 and Brandywine Road:** Prior to the issuance of any building permits within the subject property, except for model homes, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- A. Along the southbound MD 5 approach, provide a fourth through lane extending through the intersection, with length and taper as required by the State Highway Administration.
 - B. On the eastbound Brandywine Road approach, provide three lanes, with an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane.
23. **MD 5 and MD 373:** Prior to the issuance of any building permits within the subject property, except for model homes, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- A. Along the southbound MD 5 approach, provide a fourth through lane extending through the intersection, with length and taper as required by the State Highway Administration.
 - B. On the eastbound Brandywine Road approach, provide three lanes, with an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane.
24. **Brandywine Road and Floral Park Road:** Prior to the issuance of any building permit, except for model homes, within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in the county's capital program,

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- (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
- A. Along the westbound Brandywine Road approach, provide an exclusive left-turn lane (onto Floral Park Road) and an exclusive through lane (onto northbound Brandywine Road).
 - B. On the eastbound Floral Park Road approach, provide an exclusive left-turn lane (onto northbound Brandywine Road) and an exclusive right-turn lane (onto eastbound Brandywine Road).
 - C. The applicant shall submit an acceptable traffic signal warrant study for the intersection of Brandywine Road and Floral Park Road to the County Department of Public Works and Transportation (DPW&T). The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal or other traffic control improvements are deemed warranted at that time, the applicant shall bond the signal with DPW&T prior to the release of any building permits within the subject property, and install it at a time when directed by that agency.
25. At the time of final plat approval, the applicant shall dedicate right-of-way along Floral Park Road of 40 feet from centerline, as shown on the submitted plan. Improvements within the dedicated right-of-way shall include a left-turn bypass lane along westbound Floral Park Road at each access point, unless modified by DPW&T.
26. At the time of final plat approval, the applicant shall dedicate right-of-way along the C-527 facility (as shown on the 1993 Subregion V Master Plan) of 40 feet from centerline, as shown on the submitted plan.
27. The conservation area shall be owned and controlled by the homeowners' association who shall assume all responsibility for maintenance and continued protection of the conservation area. An ownership and maintenance agreement as part of the conservation easement deed shall be approved by the Planning Board, recorded among the Land Records of Prince George's County, and referenced on the record plat of subdivision.
28. The following shall be included on the final plat:
- (a) A statement that the property is approved for a conservation subdivision and that further subdivision may not be permitted; and
 - (b) The limit of the conservation easement and the legal description (liber and folio) of the conservation easement deed.

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29. An easement agreement shall be recorded in the Land Records of Prince George's County for the conservation area, prior to the approval of the final plat. The easement agreement shall be approved by the Prince George's County Planning Board (or its designee) prior to recordation. The easement shall run with the land, shall be in full force and effect in perpetuity.
30. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.
31. Prior to the issuance of the first building permit for lots abutting (backing to) the Pleasant Springs Community Park (M-NCPPC) a limited detailed site plan shall be approved by the Planning Board or it's designee (with input from DPR) to ensure a consistent attractive development edge along the park property and address the following:
 - a. Landscaping,
 - b. screening,
 - c. fencing.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the south side of Floral Park Road, extending south to the north side of Accokeek Road and the eastern terminus of Church Drive, approximately 4,000 feet west of MD 5 (Branch Avenue).
- *3. Background-The preliminary plan was accepted on November 21, 2007. On January 13, 2008, the property was posted for the February 14, 2008, Planning Board hearing. At that hearing, the applicant granted a 70-day waiver and requested a continuance to April 3, 2008, to address issues raised by staff in the report prepared for that hearing. At that time, staff was recommending disapproval of the application due to unresolved design issues and inadequate transportation facilities. By letter dated March 21, 2008, the applicant requested a one week continuance to the Planning Board hearing of April 10, 2008. On April 3, 2008, staff requested a two week continuance to April 17, 2008, and that request was granted by the Planning Board.

*Subsequent to the February 14, 2008, Planning Board hearing, the applicant submitted additional information including a supplement to the traffic study and proposed mitigation plan, a revised soils report, preliminary plan and tree conservation plan, and other supplemental information.

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*The subject property is located on Tax Map 144 in Grid D-3, is 278.09 acres, and is located within the Developing Tier. It is undeveloped and contains streams, wetlands and 100-year floodplains, priority woodlands and specimen trees. The property fronts on Floral Park Road to the north, Accokeek Road, a designated historic road to the south and south west, Church Drive and McKay Drive, which stub into the south west property line from the Pleasant Springs Community. A PEPCO right-of-way separates the property into two portions with the northern section gaining access from Floral Park Road while the southern section gains access from Accokeek Road. The applicant is proposing to subdivide the property into 323 lots and 13 parcels for the development of single-family dwellings utilizing the optional development technique in the Developing Tier of a conservation subdivision pursuant to Section 24-152 of the Subdivision Regulations.

*The site is a combination of record lots (Lots 44-47 and 61-66) and acreage parcels (Parcels 86,157, 110 and 66). All of the lots were recorded in land records in 1930 and are the subject of record plat SDH 3@86. Staff originally identified inconsistencies in the limit of the proposed subdivision and the existing tax map property description which may have resulted from an illegal division of a portion of this property. However, the applicant has provided additional information which demonstrates that the division of land has not resulted in additional lots that have not been incorporated into the proposed subdivision, or additional parcels which have been conveyed.

*The recorded lots that are included in this subdivision (SDH 3@86) were recorded in 1930. That record plat dedicated a 30-foot public street on which development has been authorized, and further subdivision has relied. A 340-foot portion of the right-of-way (ROW) abuts the east (rear) lot lines of proposed Lots 11 through 16, Block J. The M-NCPPC owns the property abutting the ROW to the east (opposite the subject property). This part of the ROW dedicated in 1930, serves only those lots that are a part of the proposed subdivision being re-subdivided or owned by M-NCPPC as part of the Pleasant Springs Community Park. If the lots remain, these lots would be "through" lots having both frontage on the proposed internal public street and the 30-foot-wide public street dedicated in 1930. Staff recommended that this 340-foot portion of the ROW be vacated in accordance with Section 24-112 of the Subdivision Regulations, if Lots 11-16, Block J remain as a part of the subdivision. If the lots are a part of the land to be dedicated to M-NCPPC for the fulfillment of mandatory dedication as discussed further, and includes the area of Lots 11-16, Block J, the vacation of that portion of the ROW would only be necessary if determined appropriate by M-NCPPC, as the owners of the land on both sides of this portion of the 30-foot-wide street. This portion of the ROW is a paper street and is not currently improved or used for vehicular access by any adjoining property owner. An additional portion of the ROW serves an adjacent property owner (Hendrick) and extends south bisecting the existing public park providing a connection to the existing Accokeek Road (master plan C-527). As part of the mandatory dedication of parkland that was recommended with this report, the ROW could be vacated by Department of Parks and Recreation (DPR), and a connection provided within the limits of this subdivision for adjacent property owners. The subject property is located in the Developing Tier as defined by the General Plan and is zoned R-E (102.70 acres) and R-R (175.39

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acres). Therefore, a conservation subdivision in this instance is optional. The site could be developed under the conventional R-E and R-R Zone standards. The applicant filed an exhibit with this preliminary plan which reflects a 237 lot conventional layout for this property. The Planning Board finds that the conventional lot layout conforms with Section 24-152(1)(2), which requires that any application in the Developed or Developing Tier submit a subdivision plan reflecting a reasonable and achievable lotting pattern using conventional subdivision standards. The applicant is proposing 323 lots with this conservation subdivision application which is 86 more lots than the conventional plan.

*The Conservation Subdivision legislation was enacted on July 18, 2006, pursuant to CB-4 and CB-6-2006. In particular, CB-6 reduced the minimum lot size in the R-E and R-R Zones when filing a conservation subdivision and did not change the density of the underlying zones. For example, in the R-E Zone, the minimum lot size in a conventional subdivision is 40,000 square feet and in the R-R Zone it is 20,000 square feet. In a conservation subdivision the minimum lot sizes are reduced by half; in the R-E Zone 20,000 square feet and in the R-R Zone 10,000 square feet, and the allowable density remains the same as with a conventional development. In the R-E Zone, the allowable density is 1.08 dwelling units per acre with the estimated average being .85. In the R-R Zone, the allowable density is 2.17 dwelling units per acre with the estimated average being 1.85. In addition, the regulations governing Conservation Subdivisions was modified by the adoption of CB-33-2008.

*This reduction in half of the required lot size is intended to generally translate into the conservation of unique and important characteristics of a site that may not normally be regulated in conventional developments. Therefore, a conservation subdivision reduces lot sizes in half in these zones, and should provide greater preservation than could be realized with conventional development techniques. However, staff is finding in general that in lieu of translating that reduced lot size into open space and preservation, applicants are generally proposing an increase in lots over what could be permitted under a conventional lotting pattern, and are generally preserving that which would be preserved under conventional developments, which includes expanded buffers and areas required for woodland conservation. While the strict application of the conservation subdivision regulations does not prohibit this, understanding that the reduction in required lot sizes in this case translated into 86 more lots than what may have been obtained with a conventional development has some bearing on the evaluation of the proposed subdivision. The number of lots that may be achieved by the applicant in a conventional development is based on information filed by the applicant. It should be noted that the conventional development layout is conceptual and it does represent a reasonable and achievable lotting pattern as required by Section 24-152(1)(2).

*A conservation subdivision (323 lots proposed) is optional in the Developing Tier. Based on the applicant's conventional plan, they may be able to obtain 237 lots. The Staff recommended, and the Planning Board required, revisions to the preliminary plan based on the findings and recommendation contained in the staff report that resulted in a loss of lots to a total of 258 lots.

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*In order to meet the mandatory dedication of parkland requirements the applicant has three options in general. The mandatory dedication of parkland is required whether the applicant proposes a conventional or conservation subdivision. Section 24-134 of the Subdivision Regulations allows for the dedication of land, the payment of a fee-in-lieu, or the development of recreational facilities. Staff and the applicant have continued to thoroughly evaluate the options on how to best meet the recreational needs of the community. After careful consideration staff recommends that the applicant fulfill the requirements of the mandatory dedication of parkland through the dedication of land. Section 24-134 establishes the amount of land to be dedicated for park purposes, which equals 13.9 acres based on the overall density of the site. While the applicant and staff agreed with the dedication of land, the configuration of the land to be dedicated was still an issue before the Planning Board and was resolved as discussed in the Parks and Recreation section of this resolution.

*Based on the preliminary plan, tree conservation plan, and information available a conventional design would not result in substantial changes to the preservation proposed with this conservation subdivision. Although the applicant meets the technical requirements for preservation, staff recommended a number of revisions to the preliminary plan that would result in a proposal which could meet the purposes of the standards for a conservation subdivision, would then achieve the best possible relationship between the development and the conservation of site characteristics and result in a plan which is clearly superior to that which could be achieved through the use of conventional development standards and clearly meets the purposes of the conservation subdivision technique.

*The following are the criteria for the Planning Board approval of a conservation subdivision preliminary plan:

***24-152 (k) Criteria for approval. The Planning Board shall find that the conservation subdivision:**

- *(1) Fulfills the purpose and conforms to the regulations and standards for a conservation subdivision.**
- *(2) Achieves the best possible relationship between the development and the conservation of site characteristics as prioritized in the sketch plan and preliminary plan.**
- *(3) Because the use of the Conservation Subdivision technique in the Developed or Developing Tier is optional, the Planning Board shall also find that the proposed plan is clearly superior to that which could be achieved through the use of conventional development standards and clearly meets the purposes of the Conservation Subdivision technique. Lot yield shall be a secondary consideration to achieving the purposes of the Public Benefit Conservation Subdivision in assessing whether a proposed plan is clearly superior.**

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*4. SETTING. The property is located on the south side of Floral Park Road, extending south to the north side of Accokeek Road and the eastern terminus of Church Drive, approximately 4,000 feet west of MD 5 (Branch Avenue). The site is approximately 72 percent wooded and contains grassy fields on reclaimed sand and gravel mining areas on the other 28 percent. Significant portions of the site were mined for sand and gravel. Accokeek Road is a designated historic road and Floral Park Road is a designated scenic and historic road. Traffic-generated noise impacts are associated with the master plan arterial A-55 (Accokeek Road Relocated) in the southern portion of the site. The property is located in the Piscataway Creek watershed and the Potomac River basin and is located in the Developing Tier as reflected in the approved General Plan. The Green Infrastructure Plan shows regulated areas, evaluation areas, and network gaps in conjunction with the Butler Branch stream corridor that crosses the western portion of this property. The site adjoins undeveloped or agriculturally developed land to the north, east and south, and single-family residences to the west.

*[3]5. **Development Data Summary**—The following information relates to the subject preliminary plan application and the approved development.

	EXISTING	PROPOSED
Zone	R-R (175.39 acres) and R-E (102.70 acres)	R-R (175.39 acres) and R-E (102.70 acres)
Use(s)	Vacant	Single-family residential
Acreage	278.09	278.09
Lots	10	258
Parcels	4	13
Dwelling Units:		
Detached	0	258
Public Safety Mitigation Fee	No	No

*[4]6. **Conservation Subdivision**—The District Council enacted CB-4-2006 (Subdivision Bill) and CB-6-2006 (Zoning Bill) on July 18, 2006, and established the purposes, requirements, procedures and standards for conservation subdivisions. That legislation repealed the cluster and lot size averaging options for the subdivision of land. The conservation subdivision is required for land in the Rural Tier, saving limited exemptions, and is an optional subdivision design approach for land in the Developing Tier. The subject property is located in the Developing Tier as defined by the General Plan and is zoned R-E and R-R. Therefore, a conservation subdivision in this instance is optional. *On September 9, 2008, the County Council adopted CB-33-2008, which created the Public Benefit Conservation Subdivision and further established additional findings and requirements for a Conservation Subdivision.

Section 24-152(b) of the Subdivision Regulations establishes the purposes of the conservation subdivision as follows:

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Purpose—The purpose of a conservation subdivision is to protect the character of land through the permanent preservation of farmland, woodland, sensitive natural features, scenic and historic landscapes, vistas, and unique features of the site in keeping with the General Plan and Countywide Green Infrastructure Plan. The standards in this Section provide for lots, open space and internal street designs that conserve woodlands, farmland, farm structures, historic structures, and the scenic and unique character of development sites. A conservation subdivision prioritizes site characteristics for conservation and is intended to create a site layout that conserves important site features such as open space networks, blocks of productive farmland, unique characteristics of a site and contiguous woodland habitats. The site design should encourage agricultural pursuits, create attractive development layouts respecting existing features of the site, and encourage connectivity between scenic, historic, agricultural, and environmental characteristics of abutting properties.

In furtherance of the purpose, Section 24-152(e) sets forth the submittal requirements for a conservation subdivision. Prior to the submittal of a preliminary plan, a “sketch plan” is required. The sketch plan is a planning tool used to establish a conceptual foundation for preservation opportunities that may exist on a site. The characteristics are set into broad categories of scenic, agricultural, environmental and historic. Through the sketch plan and preliminary plan processes, other site characteristic may be identified for preservation. Preservation may be a combination of site characteristic and may overlap. When opportunities overlap, these areas are considered high priority areas for conservation.

A sketch plan is an administrative process that is reviewed at staff level and is not, therefore, an approval of a subdivision. In fact, the legislation specifically states that “[T]he certification of the sketch plan is not to be construed as the approval of the lot yield, but the completion of the sketch plan process for planning purposes.” The sketch plan process is used as a conceptual tool to assist staff and the applicant in the evaluation of a particular site and its appropriateness for a conservation subdivision. The approval of the subdivision is left to the preliminary plan process and at the sole discretion of the Planning Board.

In this case the applicant filed Sketch Plan S-07002, and the plan was certified by the Planning Director on November 11, 2007. Staff agreed with the applicant’s assumption that the site is appropriate for a conservation subdivision and does provide opportunities for preservation that may not be obtained with a conventional subdivision. The specific site characteristics to be preserved were not identified with the sketch plan; however, review of the available information at that time provided what staff believed to be sufficient information to certify the sketch plan and therefore allow the applicant to move forward with the preliminary plan application.

With the certification of the sketch plan process, staff identified additional information that would be required with the preliminary plan, and in particular to guide the conservation subdivision preliminary plan application. Staff advised the applicant that additional information would be required relating to opportunities for preservation of the viewshed along Floral Park Road, a

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designated scenic and historic road; Accokeek Road, a designated historic road and C-527 at its intersection. Staff also requested information regarding the priority woodland on site, and identified issues with the lotting pattern in large blocks of the site which resulted in a very dense core and suburban layout that would need to be addressed with the preliminary plan submittal.

Sketch Plan:

The result of the sketch plan process is to establish those areas of the site that are appropriate for conservation and development, and clearly identify those areas. The applicant should have a reliance on this process when planning the preliminary plan layout. Once the sketch plan is certified the preliminary plan can be filed. The evaluation of the specifics of the residential development area lotting pattern would occur with the preliminary plan and ultimately is the decision of the Planning Board.

The sketch plan (S-07002), which was certified for this site is consistent with the preliminary plan filed by the applicant. The sketch plan identified conservation areas and residential development areas which are identical to that proposed with the preliminary plan. It was not until the preliminary plan was filed that one additional area that should be placed in conservation was identified. If all of the pertinent information had been submitted and evaluated prior to the certification of the sketch plan, the additional area now required for conservation could have been identified at that time. This deficiency in the plan review understandably caused the applicant significant concern. On December 14, 2008, at the Subdivision Review Committee meeting, the staff acknowledged that oversight in the review of the sketch plan and its certification. Staff then reviewed with the applicant the justification why an additional area of conservation should occur based on unique site characteristics.

The technical standards for the approval of the conservation subdivision require a minimum of 40 percent of the gross tract area be placed in conservation. The preliminary plan proposes 45.2 percent of the gross tract area be placed in conservation parcels. The preliminary plan meets the technical requirements for the area of land to be placed in conservation. The development requirements of the land area set aside for conservation parcels should be established in concert with the purposes, and are not irrespective of one another.

The applicant was encouraged through the sketch plan certification (S-07002) process that a conservation subdivision was appropriate and suitable for this site and found the following:

“Staff believes that this sketch plan presents a proposal suitable for development pursuant to the conservation subdivision technique for the following reasons:

- “1. The submitted sketch plan results in a better layout or preservation of the site resources than would a conventional subdivision design. The sketch plan shows no expanded buffer or wetlands on lots, whereas the conventional layout has more than 20 acres of environmentally sensitive area included on lots. In

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addition, the sketch plan shows half as much impacted square footage to the expanded and wetland buffers as does the conventional layout.

- “2. The site characteristics being preserved are above and beyond those that would be preserved as part of any subdivision. The vast majority of the development is situated well to the interior of the site, beyond the perimeter.
- “3. The sketch plan shows more than a minimum 40 percent of the gross tract area as a conservation area.
- “4. The sketch plan does an excellent job of providing a contiguous conservation parcel and woodland habitat on site, while retaining the linkages to adjoining properties.

“In this instance, the staff and applicant have identified existing woodland, sensitive natural features (wetlands, streams and floodplain), contiguous woodland habitats (both on site and connections to adjoining properties), and scenic vistas into the site as the site characteristics being preserved through the use of the conservation subdivision technique. There are no historic structures identified on the site, but staff will be recommending a Phase I archeological survey for those sections of the site which have not been disturbed by mining activity. The applicant shows a well planned, contiguous conservation area on the site with excellent connectivity to environmental characteristics on adjoining properties. All of these factors lead the staff to conclude that this sketch plan presents a proposal suitable for development pursuant to the conservation subdivision technique, as modified by the aforementioned comments in this report.”

In addition, the applicant was advised that additional information was necessary and that evaluation of the site would continue through the preliminary plan process:

“The sketch plan as submitted does not include documentation of the farm structures, historic structures, scenic vistas, cultural resources, or unique views from streets and adjoining properties. While there do not appear to be any structures on the site, an inventory of significant visual features, generally required with the review of a designated scenic historic road, would address documentation of scenic vistas or unique views from streets and adjoining properties.

“The applicant is providing a contiguous woodland habitat throughout the site which links to other permanently preserved woodland areas on adjoining properties as regulated under the Countywide Green Infrastructure Plan. Additional information regarding topography, existing tree lines, and the existing stream will be required during the preliminary plan process on the northeast and southwest side of the property in order to evaluate opportunities for connectivity.

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“The sketch plan shows the development area of the site within that portion not encumbered by environmental features and thus least suitable for conservation. The plan retains the most of the wooded perimeter along Accokeek Road. However, the plan also shows lots within existing woodland conservation mitigation banks which were previously dedicated for conservation. This concept does not conform to the purposes of the conservation subdivision regulations. In this regard, the sketch plan does not result in a better design than a conventional subdivision because the same areas being preserved would be preserved otherwise. As discussed below, these mitigation banks need to be addressed further.

“While the applicant has generally done a good job of providing varying lot sizes, several areas of the plan (particularly the central core area of Blocks F, H and I) are laid out in a very suburban grid pattern. At the time of preliminary plan, staff would like to see a less regimented development scheme in these areas. The number of culs-de-sac has been reduced in keeping with the Planning Board policy of minimizing situations where culs-de-sac end in close proximity to one another.”

The applicant included a lotting pattern on the sketch plan. The lotting pattern is not required because the evaluation of the sketch plan is to identify opportunities for preservation and to determine if the site is appropriate for a conservation subdivision. Neither staff nor the Planning Director has the authority to approve a preliminary plan lotting pattern in an administrative process (sketch plan). By including a lotting pattern, the focus of the process becomes the lotting pattern and lot yield and not the opportunity for preservation unique to a specific site.

As discussed above, it was not until the applicant filed the preliminary plan and all the relevant information including conducting a second site visit, was it determined that in fact the south east quadrant of the site was the area of the site which had the greatest potential to provide the greatest benefit for preservation as a result of the conservation subdivision application. This area is bordered to the north east by the public park, to the south east and south by C-527 and Accokeek Road, and to the north and west by a significant environmental feature.

The Planning Board has determined with the preliminary plan that the south east quadrant of the site does contain an overlap of important opportunities for preservation which could impact the immediate and the larger community. The area contains priority woodlands (Forest Stand G), scenic viewsheds from the master plan public community park, from C-527 and Accokeek Road. When opportunities overlap, these are high priority areas for preservation.

Preliminary Plan:

In a conservation subdivision, Section 24-152(c) establishes that in R-E and R-R Zones a minimum of 40 percent of gross tract area must be designated as a conservation lot or parcel. The minimum may include areas of the site not already regulated by Section 24-130 of the Subdivision Regulations (expanded buffers and primary management areas), and depending on

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the specific site characteristics. The Subdivision Regulations *set[s] forth that conservation areas may be made up of areas outside the regulated areas. In this case the *applicat[ion] [conforms to] exceeds the minimum technical standards of the zone by providing 45.2 percent in conservation parcels.

*As stated in the technical staff report and then presented at the Planning Board hearing on April 17, 2008, the applicant filed an exhibit with the preliminary plan which reflects a 237 lot conventional layout for this property. Generally, and consistent with the staff recommendation, the Planning Board required revision to the preliminary plan which resulted in a loss of lots and achieved a better site layout. As described throughout this resolution, the conservation subdivision is clearly superior to that which could be achieved through the use of conventional development standards and clearly meets the purposes of the Conservation Subdivision technique (CB-33-2008). The following findings support this conclusion:

*A conservation parcel was established by the Planning Board along Accokeek Road, which will preserve priority woodland, and the preliminary plan proposes conservation parcels that will protect the already regulated stream valleys and tracts of contiguous woodland in conformance with the Countywide Green Infrastructure Plan. Development of this site utilizing a Conservation Subdivision approach is considered an innovative technique, and the Conservation Subdivision approach addresses the preservation of natural assets. The preliminary plan proposes preservation of the overlapping priority area of the site along Accokeek Road. The evaluation areas have been preserved in keeping with the conservation subdivision design parameters. Preservation beyond that which would be achieved with a conventional design has been focused in the Evaluation Areas designated in the Green Infrastructure Plan. The applicant filed a priority forest analysis which was utilized in evaluating the conservation subdivision layout. A significant amount of priority forest areas are being preserved to the extent possible, and are a priority feature of this site. The preliminary plan is consistent with the certified sketch plan and shows the locations of proposed dwellings outside of the regulated features of the site. The sketch plan analysis found that the submitted sketch plan results in a better layout or preservation of the site resources than would a conventional subdivision design, and the site characteristics being preserved are above and beyond those that would be preserved as part of any subdivision. The sketch plan does an excellent job of providing a contiguous conservation parcel and woodland habitat on site, while retaining the linkages to adjoining properties. In this instance, the staff and applicant have identified existing woodland, sensitive natural features (wetlands, streams and floodplain), contiguous woodland habitats (both on site and connections to adjoining properties), and scenic vistas into the site as the site characteristics being preserved through the use of the conservation subdivision technique.

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*At the time of the original approval of the preliminary plan (April 17, 2008) the findings and terminology established by CB-33-2008, which was adopted by the County Council on September 9, 2008 requiring that the conservation subdivision be "clearly superior," did not exist. The record demonstrates that this preliminary plan is in fact clearly superior to a conventional subdivision design for this property.

*The applicant filed a conventional development plan which was found to represent a reasonable and achievable lotting pattern based on the minimum conventional standards for the development in the R-E Zone and which was presented to the Planning Board on April 17, 2008.

*Based on the record as contained herein and the secondary consideration of the reasonable and achievable conventional subdivision plan, now required pursuant to Section 24-152(1)(2) (CB-33-2008), the Planning Board finds pursuant to Section 24-152(k) that this conservation subdivision:

- *(1) Fulfills the purposes and conforms to the regulations and standards for a conservation subdivision.
- *(2) Achieves the best possible relationship between the development and the conservation of site characteristics as prioritized in the sketch plan and preliminary plan, and
- *(3) Because the use of the conservation Subdivision technique in the developed or developing Tier is optional, the Planning board has found that this preliminary plan for a conservation subdivision is clearly superior to that which could be achieved through the use of conventional development standards and clearly meets the purposes of the Conservation Subdivision technique.

Recommended Plan Revisions

Staff recommended revisions to the preliminary plan lot layout in five **(5) areas (Priority Areas 1-5)**.

The evaluation areas were listed in order of priority to staff: The Priority Areas were presented to the Planning Board at the April 17, 2008 hearing. The Planning Board **accepted** the staff recommendation for Priority Area #1 (**Staff Exhibit A**); **did not** accept the staff recommendation for Priority Area #2 (**Staff Exhibit B**) and accepted the applicants configuration of the parkland dedication (Applicant DPR Exhibit); **did not** accept the staff recommendation for Priority Area #3 (**Staff Exhibit C**) (central core area); **accepted** the staff recommendation for Priority Area #4 (**Staff Exhibit D**); and **accepted** the staff recommendation for Priority Area #5 (**Staff Exhibit E**). The revisions resulted in the approval of a total of 258 lots in the subdivision.

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Priority Area #1

Accokeek Road at C-527 (Staff Exhibit A): At the Planning Board hearing on April 17, 2008, the Planning Board adopted the Staff recommendation.

This area of the site was identified as a residential development area on the certified sketch plan which is consistent with the preliminary plan filed by the applicant.

At the time of review of the sketch plan (S-07002), staff requested additional information from the applicant for the evaluation of the preliminary plan. That information included a viewshed analysis along Accokeek Road. On December 14, 2008, at the Subdivision Review Committee meeting, staff advised the applicant that because of the unique location of the site-being at the intersection of a proposed master plan community park, Accokeek Road (Historic) and collector (C-527) roadways, and the entrance to a major subdivision (subject site), staff considered this south east area of the site the highest priority area for preservation and contained the greatest opportunity for preservation in keeping with the purposes of the conservation subdivision. In particular for areas of the site not already regulated or used by the applicant to fulfill development requirements of tree conservation.

Block D is located in the north west quadrant of the intersection Accokeek Road and C-527. This area of the site contains priority woodland identified in the FSD as Forest Stand G. Forest stand G contains approximately 14.94 acres in the southeastern portion of the site. The stand is dominated by red oak, white oak, yellow poplar and American beech with an average diameter at breast height of 11.0 inches. A total of ten tree species were noted at the seven sample points. The understory species include highbush blueberry and American holly. There are few invasive plants. According to the forest stand delineation, there is very limited evidence of past logging activities, insect infestations or disease problems. Numerous specimen trees occur within this stand. This stand rates a **high priority** for preservation because of its diverse composition, age, specimen trees and adjacency to a major stream valley.

This forest stand creates an opportunity to impact the larger community if preserved; it is located at the entrance to a proposed M-NCPPC Community Park (Pleasant Valley Community Park) and is the primary focus from Accokeek Road (a designated historic road) at its intersection with the collector roadway (C-527). Preservation of the woodland extending northwest from the intersection of C-527 and Accokeek Road to the main entrance drive (Street A) and north to the expanded buffer ~~*[would]~~ consolidated the most significantly overlapping opportunities for preservation within this conservation subdivision and ~~*[would]~~ fulfills the purposes of Section 24-152.

The certified sketch plan and preliminary plan originally proposed 43 lots in this area and preserved the alignment of A-55 and C-527. The applicant was advised that staff would be recommending the dedication of A-55, a master plan arterial facility, and identified this area as the priority for this conservation subdivision for preservation. At a minimum, the applicant lotting pattern should be modified so that the rears and sides of dwellings were not facing the external road system. However, the sketch plan had been certified with this area of the site being

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identified as a residential development area. At the hearing on April 17, 2008, the Planning Board did not require the dedication of *A-55, as discussed further.

A conservation parcel was established by the Planning Board along Accokeek Road, which will preserve priority woodlands contained in Forest Stand G and a combination of double-sided and single load streets to ensure that the dwellings in this area of the site are oriented with fronts and side yards toward the external roads and the community park. The conservation parcel should soften the views of the development during the winter months and may obscure the views during the summer. The entrance to the Community Park is proposed via the newly dedicated 80-foot-wide public street that will serve as the main entrance to this subdivision and the park from C-527.

At the Subdivision Review Committee Meeting (SRC), the applicant was encouraged to consider incorporating the entire area of Forest Stand G in to conservation. This area of the site has the greatest impact that could be realized utilizing the conservation subdivision development technique. The revision required by the Planning Board will allow the layout to orient dwellings toward the external streets, preserve high priority woodland and preserve specimen trees. Section 24-152 of the conservation subdivision regulations provides the following guidance when designing a lotting pattern:

(g)(2) Layout Design Criteria

- (B) Lots and the siting of dwellings shall be arranged and sufficiently set back to preserve views of the site characteristics from streets and abutting properties.**
- (E) Access to all lots should be from interior streets and easements.**
- (F) Dwellings and streets should be located at the edges of woodlands or situated in a manner that will maximize the amount of contiguous wooded area left intact.**

And

(g)(3) Lot specific design criteria

- (C) Dwellings should be sited to avoid the rears being oriented toward the fronts of other dwellings and external streets. A landscape plan may be required to provide for the buffer of views of the rear and sides of dwellings from all streets and easements and the fronts of other dwellings.**

The preliminary plan should be revised in accordance with Staff Exhibit A which would result in a **reduction of 27 lots**.

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Priority Area #2

Mandatory Dedication of Parkland and Central Lotting Pattern (Exhibit B): At the Planning Board hearing on April 17, 2008 the Planning Board rejected the Staff recommendation.

As discussed in the Parks and Recreation section, there were numerous discussions between the staff and the applicant on how to best fulfill the requirements of the mandatory dedication of parkland (24-134). Originally, the proximate location of the park in relation to the development led staff and the applicant to investigate the applicant constructing public recreational facilities on the adjacent Pleasant Springs Community Park for their fulfillment of the requirements of the mandatory dedication of parkland.

However, during the conceptual design process of the public park DPR further concluded that dedication of 13.9 acres of additional parkland would greatly improve the development capability of the northern portion of the Pleasant Springs Community Park. In fact the greater community is in high need of facilities and parkland. Not often does a proposed subdivision share such a significant adjacency and be large enough to require a substantial amount of dedication (24-134) which will have such a significant impact on the size and development potential of an existing park. The current park property (67.18 acres) is divided by a significant environmental feature that extends east into the park from the western boundary (which the subdivision main entrance crosses), and limits the north west development potential of the park. The addition of the 13.9 acres to the northern area of the park will significantly improve the ultimate build out of the park. Therefore, staff advised the applicant that the mandatory dedication of parkland would be recommended and does believe that it is the most efficient way to develop the parkland. The DPR can then comprehensively plan and develop the park through Capital Improvement Program (CIP). This would result in the developing the park comprehensively rather than piece meal by developers, which under DPR development could yield a better design and more efficient layout.

DPR has proposed that \$2.2 million dollars be placed in the Parks Department's CIP budget for design and development of Pleasant Springs Community Park. DPR has proposed to place \$200,000 in the supplemental CIP, FY10 for park design and that \$2 million would be placed in the CIP over the subsequent three years for parkland development. Under this scenario, the park would be designed in 2010, under construction by 2012, and largely completed by 2013. This proposal is subject to the council approval, which staff believes will be ahead of the development of the Estates at Pleasant Valley subdivision and therefore provide the residents of this community with significant recreational facilities.

On March 14, 2008, the applicant filed "DPR Dedication Layout Option," proposing to fulfill the requirements of the mandatory dedication of parkland with the dedication of 13.9 acres of land for the expansion of the Pleasant Springs Community Park (67.18 acres), which was consistent with the decision of the Planning Board. The applicant's proposal would be reflective of a reduction of 35 lots in this pod of the development after the dedication of land.

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The configuration of the area of land (13.9 acres) approved by the Planning Board would back 16 dwellings up to the park and would orient the rear of at least four lots to the central round-about (DPR Applicant Exhibit).

Limited Detailed Site Plan

At the Planning Board hearing on April 17, 2008 issues were raised which related to the orientation of dwelling units on the lots abutting the public park dedication within the subdivision. Specifically, the rears of the dwellings will be oriented toward the public park and could result in views which are not pleasing. Therefore, the approval of a LDSP is required prior to the approval of the first building permit for a lot abutting the public park. The LDSP should include all of the lots abutting the park to develop a consistent attractive development edge along the park boundary (Pleasant Springs Community Park M-NCPPC). The trigger for the instillation of fencing or landscaping should be established with the site plan. The LDSP does not include the review of house sitings or architecture, and is to be approved by the Planning Board or its designee.

Priority Area #3

Central Core Area Lotting Pattern-Lots 55 and 56, Block J, and Lots 86, 87 and 88 Block J (Staff Exhibit C): At the Planning Board hearing on April 17, 2008 the Planning Board rejected the Staff recommendation.

Lots 55 and 56, Block J

Staff had recommended the reduction of a total of 5 lots within the central core area of the community. The Planning Board did not find that the revisions amounted to a change that would improve the layout. The applicant indicated that the majority of the lots in the subdivision had direct access to the conservation areas, and therefore the removal of the lots provided no benefit to the surrounding lots.

Priority Area #4

Floral Park Road-Public Street Q (Staff Exhibit D): At the Planning hearing on April 17, 2008 the Planning Board adopted the Staff recommendation.

Public Street Q extends into the site roughly 1,100 feet from Floral Park Road and terminates in a standard cul-de-sac. The right-of-way for the cul-de-sac is located 26 feet from the west property line of the site. That property line is the rear lot line for Lot 1 (NLP 101@35), which is improved with a single-family dwelling and is void of trees; that lot has a manicured yard to the common property line with the subject site. The dwelling on Lot 1 (off-site) will be located approximately 350 from the pavement of the cul-de-sac. Because of the grading proposed to accommodate the street and lots in this area there is a six-foot proposed grade change at the common boundary with Wilkerson Property (Lot 1 off site). Lot 12 extends from the cul-de-sac south and the lot side yard will be shared by the rear lot line of Lot 1. SWM Pond 1 is located south of Lot 12. In order to

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accommodate a lot and the SWM pond without impacting the expanded buffer grading for the SWM pond is located on Lot 12. The grading on Lot 12 for the SWM pond results in an eight-foot grade drop on the lot to the pond. The relationship of the cul-de-sac in the rear yard of Lot 1 and the grading and constraints on Lot 12, staff recommended that the cul-de-sac be pulled back adequately to accommodate the grading for the SWM pond off Lot 12 and shift the cul-de-sac east, away from Lot 1 (the Wilkerson property), to create a more traditional cul-de-sac street end with lots radiating out around the cul-de-sac bulb.

The preliminary plan should be revised in accordance with Staff Exhibit C, which would result in the **reduction of one (1) lot**.

Priority Area #5 Church Road Extension (Staff Exhibit E): At the Planning Board hearing on April 17, 2008, the Planning Board adopted the Staff recommendation.

The preliminary plan delineates a 40-foot natural gas easement through the property from Floral Park Road to Accokeek Road. The easement extends on the west side of the lots on the west side of Street P, turns west, then south, crossing the PEPCO property continuing south along the western property line abutting the Pleasant Springs community. The sketch plan had proposed to serve this pod of 29 lots within the development solely from the Pleasant Springs community. The Planning Board, however, requires a primary access to Accokeek Road and a secondary access to Church Drive that would connect these two communities without requiring residents to use Accokeek Road to get from one community to the other.

The applicant has submitted a copy of the easement and information regarding their direct contact with the Washington Gas Company. The easement recorded in land records (Liber 6966 folio 134-149) provides for the applicant to construct private roadways over the easement. In addition, the representative from the gas company stated that the gas company "would most likely allow [the applicant] to cross the easement at Church Drive with strict conditions on installation of a road." (Shearer to Chellis)

The gas easement extends behind eleven lots in a parcel, and is proposed to be maintained by the HOA. While this area may be cumbersome for maintenance because of its long linear nature, the gas easement should not be lotted out because of the restriction contained in the easement (Liber 6966 folio 134-149). If the easement is located on individual lots the property owners could not fence their property at the rear where the easement impacts their individual lots.

With the loss of one lot for the extension of Church Road, the lot sizes that would result on each side of the extension of Church Road into the site would be more compatible in size, with the lot sizes in the Pleasant Springs Community which is zoned R-E Zone (residential estates lots). The lot sizes in the Pleasant Springs community are 40,000 square feet or roughly one-acre in size. While this portion of the proposed subdivision is zoned R-E the applicant has proposed lots in keeping with the conservation subdivision regulations with lots of roughly 20,000 square feet in size, half of what is required in conventional R-E zoning.

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The preliminary plan should be revised in accordance with Staff Exhibit E, which would result in the **reduction of one (1) lot**, and provide a connection to Church Drive in addition to maintaining the applicants proposed connection to Accokeek Road. The single additional connection to Church Drive would be a secondary access Road to serve this pod of the development.

- *[5]7. **Environmental**—The Environmental Planning Section has reviewed the revised preliminary plan for a Conservation Subdivision, 4-07076, and the revised Type I Tree Conservation Plan, TCPI/044/07, stamped as received by the Environmental Planning Section on March 5, 2008. The Environmental Planning Section supports some of the variation requests for impacts to sensitive environmental features and recommends disapproval of one proposed impact.

The Environmental Planning Section previously reviewed portions of the subject property as Tree Mitigation Bank TCPII/154/02, Tree Mitigation Bank II/039/03 and Woodland Conservation Exemption E-035-03. A sketch plan for 175.39 acres in the R-R Zone and 102.70 acres in the R-E Zone, using the conservation subdivision approach has been certified.

There are streams, wetlands and 100-year floodplains found on this property. The site is approximately 72 percent wooded and contains grassed fields on reclaimed sand and gravel mining areas on the other 28 percent. According to the "Prince George's County Soil Survey", the principal soils on the site are in the Aura, Beltsville, Bibb, Croom, Elkton, Galestown, Leonardtown, Mattapex, Rumford and Sassafra series. Significant portions of the site were mined for sand and gravel. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, no rare, threatened or endangered species are found to occur on this site or on adjacent properties. Accokeek Road and Floral Park Road are designated scenic or historic roads. Traffic-generated noise impacts are associated with the master plan arterial A-55 in the southern portion of the site. The property is located in the Piscataway Creek watershed and the Potomac River basin. The property is located in the Developing Tier as reflected in the adopted General Plan. The Green Infrastructure Plan shows Regulated Areas, Evaluation Areas, and Network Gaps in conjunction with the Butler Branch stream corridor that crosses the western portion of this property.

MASTER PLAN CONFORMANCE

In the approved Master Plan and Sectional Map Amendment for Subregion V (September 1993), the Environmental Envelope section contains guidelines for future development. The following guidelines have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

1. **An open space and conservation network, based on existing soil conditions, slopes, watercourses, vegetation, natural ecological features, and estimated future population needs, should be established and maintained.**

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Comment: Implementation of the Countywide Green Infrastructure Plan will ensure compliance with this guideline. The preliminary plan proposes conservation parcels that will protect the already regulated stream valleys and tracts of contiguous woodland in conformance with the Countywide Green Infrastructure Plan. All of the required woodland conservation for the proposed development must be on-site and is shown on the TCPI to be provided through preservation of woodlands.

Conditions have been proposed which will address the revisions needed to find conformance with this provision.

2. **Developers shall be encouraged to utilize the Comprehensive Design Ordinance, the cluster provisions and site plan review provisions of the subdivision regulations and other innovative techniques that ensure responsible environmental consideration.**

Comment: Development of this site utilizing a Conservation Subdivision approach is considered an innovative technique.

3. **Land dedicated in accordance with the subdivision regulations for the provision of needed recreational facilities should not consist solely of floodplains or other parts of the Natural Reserve Area.**

Comment: The required mandatory dedication of 13.9 acres does not contain floodplain or sensitive environmental features.

4. **The responsibility for environmentally sound development practices should apply equally to private and public interests; decisions concerning the selection and use of properties should be based on environmental considerations.**

Comment: Section 24-130 of the Subdivision Regulations, the Woodland Conservation Ordinance and implementation of the Countywide Green Infrastructure Plan will focus development in an environmentally sound manner.

5. **Developers shall be encouraged to capitalize on natural assets through the retention and protection of trees, streams and other ecological features.**

Comment: The Conservation Subdivision approach addresses the preservation of natural assets.

6. **Woodlands associated with floodplains, wetlands, stream corridors and steep slopes shall be given priority for preservation.**

Comment: This guideline is codified in the preservation priorities of the Woodland Conservation Ordinance. The preliminary plan proposes preservation of the overlapping priority area of the site along Accokeek Road.

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7. **To the extent practicable, large contiguous tracts of woodland should be conserved in both upland and bottomland situations in order to reduce forest fragmentation, maximize woodland interiors, and reduce the edge/area ratio.**

Comment: This guideline is codified in the preservation priorities of the Woodland Conservation Ordinance. Connectivity of preserved woodlands is discussed in detail in the Environmental section below.

8. **The Natural Reserve Areas, containing floodplain and other areas unsuitable for development, should be restricted from development except for agricultural, recreational and similar uses. Land grading should be discouraged. When disturbance is permitted, all necessary conditions should be imposed.**

Comment: Section 24-130 of the Subdivision Regulations ensures that only necessary impacts to sensitive environmental features are permitted. Variation requests to sensitive environmental features were submitted with this application and are discussed in detail below. Some of the requests were approved and one that is not essential to the development of the property was disapproved

9. **All development proposals should provide effective means for the preservation and protection of Natural Reserve Areas, the development plans for lands containing open space and conservation areas should specify how and by whom these areas will be maintained.**

Comment: This Conservation Subdivision proposes the creation of conservation parcels that will be owned and maintained by the future homeowners.

10. **Limited development should be permitted in Conditional Reserve Areas, based on the significant physiographic constraints and natural processes of the land.**

Comment: "Conditional Reserve Areas" in master plans were superseded by the "Evaluation Areas" designated in the Countywide Green Infrastructure Plan in 2005. The Evaluation Areas have been preserved in keeping with the conservation subdivision design parameters.

11. **In the Perceptual Liability Areas, land uses such as schools, residences, nursing homes, and libraries that are sensitive to noise intrusion, air pollution and other characteristics of excessive vehicular traffic should be protected by suitable construction techniques and by the enforcement of legally mandated standards.**

Comment: No specific Perceptual Liability Areas were identified by the master plan in this area and none are planned on the site.

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12. **Developers shall be encouraged to include careful site planning and construction techniques which are designed to reduce the adverse impact of point and nonpoint source noise that exceeds the State's current maximum allowable levels for receiving land uses.**

Comment: There are no noise generators adjacent to the subject property.

14. **Citizens, developers and others should be encouraged to seek current information on the area's sensitive environmental condition, and on all aspects of related regulatory systems and functional programs from the appropriate local, State and Federal agencies.**

Comment: Information available at PGATLAS.com provides generalized information regarding sensitive environmental features of the region and the Natural Resource Inventory provides detailed information regarding the subject property.

CONFORMANCE WITH THE COUNTYWIDE GREEN INFRASTRUCTURE PLAN

The property is proposed to be developed with the optional conservation subdivision provisions of the Subdivision Ordinance (24-152). Preservation, beyond ~~*preservation~~, that which would be achieved with a conventional design, has been focused in the Evaluation Areas designated in the Green Infrastructure Plan.

CONFORMANCE WITH THE CONSERVATION SUBDIVISION ORDINANCE

CB-4-2006 requires the completion of the sketch plan process before a preliminary plan of subdivision for a conservation subdivision is accepted. It is further required that the Planning Director or designee certify the completion of the sketch plan process prior to acceptance of the preliminary plan. The certification of the sketch plan is not the approval of a specific lot yield or layout, but the completion of the sketch plan process for planning purposes.

The following are the comments that apply to the review of the preliminary plan. The specific language of the Subdivision Ordinance regarding conservation subdivisions is shown in **bold type** and EPS comments are provided in regular type.

- (2) **The intent of the sketch plan is to clearly document the design process, and to prioritize the characteristics of the site to be preserved in a conservation parcel or lot. Priorities can be a combination of site characteristics and may include areas of the site not otherwise regulated by this Subtitle.**

- a. **The sketch plan shall document the existing features of the site. The characteristics of the site are generally categorized as follows:**

- (1) **Scenic**

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- (2) **Agricultural**
- (3) **Environmental, and**
- (4) **Historic**

In accordance with Section 24-152, the priority design elements for preservation in this conservation subdivision are: the retention of high priority woodlands and clusters of specimen trees within and adjacent to regulated areas; preserving and/or improving the scenic qualities of the views of this subdivision from surrounding properties and that of Floral Park Road and Accokeek Road; and creating visually compatible boundaries with existing adjacent development and existing and proposed parkland.

Priority Woodland/Specimen Trees

The applicant filed a priority forest analysis which was utilized in evaluating the conservation subdivision layout. A significant amount of priority forest areas are being preserved to the extent possible, and are a priority feature of this site.

In order to find conformance with the stated preservation priorities, in addition to the modifications approved at the entrance to the subdivision, there is one area in particular that should be evaluated by the applicant to preserve more of the priority woodlands. The cul-de-sac at the end of proposed street "D" shows the elimination of a cluster of specimen trees for lot creation and home construction. The cluster of five-specimen trees is generally unique in the subdivision outside the expanded buffer. The other two locations that are similar are proposed to be cleared by the applicant. This location was identified due to the clustering and quality of the specimen trees. The proposed clearing should be reduced at the west end of proposed street "D" in order to preserve high priority woodland and the cluster of specimen trees. This would enhance the continuity of forest along stream valley and reduce creation of new edge habitat. While staff agrees that this area of the site should be evaluated for preservation of these specimen trees with in the priority woodland, staff recognizes that a request to modify the limit of disturbance may have impacts to the lotting pattern greater than the five lots indicated. In fact a revision of this nature has a radiating affect that can not be quantified without further study. This revision would cause a revision to the stormwater management layout and may effect lots in other pods of development. The applicant should evaluate every opportunity to preserve woodland in this area.

The preliminary plan shows existing grades based on two-foot contours, conceptual grading and a proposed limit of disturbance. The TCPI includes the location of woodlands, open fields and environmental features, incorporating information from the signed NRI/150/06. The NRI includes documentation of woodlands, farmland, streams, wetlands, hedgerows, and pastures.

Section 24-152 of the Subdivision Regulations sets forth the following:

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- (e) **The sketch plan shall propose locations for dwellings on that portion of the site determined to be least suitable for conservation.**

Comment: The preliminary plan is consistent with the certified sketch plan and shows the locations of proposed dwellings outside of the regulated features of the site, but within the designed Evaluation Areas of the Green Infrastructure Plan. The plan also shows lots within existing woodland conservation mitigation banks which are currently dedicated for conservation. This concept does not conform to the provisions of the conservation subdivision regulations. Conditions have been included which would revise the preliminary plan and require the relocation of the mitigation banks which currently exist on the site.

- (f) **The sketch plan shall locate areas of the site that have appropriate soils for septic recovery fields (community, shared and/or individual systems) if proposed and shall show areas for stormwater management facilities, if any, and the type of facility proposed.**

Comment: Individual septic recovery systems are not proposed. Eight stormwater management ponds are shown on the Type I tree conservation plan.

The sketch plan shall show conceptual locations for proposed roads, lot lines and setbacks.

Comment: The sketch plan showed proposed roads, lot lines and setbacks and is consistent with the preliminary plan proposed by the applicant.

- (g) **The sketch plan should designate existing environmental and landscape features such as groups of trees, specimen trees, hedgerows, and woodland areas.**

Comment: The preliminary plan, combined with the NRI, shows all existing environmental features and landscape features.

A signed Natural Resources Inventory (NRI/150/06) was submitted with this application and a revised NRI was received on January 15, 2008. The preliminary plan and Type I TCP show the sensitive environmental features in conformance with the NRI.

The forest stand delineation (FSD) indicates seven forest stands totaling 201.36 acres and notes the species, size and condition of 117 specimen trees. The following descriptions of the existing forest stands are based solely on the existing forest stand conditions and not on their value related to the conservation subdivision process.

Forest stand "A" contains approximately 72.30 acres and generally borders the stream valleys. The stand is dominated by American beech, red oak, white oak, yellow poplar and chestnut oak with an average diameter at breast height of 13.1 inches. A total of 14 tree species were noted at the 27 sample points. The understory species include highbush blueberry, American holly,

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BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

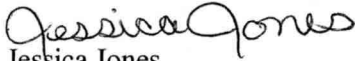
~~*[This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Cavitt absent at its regular meeting held on Thursday, April 17, 2008, in Upper Marlboro, Maryland.]~~

~~*[Adopted by the Prince George's County Planning Board this 29th day of May 2008.]~~

*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 Squire, with Commissioners Bailey, Squire and Hewlett voting in favor of the motion, and with Commissioners Shoaff and Washington absent at its regular meeting held on Thursday, March 22, 2012, in Upper Marlboro, Maryland.

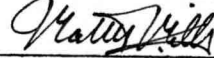
*Adopted by the Prince George's County Planning Board this 22nd day of March 2012.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:WC:arj

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date

3/26/12

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Appropriate conditions have been included in the recommendation section of this report to address the above requirements.

*[19]20. The recorded lots that are included in this subdivision (SDH 3@86) were recorded in 1930. That record plat dedicated a 30-foot public street on which development has been authorized, and further subdivision has relied. A 340-foot portion of the right-of-way (ROW) abuts the east (rear) lot lines of proposed Lots 11 through 16, Block J. The M-NCPPC owns the property abutting the ROW to the east (opposite the subject property). This part of the ROW dedicated in 1930, serves only those lots that are a part of the proposed subdivision being re-subdivided or owned by M-NCPPC as part of the Pleasant Springs Community Park. In accordance with Section 24-112 of the Subdivision Regulations, the vacation of that portion of the ROW would only be necessary if determined appropriate by M-NCPPC, as the owners of the land on both sides of this portion of the 30-foot-wide street. This portion of the ROW is a paper street and is not currently improved or used for vehicular access by any adjoining property owner. An additional portion of the ROW serves an adjacent property owner (Hendrick) and extends south bisecting the existing public park providing a connection to the existing Accokeek Road (master plan C-527).

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- (2) The limit of the conservation easement and the legal description (liber and folio) of the conservation easement deed.
- (m) **Ownership/maintenance.** The conservation area shall be owned and controlled by an individual, homeowners' association, public or private organization, land trust, or corporation. The owner shall assume all responsibility for maintenance and continued protection of the conservation area. An ownership and maintenance agreement as part of the conservation easement deed shall be approved by the Planning Board, recorded among the Land Records of Prince George's County, and referenced on the record plat of subdivision.
- (n) **Easements.** An easement agreement shall be recorded in the Land Records of Prince George's County for the conservation area, prior to the approval of the final plat. The easement agreement shall be approved by the Prince George's County Planning Board (or its designee) prior to recordation. The easement shall run with the land, shall be in full force and effect in perpetuity, and shall describe and identify the following:
 - (1) The location and size of the conservation areas.
 - (2) Existing improvements on the conservation areas.
 - (3) Provisions that prohibit future development of the conservation areas.
 - (4) The purpose of the conservation area.
 - (5) Provisions for a prohibition on future subdivision of the conservation area.
 - (6) Provisions for maintenance and ownership of the conservation area.
 - (7) Responsibility for enforcement of the easement.
 - (8) Provisions for succession in the event that one of the parties to an easement agreement should be dissolved; and
 - (9) Regardless of who the owner of a conservation area is or will be, there shall be an additional party to the easement in addition to the property owner:
 - (A) A land conservation organization that is:
 - (i) A not-for-profit, tax-exempt organization within the meaning of Section (501)(c)(3) of the Internal Revenue Service Code;
 - (ii) Established to promote the preservation and protection of natural, historic and agricultural resources; and
 - (iii) Party to a cooperative agreement with the Maryland Environmental Trust committing to follow the Land Trust Alliance's Standards and Practices in any easement it holds; or
 - (B) A local governmental agency, upon the demonstration by the applicant that they have exhausted all reasonable efforts to obtain an agreement with a private non-profit organization.

The governmental agency may determine that the servient tenant provides for equal protection and therefore, should retain all rights of the conservation easement in its entirety, if determined appropriate at the time of final plat.

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The haul road currently extends over the stream valley, via an earthen dam road that is approximately 18 feet tall, 150 feet long, and 100 feet wide. This is a major stream crossing and pipes the stream at the base. The applicant has proposed to convey this area of the site to the homeowners association (HOA), which will make it responsible for the maintenance of this facility. The dam is not a part of the stormwater management plan or public/private road network. Staff originally recommended that the applicant provide current information on the dam construction to ensure its integrity. Conveyance of this facility to the HOA could create a liability not proportional to the resources of the homeowners.

On March 4, 2008 the applicant filed a revised variation request which now includes a proposal to remove the haul road and restore the stream to a natural state, as discussed further in the Environmental Planning Section of this report. On April 17, 2008, the Planning Board approved the variation for this impact to the expanded buffer.

- *[17]19. **Hendrick Property**—Parcels C (27,467± square feet)—The applicant is proposing to convey Parcel C to the owners of Lot 43 to the east. There is an apparent encroachment of accessory structures associated with the dwelling on Lot 43 onto the subject property. The applicant, at the request of staff, provided a copy of a letter dated December 21, 2007 (Shearer to Hendrick), requesting that Mr. and Mrs. Jesse Hendrick sign a letter of intent that they will accept the conveyance of these two parcels. A copy of the signed letter has not been provided to staff, and staff is unaware of any further correspondence with the Hendricks.

Staff is recommending that prior to approval of the final plat the applicant submit an executed deed of conveyance (signed by all parties) of Parcel C to the property owner of Lot 43 (SDH 3@86), Jesse L and Jean Hendrick, and should submit recorded deeds of the conveyance prior to the approval of a grading permit. If Parcel C is not conveyed to the owners of Lot 43 as demonstrated with the grading permit, then the applicant should file a new record plat in accordance with Section 24-111(c) for which no preliminary plan of subdivision is required and the land area of proposed Parcel C incorporated into the abutting lots and HOA Parcel B within the Estates of Pleasant Valley (after the removal of the structure). The final plat should carry a plat note that lot line adjustments involving Parcel C may not result in additional buildable lots without a new preliminary plan of subdivision. The current access to the Hendrick Property bisects the existing Pleasant Springs Community Park (M-NCPPC) via a dedicated right-of-way (SDH 3@86).

- *[18]20. **Conservation Parcels**—This conservation subdivision proposes two conservation parcels (A and B) which total 125 acres. Section 24-152 of the Conservation Subdivision regulations sets forth the following:

- (l) **Final plat notation.** The following shall be included on the final plat:
 - (1) A statement that the property is approved for a conservation subdivision and that further subdivision may not be permitted; and

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plan, 38052-2007-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding.

The approved stormwater concept is for the use of closed-section roads and providing quality management of run-off with ponds for development of this site. Because the layout of the ponds may change a full review of the stormwater management design and layout should occur during future reviews of more detailed designs for the development.

*The stormwater concept plan is required to be designed in conformance with any approved Watershed Management Plan, pursuant to Subtitle 32 Water Resources and Protection, Division 3 Stormwater Management, Section 172 Watershed Management Planning. As such, the requirements of Section 24-130(b)(4), which require that a subdivision be in conformance with any watershed management plan, have been addressed with the approval of the SWM concept plan by the Department of Public Works and Transportation.

*[45]17. **Historic**—A Phase I archeological survey was completed on the 278.09-acre Estates of Pleasant Valley property in September 2007. Three twentieth-century archeological sites were identified—18PR915, 18PR916, and 18PR917. All of these sites were disturbed by their subsequent demolition and no intact archeological deposits or features were noted in the Phase I survey. Therefore, no further work was recommended on the Estates of Pleasant Valley property. Staff concurs with the report's conclusion that no further work is necessary on sites 18PR915, 18PR916, and 18PR917. Four copies of the final report, "A Phase I Intensive Archaeological Survey of the Estates of Pleasant Valley Residential Subdivision, Floral Park and Accokeek Roads, Brandywine, Prince George's County, Maryland, Preliminary Plan 4-07076," have been received by the Historic Preservation Section and were accepted on November 26, 2007. All archeological conditions for the county have been met for the Estates of Pleasant Valley property.

However, Section 106 review may require an archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties to include archeological sites. This review is required when state or federal monies or federal permits are required for a project. The site has no effect on historic resources.

*[46]18. **Existing Haul Road**—An existing haul road crosses the property. This road was originally located within the easement which has been demonstrated by the applicant to be abandoned. This information is now reflected on the preliminary plan of subdivision. Originally staff recommended that this haul road be utilized to provide a public trail crossing between development located on the south side of Floral Park Road and the southern section of the proposed development. However, a trail construction in this location could be costly, and staff believes that other opportunities may exist in the future east on Floral Park Road to provide a trail connection to the Pleasant Springs Community Park (M-NCPPC) which would not necessitate a major stream crossing.

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- *[14]13. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance and concluded the following:

The Prince George's County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station, Company 40, Brandywine, using the Seven-Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire Department.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

- *[12]14. **Police Facilities**—The preliminary plan is located in Police District V. The response standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the proceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on November 21, 2007. Staff concluded at that time that the response standards for priority calls of 10 minutes and 25 minutes for nonpriority calls were met on December 3, 2007.

Reporting Cycle	Previous 12-Month Cycle	Priority Calls	Nonpriority Calls
Acceptance Date 04/09/2007	10/06-10/07	10 minutes	13 minutes
Cycle 1	11/06 – 11/07		
Cycle 2	12/06 -12/07		
Cycle 3	1/07 - 1/08		

Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

- *[13]15. **Health Department**— On January 14, 2007, the Health Department requested a copy of the Phase I environmental site assessment that was being conducted on the site including a detailed summary of the previous sand and gravel operation. The Health Department received that report and was satisfied with its findings. The Health Department has no objection to the preliminary plan and no further comments.

- *[14]16. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T) has determined that on-site stormwater management is required. A stormwater management concept

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Planning Board Conclusions

Based on the preceding findings, adequate access roadway and adequate transportation facilities will exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

10. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	333	333	333
Pupil Yield Factor	.24	.06	.12
Subdivision Enrollment	79.92	19.98	39.96
Actual Enrollment	3,898	5,968	9,696
Completion Enrollment	148.8	90	181
Cumulative Enrollment	37.2	9.3	18.6
Total Enrollment	4,163.92	6,087.28	9,935.56
State Rated Capacity	3,771	6114	10,392
Percent Capacity	110.41	99.56	95.60

Source: Prince George's County Planning Department, M-NCPPC, January 2007

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of \$7,000 per dwelling if a building is located between I-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; 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 \$7,870 and \$13,493 to be paid at the time of issuance of each building permit. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

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traffic safety the applicant provided evidence that refuted the need for the dedication of A-55 due to safety issues.

In general:

1. The majority of the applicant's traffic, due to the configuration of subdivision, would not use the section of MD 373 under discussion.
2. The alignment issue exists and would continue to exist whether the development was built or not.
3. There was no adequacy or access requirement that would have necessitated the construction of the A-55 (MD 373 Relocated) facility within the subject site.
4. There was no commitment on the part of SHA to make the applicant build the relocated section of MD 373, and no commitment to assist in providing a safe transition to the existing road; therefore, despite any dedication made by the applicant, the safety issues within the subject site that were identified would have continued to be present.

*Therefore, the Planning Board did not require the right-of-way dedication for A-55.

Site Access

There are two issues:

- A. Site access is proposed via two separate access points onto Floral Park Road, a major access point onto MD 373, and two secondary access points onto MD 373. Both access points along Floral Park Road have been determined to be acceptable in concept. While an earlier plan had proposed a third access point along MD 373, the plan has since been modified, and the two remaining access points along MD 373 have conceptual SHA approval at this time.
- B. At the time that the sketch plan was reviewed, it was strongly suggested that access to the residences in the southwestern portion of the site explore access to MD 373 while retaining an access point via existing Church Drive into the Pleasant Springs community. It was stated at that time that "an extension of Church Drive is clearly functional and would improve access within the overall community." Yet the current plan eliminated that connection. At the Planning Board hearing on April 17, 2008 the Planning Board required the connection to Church Road (see Priority Area #5).

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As noted earlier, SHA does concur with the mitigation that is proposed, and DPW&T offered no comment on the mitigation action. Given past actions by the Planning Board regarding mitigation proposals in this area, this appears to be a circumstance in which the Planning Board would seriously consider the use of mitigation, and the recommendation will include the applicant's proffer of the mitigation actions as a condition of approval for this application.

Brandywine Road and Floral Park Road

In response to the inadequacy at this intersection, the applicant has not provided any recommendation in the traffic study even though this intersection is shown to operate unacceptably as an unsignalized intersection. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. As a result, the transportation planning staff would recommend that a signal warrant study be completed at this location. In addition, DPW&T has indicated that the westbound Brandywine Road and the eastbound Floral Park Road approaches be widened to two lanes to provide exclusive turn lanes at this "Y" intersection. The Planning Board finds that completing the signal warrant study, and installing a traffic signal if warranted, is in accordance with the Guidelines for the Analysis of the Traffic Impact of Development Proposals and, with the improvements recommended by DPW&T, will satisfy the requirements of Section 24-124.

Plan Comments

The site is adjacent to Floral Park Road, which is shown as a master plan collector facility on the Subregion V master plan. The plan shows adequate dedication of 40 feet from centerline along Floral Park Road. DPW&T recommends that bypass lanes be provided along Floral Park Road at each site access point which can be accommodated within the right-of-way proposed.

The site is adjacent to MD 373 (Accokeek Road), which is shown as two separate master plan facilities on the Subregion V master plan. The portion of MD 373 along the easternmost 300 linear feet of this site is shown as C-527, which is intended to be a roadway that will connect this area to the planned MD 5/Brandywine Road interchange. Dedication for C-527 along this site's frontage is acceptable as shown.

On the Subregion V Master Plan the remainder of the MD 373 frontage is proposed to be replaced by A-55, which is intended to be a major roadway connecting Accokeek with the Brandywine town center/community center, as reflected on the Subregion V master plan and the Prince George's County General Plan. Along the frontage of this plan, the right-of-way is mostly on a new alignment as a means of straightening the tight curves that exist and avoiding adjacent environmental features.

Staff had recommended that the Planning Board require the applicant to dedicate A-55 where it impacts this property due to safety. At the Planning Board hearing on April 17, 2008 regarding a

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A. Along southbound MD 5 approach, provide a fourth through lane.

It is noted that significant improvements to the side street approaches have already been bonded by Lakeview at Brandywine, which was reviewed and approved (4-04072), and are correctly assumed to be a part of the background scenario. In all likelihood, these improvements will be implemented before development begins on the subject site.

DPW&T and SHA reviewed this proposal. DPW&T did not oppose the mitigation given that SHA has jurisdiction for permitting modifications at this location. SHA concurred with the recommendations. The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 5 and MD 373				
Background Conditions	D/1432	E/1573		
Total Traffic Conditions	E/1544	F/1672	+112	+99
Total Traffic Conditions w/Mitigation	D/1412	E/1471	-132	-201

The options for improving this intersection to LOS D, the policy level of service at this location, are very limited to accomplish in both peak hours. The western and eastern legs of the intersection are being improved by another developer, and the mitigation proposal widens MD 5 to the greatest extent feasible. The only identifiable improvement that would result in LOS D operations at this location would be the construction of the planned MD 5 and Brandywine Road interchange. This interchange was included in an environmental study of the MD 5 corridor by SHA, and design of the interchange is virtually complete, but there has been no funding to date for construction of the needed ramps, overpass, and connector roadways.

As the CLV at the critical intersection is between 1,450 and 1,813 during both peak hours, the proposed mitigation actions must mitigate at least 150 percent of the trips generated by the subject property in each peak hour or reduce the service level to D, according to the "Guidelines." The above table indicates that the proposed mitigation action would accomplish this. The table indicates that the proposed mitigation action would mitigate nearly over 200 percent of the trips generated by the subject property in the PM peak hour, and would accomplish LOS D during the AM peak hour. **Therefore, the applicant's proposed mitigation at MD 5 and MD 373 meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.**

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IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 5 and Brandywine Road				
Background Conditions	F/1974	F/2131		
Total Traffic Conditions	F/2024	F/2177	+50	+46
Total Traffic Conditions w/Mitigation	F/1673	F/1766	-351	-411

The options for improving this intersection to LOS D, the policy level of service at this location, are very limited. The western and eastern legs of the intersection have right-of-way issues, and the mitigation proposal widens MD 5 to the greatest extent feasible. The only identifiable improvement that would result in LOS D operations at this location would be the construction of the planned MD 5 and Brandywine Road interchange. This interchange was included in an environmental study of the MD 5 corridor by SHA, and design of the interchange is virtually complete, but there has been no funding to date for construction of the needed ramps, overpass, and connector roadways.

As the CLV at the critical intersection is above 1,813 during both peak hours, the proposed mitigation actions must mitigate at least 100 percent of the trips generated by the subject property, and the actions must reduce the CLV to no worse than 1,813 during either peak hour, according to the "Guidelines." The above table indicates that the proposed mitigation action would mitigate at least 100 percent of site-generated trips during each peak hour. This table also indicates that the resulting CLV under total traffic with the mitigation improvements is 1,813 or less in each peak hour. The table indicates that the proposed mitigation action would mitigate nearly 700 percent of the trips generated by the subject property in the AM peak hour, and an even higher percentage during the PM peak hour. **Therefore, the applicant's proposed mitigation at MD 5 and Brandywine Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.**

As noted earlier, SHA does concur with the mitigation that is proposed, and DPW&T offered no comment on the mitigation action. Given past actions by the Planning Board regarding mitigation proposals in this area, this appears to be a circumstance in which the Planning Board would seriously consider the use of mitigation, and the recommendation will include the applicant's proffer of the mitigation actions as a condition of approval for this application.

MD 5 and MD 373

In response to the inadequacy at this intersection, the applicant has proffered mitigation. This intersection is eligible for mitigation under the fourth criterion in the Guidelines for Mitigation Action (approved as CR-29-1994). The traffic study recommends the following improvements:

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TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (LOS, AM & PM & Sat.)	
MD 5 and Brandywine Road	2,024	2,177	F	F
MD 5 and MD 373	1,544	1,672	E	F
Brandywine Road and Floral Park Road	366*	666*	--	--
Floral Park Road and northeast site access	11.8*	10.6*	--	--
Floral Park Road and northwest site access	12.0*	9.9*	--	--
MD 373 and Becker Road	11.1*	11.7*	--	--
MD 373 and southeast site access	14.2*	16.1*	--	--
MD 373 and southwest site access	11.3*	12.2*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Given these analyses, the MD 5/Brandywine Road, MD 5/MD 373, and the Brandywine Road/Floral Park Road intersections all would operate unacceptably in at both peak hours.

MD 5 and Brandywine Road

In response to the inadequacy at this intersection, the applicant has proffered mitigation. This intersection is eligible for mitigation under the fourth criterion in the Guidelines for Mitigation Action (approved as CR-29-1994). The traffic study recommends the following improvements:

- A. Along southbound MD 5 approach, provide a fourth through lane.
- B. On the eastbound Brandywine Road approach, provide three lanes, with an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane.

DPW&T and SHA reviewed this proposal. DPW&T did not oppose the mitigation given that SHA has jurisdiction for permitting modifications at this location. SHA concurred with the recommendations. The impact of the mitigation actions at this intersection is summarized as follows:

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TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (LOS, AM & PM & Sat.)	
MD 5 and Brandywine Road	2,024	2,177	F	F
MD 5 and MD 373	1,544	1,672	E	F
Brandywine Road and Floral Park Road	366*	666*	--	--
Floral Park Road and northeast site access	11.8*	10.6*	--	--
Floral Park Road and northwest site access	12.0*	9.9*	--	--
MD 373 and Becker Road	11.1*	11.7*	--	--
MD 373 and southeast site access	14.2*	16.1*	--	--
MD 373 and southwest site access	11.3*	12.2*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Given these analyses, the MD 5/Brandywine Road, MD 5/MD 373, and the Brandywine Road/Floral Park Road intersections all would operate unacceptably in at both peak hours.

MD 5 and Brandywine Road

In response to the inadequacy at this intersection, the applicant has proffered mitigation. This intersection is eligible for mitigation under the fourth criterion in the Guidelines for Mitigation Action (approved as CR-29-1994). The traffic study recommends the following improvements:

- A. Along southbound MD 5 approach, provide a fourth through lane.
- B. On the eastbound Brandywine Road approach, provide three lanes, with an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane.

DPW&T and SHA reviewed this proposal. DPW&T did not oppose the mitigation given that SHA has jurisdiction for permitting modifications at this location. SHA concurred with the recommendations. The impact of the mitigation actions at this intersection is summarized as follows:

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BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (LOS, AM & PM & Sat.)	
MD 5 and Brandywine Road	1,974	2,131	F	F
MD 5 and MD 373	1,432	1,573	D	E
Brandywine Road and Floral Park Road	351*	614*	--	--
Floral Park Road and northeast site access	Future			
Floral Park Road and northwest site access	Future			
MD 373 and Becker Road	10.9*	11.5*	--	--
MD 373 and southeast site access	Future			
MD 373 and southwest site access	Future			
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

A residential subdivision consisting of 336 lots was evaluated based on the traffic study submitted. Subsequent revisions to the plan result in 323 lots proposed. The proposed development would generate 252 AM (50 in, 202 out) and 302 PM (198 in, 104 out) peak-hour vehicle trips as determined using the "Guidelines for the Analysis of the Traffic Impact of Development Proposals." With the site added to the local roadway network, the following results are obtained:

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Staff Analysis of Traffic Impacts

The existing conditions at the critical intersections identified for review and study are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM & Saturday)		Level of Service (LOS, AM & PM & Sat.)	
MD 5 and Brandywine Road	1,786	1,850	F	F
MD 5 and MD 373	1,507	1,645	E	F
Brandywine Road and Floral Park Road	29.8*	23.3*	--	--
Floral Park Road and northeast site access	Future			
Floral Park Road and northwest site access	Future			
MD 373 and Becker Road	10.4*	10.4*	--	--
MD 373 and southeast site access	Future			
MD 373 and southwest site access	Future			
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the "Guidelines," delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

There is a project funded for construction involving the two MD 5 intersections within the State Consolidated Transportation Program (CTP). This project would widen MD 5 from four lanes to six lanes through the MD 373 and the Brandywine Road intersections. This is the initial phase of a plan to eventually provide an interchange to serve both existing intersections. There are also improvements that have been bonded by Lakeview at Brandywine; since these improvements are approved, funded, and scheduled for construction, they have the status of background improvements. Twenty-three approved but unbuilt developments that would directly affect the critical intersections that were identified. Annual through traffic growth of 3.0 percent per year was added to account for development and traffic growth in the general area. With background growth and funded improvements added, the following results are obtained:

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adjacent or nearby sites. Due to the constraints cited above, no trail construction is recommended across the stream valley.

*[9]11. **Transportation**—Due to the uses proposed, staff deemed that a traffic study would be necessary. The resulting study has been referred to the County Department of Public Works and Transportation (DPW&T) and the Maryland State Highway Administration (SHA), and the comments from those agencies were received. Subsequently, an addendum to the traffic study was received, and that was also referred for comment. Therefore, the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

Growth Policy - Service Level Standards

The subject property is in the Developing Tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the developing tier.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

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The M-NCPPC Department of Parks and Recreation owns the adjacent Pleasant Springs Community Park property.

A master plan trail along Accokeek Road would provide access from the subject site to the adjacent park property. This connection is important as it will allow residents of the proposed development pod along the sites western boundary and Pleasant Springs Community to the west to access the adjoining parkland without having to drive. Not only could the trail link the subject site with the adjacent M-NCPPC parkland, but it will also provide a major non-motorized connection to the Brandywine Special Study Area which is located south of Accokeek Road and several proposed parks to the west (as shown on the Subregion V comprehensive master plan). The provision of the master plan trail along the Accokeek Road is recommended for the subject application.

INTERNAL HOA TRAIL CONNECTIONS ACROSS THE STREAM VALLEY:

At the time of subdivision review committee, staff recommended that the feasibility of internal HOA trail connections be explored. The stream valley is currently bisected by the existing haul road that is on top of a substantial berm across the wetland. The stream flows under the haul road in two metal pipes. On the north east side of the road, there is a fairly large existing wetland filling much of the floodplain.

Initial plan submittals reflected the retention of the existing haul road and berm across the stream valley. This road serves as an existing crossing of the wetlands and appeared to be suitable as a trail connection linking the northern and southern portions of the subject site. However, subsequent discussions have indicated that the haul road will be removed through the stream valley as part of a restoration effort. Staff continued to explore the provision of trail connections between the otherwise isolated portions of the Estates at Pleasant Valley development. Staff evaluated various alternatives including boardwalk, a pre-fabricated steel bridge, and various combinations of asphalt trails, bridging and boardwalk. More specifically, staff evaluated the feasibility of trail construction into the stream valley, with a boardwalk and/or pre-fabricated bridge crossing the stream. Staff also evaluated the possibility of a bridge crossing of the stream, floodplain, and steep slopes.

In addition to the stream and associated wetlands, there are steep and severe slopes along both sides of the stream valley. The stream valley is lined by slopes of at least 15 percent, with many areas having slopes greater than 25 percent. While the wetlands are largely confined to the east side of the haul road, steep slopes extend along both sides. Extensive switchbacks would be necessary to provide ADA accessibility for any trail construction into the stream valley. These switchbacks would probably require extensive grading and clearing of the impacted slopes. Due to these impacts, as well as the costs associated with the structures required, staff concludes that a trail connection probably is not feasible at this location. Discussions with the Subdivision Section have concluded that recreational funds are better spent in other areas, and that trail connections in the vicinity of the subject site should be continued to be explored, possibly on

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DPR staff has proposed that \$2.2 million dollars be placed in the Parks Department's CIP budget for design and development of Pleasant Springs Community Park. DPR staff has proposed to place \$200,000 in the supplemental CIP, FY10 for park design and that \$2 million would be placed in the CIP over the subsequent three years for parkland development. Under this scenario, the park would be designed in 2010, under construction by 2012, and largely completed by 2013. This proposal is subject to the Council approval. Through several conversations with the applicant, staff has concluded that the applicant agrees with DPR staff recommendation of parkland dedication.

Therefore, the issue outstanding at the time of the Planning Board hearing was the configuration of the area of land (13.9 acres) to be dedicated. The applicant and staff agree to the amount of land (as required by Section 24-134 of the Subdivision Regulations) and the general location. However, the applicant proposes to back lots onto the northern edge of the park and staff believed that the configuration of the area of land area (13.9 acres) proposed by the applicant isolates the park edge from the greater community and would back 16 lots to the park and would orient the rear of several dwellings toward the core, and/or central round-about. At the Planning Board hearing on April 17, 2008 issues were raised which related to the orientation of dwelling units on the lots abutting the public park dedication within the subdivision. Specifically, the rears of the dwellings will be oriented toward the public park and could result in views which are not pleasing. Therefore, the approval of a LDSP is required prior to the approval of the first building permit for a lot abutting the public park. The LDSP should include all of the lots abutting the park to develop a consistent attractive development edge along the park boundary (Pleasant Springs Community Park M-NCPPC). The trigger for the installation of fencing or landscaping should be established with the site plan. The LDSP does not include the review of house sitings or architecture, and is to be approved by the Planning Board or its designee.

- *[8]10. **Trails**—The approved Subregion V master plan recommends master plan trails along both C-527 and A-55 (Accokeek Road/Accokeek Road relocated which was not dedicated as a part of this preliminary plan). This trail will be a segment of the Accokeek Road bikeway between Accokeek and Brandywine. The master plan includes the following background on this planned trail/bikeway:

This bikeway is envisioned as part of a large loop through the lower portion of the Subregion utilizing Accokeek Road, Piscataway Creek Stream Valley Park trail and Livingston Road. This loop will provide connections to Cosca Regional Park as well as seven proposed local parks. It is also part of a second loop by way of Timothy Branch and Mattawoman Watershed Park trails (Master Plan, page 169).

The development is essentially divided into four separate sections: One main portion of the development off C-527, the portion of the development opposite Church Drive, the portion of the development off Street Q, and Street P. There is no street connectivity shown between these development pods because of steep slopes, wetlands, and other environmental constraints.

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master plan for Suburban Estate and Low-Suburban residential development in this part of the Brandywine community.

*[7]9. **Parks and Recreation**—Staff of the Department of Park and Recreation (DPR) has reviewed Preliminary Plan 4-07076. The review considered the recommendations of the Approved Master Plan and Sectional Map Amendment for Subregion V, the Land Preservation and Recreational Program for Prince George's County, current subdivision regulations and existing conditions in the vicinity of the proposed development.

The applicant is proposing 323 new single-family residential lots. Using current occupancy statistics for single-family dwelling units leads to the conclusion that the proposed residential development will result in a population of 873 new residents. The project area is in the R-E and R-R Zones and subject to mandatory dedication of 13.9 acres of parkland suitable for both active and passive recreation, in accordance with Section 24-134 of the Subdivision Regulations.

DPR analysis shows that the subject subdivision is in a community with a "high" need for both public parkland and public recreational facilities. As the surrounding community continues to grow, the needs for both facilities and parkland in the Brandywine area are projected to increase. The subject property is adjacent to 67.18-acre Pleasant Springs Community Park, which was acquired by M-NCPPC in 2006. Pleasant Springs Community Park currently is undeveloped.

The community park is located to the east of the main entrance to the development. The proximate location of the park in relation to the development led staff and the applicant to investigate the provisions of public recreational facilities on the site. After several meetings with the applicant and a thorough examination of all options, DPR staff has ultimately come to the conclusion that development of a portion of the public park as originally proposed by the applicant, within the limits of the applicants budget, will not provide the necessary range of public recreational facilities to serve this community as required by Section 24-134 of the Subdivision Regulations and a required finding of the approval of this preliminary plan.

DPR staff has come to the final conclusion that it is premature to agree to the development of a small portion of the park when a comprehensive park design and development may change the overall layout. In addition, during the conceptual design process of the public park DPR staff further concluded that dedication of 13.9 acres of additional parkland would greatly improve the development capability of the northern portion of the Pleasant Springs Community Park. The current park property is divided by a significant environmental feature that extends east into the park from the western boundary, and limits the northern development potential of the park. The addition of the 13.9 acres to the northern area of the park will significantly improve the ultimate build out of the park. With that in mind the DPR staff has determined that the most efficient way to develop the parkland comprehensively would be to plan and develop the park through The Capital Improvement Program (CIP). Developing the park comprehensively rather than piecemeal will also yield a better design and more efficient layout opportunities.

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will be constructed to the west within the stream valley, with the northern and southern portions of the property connecting to this extension. Sewer service as proposed does not abut the Pleasant Springs community. The proposed sewer easement should be extended to the property line to provide for the main line extension within the stream valley.

- *[6]8. **Community Planning**—The area in which this application is located is identified in the Subregion IV master plan as a suburban living area in the North Village of the Brandywine Community. The neighborhood enclaves in this village are “primarily recommended for low-suburban residential development, and should be focused around the village or neighborhood or neighborhood activity centers that are recommended in each. Single-family residential construction is emphasized throughout these areas, but extensive use of cluster and comprehensive design zone techniques is advocated to achieve diversity in construction styles and lot sizes.” This application conforms with the master plan because the development proposed is low suburban and focused around the community park and environmental features.

Pursuant to the General Plan, this application is located in a possible future neighborhood activity center in the Developing Tier. A possible future center is one that is anticipated for more intense development at some point in the future, but is not accorded any priority status for public facilities, programming, grants, loans, programs, standards, etc., until after being designated as a “center” by the District Council in some future plan (biennial, master or sector plan). In most cases, there are significant new public infrastructure facilities that need to be programmed in order for development to occur, such as an alternative to the Waldorf Bypass in Brandywine. It should be noted that the County Council has directed that the Waldorf Bypass not be considered in the new Subregion 5 master plan and concurrently, the State Highway Administration is re-evaluating the proposed Waldorf Bypass in Subregion V as part of the ongoing US 301–Waldorf Transportation Improvement Study.

Furthermore, according to the General Plan, the boundaries of existing or possible future centers “should be confirmed or revised when master plans or sector plans are prepared to implement the general plan.” (p. 47). At the same time, the scale of the center (whether classified as a Community, Regional, or Metropolitan) can be evaluated. The Brandywine future center boundaries encompass a very large area, including both Employment Area “C” and the Brandywine Special Study Area community, which are located south of the subject site on the south side of Accokeek Road (A-55) and are divided by MD 5/US 301. The size of the Brandywine General Plan Center area is large enough for several mixed-use focal points or centers with transit or pedestrian orientations and includes this property. Due to its size, the recommended scale of the Brandywine center may be reclassified from a Community to Regional scale or higher in the future.

Commercial activity centers are recommended approximately a mile to the east of this application along the MD 5 corridor: (1) near the intersection of Brandywine Road and Branch Avenue MD 5, and (2) near the intersection of new arterial road A-55 and MD 5. A single-family, detached, residential subdivision as proposed by this application conforms to the recommendations of the

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Soils/Previous Mining Operation

Significant portions of the site were previously mined for sand and gravel. Due to the unknown nature of the soils and the limitations associated with these areas, a Soils Report addressing the soil structure, soil characteristics and foundation stability was required. The soils study is required to clearly define the limits of past excavation and indicate all areas where fill has been placed. All fill areas shall include borings, test pits, and logs of the materials found. Borings and test pits in fill areas are required to be deep enough to reach undisturbed ground.

A soils report dated March 8, 2008 was submitted. The report adequately meets the requirements that were listed in the Environmental Planning Section memorandum, dated July 27, 2007, Estates of Pleasant Valley, S-07002 and the Environmental Planning Section memorandum, dated December 26, 2007, Estates of Pleasant Valley, 4-07076. The soils report defines the limits of past excavations and indicates all areas where fill has been placed. The report notes the locations and results of borings and test pits and contains logs of the materials found. A sufficient number of borings and test pits in fill areas were deep enough to reach undisturbed ground.

The report submitted with this application notes concerns caused by the presence of sandy elastic clays and lean clays within the fill areas. Additionally, the report raises concerns due to perched water tables within the fill areas. When combined these raise serious concerns about the suitability of the existing fill within the previously mined areas for foundations, roads and other infrastructure. The study contains many recommendations, including replacement of unsuitable soils for foundations, reduction of groundwater levels within the fill areas, construction of road beds and timing of work that must be addressed in the final design and construction of this site. These recommendations must be followed to remediate problems associated with existing fill in previously mined areas and ensure that foundations, streets and other infrastructure are installed in a manner that will provide long term stability.

Significant portions of the site were mined for sand and gravel; however, this is not reflected on the NRI. Because the signed NRI is required to reflect the soil conditions of the site, and the soil conditions of the site have been altered from that shown, a revised NRI is necessary. After a revised soils report has been reviewed and approved, the NRI will need to be revised to show the previously mined areas and correct the forest stand boundaries.

Water and Sewer Categories

The water and sewer categories are W-4 and S-4 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003; therefore, the property will be served by public systems. The Department of Environmental Resources indicates that water and sewer line extensions are required to serve the property and encourages the applicant to design the sewer to serve the Pleasant Springs community to the west. WSSC notes that a water and sewer main line extension will be required to serve the property. The sewer main line extension

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roads, or create wooded buffers along roadways. Scenic easements can also be used to protect the quality of a viewshed along a scenic/historic road.

Section 24-152 of the Subdivision Regulations [text in **bold**] provides guidance with respect to the treatment of land adjacent to scenic or historic roads:

- (h) **Scenic and historic roads. Development along a designated scenic or historic road shall conform to the following standards:**
- (1) **There should be no views of the rears of dwellings from the road.**
 - (2) **Engineered berms for screening purposes are not permitted unless they are constructed to mimic natural contours.**
 - (3) **Fencing along the road shall be rural in character.**
 - (4) **Views from scenic and historic roads shall be preserved or may be created through the installation of landscaping that mimics natural conditions.**
 - (5) **Trees and vegetation shall not be removed within the required setback unless in accordance with an approved tree conservation plan.**
 - (6) **Existing slopes and tree tunnels along the street frontage should be retained, unless required to be removed by the Department of Public Works and Transportation (DPW&T) or the State Highway Administration (SHA) for frontage improvements.**
 - (7) **Buildings that are located within two hundred (200) feet from the street should be sited such that the principal entrance is oriented toward the street.**
 - (8) **A scenic easement shall be provided along the frontage of a designated scenic or historic road abutting the 10-foot public utility easement. The scenic easement shall be a minimum of forty (40) feet and increased where appropriate to retain unique characteristics of the scenic and historic character of the road.**
 - (9) **In general, access (public and private) to a scenic or historic road should be limited to the extent possible unless for safety reasons or for some other benefit such as environmental preservation, or to implement the stated purposes of this Division.**
 - (10) **Septic recovery areas shall not be permitted within the scenic easement, unless determined appropriate.**

In the Subregion V master plan, Accokeek Road is a designated historic road.

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sanitary sewer connection, the property could not be adequately developed in accordance with the R-R zone.

The Planning Board approves (5) five variations, approves modifications of (7) seven variations, and disapproves of (1) one variation.

Specifically, approval of the variation requests for proposed impacts "A", "C", "D", "E", and "L" for the reasons stated above. The approval of impacts "F", "G", "H", "I", "J", "K" and "M" with the condition that they be redesign to reduce clearing within expanded stream buffers. The disapproval of impact "N" and all impacts shown on the TCPI for which no variation request has been submitted.

Prior to signature of the preliminary plan, the TCPI should be revised to redesign the stormwater management ponds associated with proposed impacts "F", "G", "H", "I", "J", "K" and "M" to reduce the clearing of expanded stream buffers for the construction of the stormwater management facilities to the minimum necessary for required outfalls.

At the time of the review of the Type II TCP, special attention shall be placed upon the impacts to sensitive environmental features. Impacts significantly different than those approved by the Planning Board during the review of the Preliminary Plan will require review and approval by the Planning Board.

Woodland Preservation

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there are previously approved tree conservation plans for mitigation banks. A Type I tree conservation plan is required with a preliminary plan application. The Type I Tree Conservation Plan, TCPI/044/07, has been reviewed.

The Conservation Subdivision regulations indicate that the woodland conservation required for the site may be provided at an off-site location, only if it is necessary to preserve the rural and agricultural landscape. The plan as submitted appropriately meets all required woodland conservation on-site.

Accokeek Road is a designated historic road and Floral Park Road is a designated historic and scenic road. The "Design Guidelines and Standards for Scenic and Historic Roads" provides guidance for the review of applications that could result in the need for roadway improvements. Outside of the right-of-way, the review of development applications should consider how to protect the viewshed and/or significant visual features within the viewshed. In the review of a subdivision the placement and sizes of lots, the use of building restriction lines, and proposing conditions which relate to the size and building materials of proposed structures can be used to maintain the scenic qualities of a road. Application of the Woodland Conservation Ordinance, either at TCPI or TCPIL, can often be used to preserve existing woodland along scenic/historic

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variations unless it shall make findings based upon evidence presented to it in each specific case that:

The approval of the applicant's request does not have the effect of nullifying the intent and purpose of the Subdivision Regulations. In fact, strict compliance with the requirements of Section 24-130 could result in practical difficulties to the applicant that could result in the applicant not being able to develop this property.

- (1) The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The installation of the sanitary sewer lines, stormwater management outfalls and a public street are required by Prince George's County to provide for public safety, health and welfare. All designs of these types of facilities are reviewed by the appropriate agency to ensure compliance with the regulations. These regulations require that the designs are not injurious to other property.

- (2) The conditions on which the variations are based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

Because of the topography, the only available locations for sanitary sewers to serve this property must be partially within expanded stream buffers and stormwater outfalls must impact expanded stream buffers. Because the property is divided into many development envelopes by streams and expanded stream buffers, a road crossing is needed to serve the largest developable portion of the property.

- (3) The variation does not constitute a violation of any other applicable law, ordinance or regulation; and**

The installation of the public street, stormwater outfalls and connection the sanitary sewer are required by other regulations. Because the applicant will have to obtain permits from other local, state and federal agencies as required by their regulations, the approval of this variation request would not constitute a violation of other applicable laws.

- (4) Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out.**

The topography provides no alternative for the sanitary sewer lines and stormwater outfalls that are required to serve the development. The road crossing is required to serve the largest developable portion of the property. Without the required public street and

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is not necessary; the impacts for the stormwater management ponds are more than what is necessary for construction; and the Type I TCP illustrates numerous impacts for which no requests have been submitted.

Proposed impacts "A", "C", and "D" are for the installation of sanitary sewer lines to serve the property. Impact "E" is for a road crossing that is needed to serve the largest developable portion of the property. Impact "L" is required to remove an existing road and culvert that currently pipes the stream. Impacts "B", "F", "G", "H", "I", "J", "K" and "M" are associated with proposed stormwater management facilities. The justification submitted by the applicant for Impact "N" states that it is for a road crossing; however, it is needed only for the creation of useable rear yards on proposed lots.

Impacts "A", "B", "C", "D" and "E" are essential to develop the property in conformance with the R-R Zone. Impact "L" will serve to eliminate a potential hazard and restore a stream system. Impacts "F", "H", "I", and "M" can be reduced by providing a greater distance between the pond excavations and the slopes of the stream valleys. If the distance is increased, then the area between the excavations and the existing stream valleys will not be construed as "embankments" by the Soil Conservation District and will not need the extensive clearing shown.

Staff notes that the impacts have been combined where possible to reduce the overall impact and alternative access points were evaluated during the review.

Impacts to these buffers are restricted by Section 24-130 of the Subdivision Regulations unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. Each variation is described below. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations the impacts were discussed collectively.

In general, staff recommended approval of impacts "A", "C", and "D" for the installation of sanitary sewer lines; impact "L" for stream restoration; and impacts "F", "H", "I", and "M" with the condition that they be redesign to reduce clearing within expanded stream buffers.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~striketrough~~ indicate deleted language

Woodland Mitigation Banks

Two woodland conservation mitigation banks exist on the site and are reflected on Tree Conservation Plans TCPII/154/02 (53.86 acres) and TCPII/039/03 (23.34 acres). The areas of these banks are shown on the signed NRI and are currently protected by restrictive easements. These mitigation banks have been encumbered to satisfy woodland conservation requirements for previously approved development for off-site projects and have allowed the maximization of density on those properties. The area within the easements has been used to meet the open space requirements of Section 24-152. If the easements are not removed in their entirety, then the areas of the tree mitigation banks within the conservation easements should not be used to calculate the conservation parcel requirements. The plans show proposed lots within the existing conservation easements but no information has been provided regarding the disposition of the easements. Prior to the approval the final plat(s) for this property the applicant should demonstrate the mitigation banks have been removed from this property. If the mitigation banks are not removed, a significant redesign of the layout would be required to layout the subdivision around the mitigation banks. The mitigation banks can not be double counted and contribute to the required conservation area for this development and be encumbered by woodland mitigation easements serving other properties which fulfill those properties woodland conservation requirements.

Expanded Stream Buffer Impacts (24-130)

The preliminary plan shows numerous proposed impacts to expanded stream buffers. It appears that to have any development on the site, some impacts to the expanded buffer will be necessary in order to provide access to isolated areas and to provide necessary infrastructure construction which includes stormwater management outfalls.

Impacts to significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations require variation requests in conformance with Section 24-113 of the Subdivision Regulations. The design should avoid any impacts to streams, wetlands and their associated buffers unless the impacts are essential for the development of infrastructure and reasonable use of the property. The Planning Board does not support impacts to sensitive environmental features that are not associated with essential development activities. Essential development includes such features as public utility lines [including outfalls for sewer and stormwater], street crossings, and so forth, which are mandated for public health and safety; non-essential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare and infrastructure development.

A variation request, dated March 2, 2008, was submitted to request impacts to significant environmental features to construct a road crossing, provide for required stormwater management facilities and to construct sanitary sewer lines. Some of these impacts are necessary and have been sufficiently reduced to develop the proposed subdivision; however, one (1) impact requested

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Forest stand "F" contains approximately 30.77 acres of immature Virginia pines and sweetgum with an average diameter at breast height of 8.4 inches. The understory species include spicebush and false nettle. There are some invasive plants, including multiflora rose and Japanese honeysuckle. According to the FSD, there is very limited evidence of past logging activities, insect infestations or disease problems. No specimen trees occur within this stand. This stand rates a **low priority** for preservation.

Forest stand "G" contains approximately 14.94 acres in the southeastern portion of the site. The stand is dominated by red oak, white oak, yellow poplar and American beech with an average diameter at breast height of 11.0 inches. A total of ten tree species were noted at the seven sample points. The understory species include highbush blueberry and American holly. There are few invasive plants. According to the FSD, there is very limited evidence of past logging activities, insect infestations or disease problems. Numerous specimen trees occur within this stand. This stand rates a **high priority** for preservation because of its diverse composition, age, specimen trees and adjacency to a major stream valley. Some of the forest stand boundaries are incomplete.

The official file contains an exhibit titled "Priority Woodland Areas" showing the Regulated Areas (blue), priority woodlands (light green), the approximate limits of previous mining (red) and individual trees that were identified on a field visit with staff of the Development Review Division and a representative of the applicant as requiring special attention (dark green stars).

Based upon the forest stand delineation and NRI, woodland preservation should be a priority in stands "A", "B", "C" and "G". The applicant has also submitted a report titled "Priority Forest Analysis", dated January 9, 2008. The priority woodlands identified in that report are consistent with those identified by staff. The report also notes that of the approximately 127 acres identified as priority woodlands, the TCPI proposes removal of approximately 29 percent of the priority woodlands.

The plan notes woodlands that will be preserved on-site but not as part of any requirement. Most of this woodland is within an existing gas line easement and is subject to removal at any time by the holder of the easement. Additional woodland is retained on some lots, but not as part of any requirement. These areas must be calculated as cleared because retaining them but not calculating them as cleared leaves them in the status of regulated woodlands where future property owners would be required to revise the TCP if they desired to clear those areas.

The tree lines shown on the TCP are different in some places from those shown on the NRI; because of this inconsistency the total area of woodland cleared has been slightly underestimated and therefore, the total woodland conservation requirement has been slightly underestimated.

There are numerous revisions that may result in changes to the TCPI prior to signature approval, and include dedication of parkland, and the final design of the sanitary sewer lines may require additional clearing.

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mountain laurel and mapleleaf viburnum. There are few invasive plants. According to the FSD, there is very limited evidence of past logging activities, insect infestations or disease problems. Numerous specimen trees occur within this stand. This stand rates a **high priority** for preservation because of its location, diverse composition, age and many specimen trees.

Forest stand "B" contains approximately 67.10 acres and generally occurs within the stream valleys. The stand is dominated by yellow poplar, sweet gum and red maple with an average diameter at breast height of 12.6 inches. The understory species include spicebush, greenbrier and ferns. There are some invasive plants; however, these are generally near the edge of the woodland where past disturbance has occurred. According to the FSD, there is evidence of logging activities that took place 15-20 years ago and there are no significant insect infestations or disease problems. Numerous specimen trees occur within this stand. This stand rates a **high priority** for preservation because it is located in the stream valleys.

Forest stand "C" contains approximately 1.32 acres in the stream valley near an old beaver dam. The stand is dominated by river birch, sycamore, yellow poplar, sweetgum and red maple with an average diameter at breast height of 11.9 inches. The understory species include spicebush and false nettle. There are some invasive plants, including multiflora rose and Japanese honeysuckle. According to the FSD, there is evidence of logging activities that took place 15-20 years ago and there are no significant insect infestations or disease problems. Numerous specimen trees occur within this stand. This stand rates a **high priority** for preservation because it is within the stream valley.

Forest stand "D" contains approximately 8.72 acres in the northern portion of the site. The stand is dominated by mature Virginia pine, sweetgum and yellow poplar with an average diameter at breast height of 9.4 inches. The understory species include highbush blueberry, American holly and greenbrier. No invasive plants were found. According to the FSD, there is evidence of past logging activities. The mature Virginia pine is not a high priority for preservation because when the stand is opened during the clearing operation the remaining trees are subject to wind-throw. This stand also contains many wind-thrown trees at present making it less desirable for preservation. No specimen trees occur within this stand. This stand rates a **low priority** for preservation.

Forest stand "E" contains approximately 6.21 acres and occurs along the edge of the older woodland of stands "A" and "B". The stand is dominated by young sweetgum, yellow poplar, Virginia pine, red cedar, black walnut, red maple, boxelder and tree of heaven with an average diameter at breast height of 8.3 inches. The understory species include greenbrier, trumpet vine and false nettle. There are invasive plants, including multiflora rose, Japanese honeysuckle, oriental bittersweet and tree of heaven. According to the FSD, the stand has grown on areas that have been previously mined for sand and gravel. No specimen trees occur within this stand. This stand rates a **low priority** for preservation.

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

RESOLUTION ROUTING SLIP

DRD - SUBDIVISION SECTION

PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT - M-NCPPC
DEVELOPMENT REVIEW DIVISION

PROJECT TITLE: Estates@Pleasant Valley

FILE NO: 4-07076 RESOLUTION NO. DB-64(A)

BOARD APPROVAL DATE: 3.22.12

BOARD ADOPTION DATE: 3.22.12

STAFF WRITER: Chellis

Please review or process as indicated and send to the next office in sequence.

TASK	OFFICE	DATE		SIGN OFF
		IN	OUT	
RESOLUTION DRAFTED	ADMIN. AIDE	3/7	8/7	ARZ
PROOF DRAFT/ OK FOR FINAL	REVIEWER	3/7	3/12	AL
	ADMIN. AIDE	3/12	3/12	ARZ
	REVIEWER	3/12	3/12	GB
REVIEW FINAL	TECHNICAL HRG. WRITER	3/12	3/12	LIS
	DRD ADMIN. AIDE			
	TECHNICAL HRG. WRITER			
REVIEW FINAL	LEGAL DEPT.	3/12	3/13	QUA
	DRD ADMIN. AIDE	3/13	3/13	ARZ
	LEGAL DEPT.	3/13	3/13	QUA
SUBMIT FINAL	TECHNICAL HRG. WRITER	3/26	3/26	SK
FINAL FOR SIGNATURE	P.B. ADMINISTR.	3/26/12	3/26/12	JO
COVER SHEET FOR SIGNATURE	REVIEWER	3/27	3/27	GB
FINAL XEROX/MAILED	ADMIN. AIDE	3/27	3/27	TH
FILE ORIGINAL *	TECHNICAL HRG. WRITER	3/27	3/27/12	MAP

ORIGINAL RESOLUTION PLUS ONE COPY IS FILED WITH RECORDING SPECIALIST WHO WILL SIGN OFF AND RETURN ROUTING SLIP TO DIVISION

1. O.K. for Final.

YES

☐

NO

☒

Initials

SE

2. O.K. for Final

YES

☐

NO

☐

Initials

3. O.K. for Final

YES

☐

NO

☐

Initials



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

May 14, 2021

MEMORANDUM

TO: Thomas Sievers, Senior Planner, Zoning Review Section

VIA: Mridula Gupta, Planner Coordinator, Subdivision Section *MG*

FROM: Kayla DiCristina, Senior Planner, Subdivision Section *KD*

SUBJECT: A-10060; Saddle Ridge

The subject property considered in A-10060 is approximately 289 acres and is located in Tax Map 144 in Grids C-1, C-2, C-3, C-4, D-2, and D-3 south of Floral Park Drive and approximately 6,500 feet west of the intersection of Branch Avenue and Brandywine Road. The purpose of the application, as indicated in the applicant's Statement of Justification (SOJ), is to rezone the property from R-R (Rural-Residential) and R-E (Residential-Estate) to R-S (Residential-Suburban) and approve a Basic Plan for the development of between 736 to 954 single family detached and attached dwellings.

The subject property is a combination of record lots and acreage parcels. The record lots included in the subject property are Partial Lots 43-44, Lots 45-47 and Partial Lots 61-66 of the Littlewood Subdivision recorded in Plat Book SDH 3 at page 86 dated May 13, 1930. The record plat does not have any conditions of approval attached to it. Any development of the properties previously platted may require a resubdivision and a final plat in accordance with Section 24-111(c) of the Subdivision Regulations. The acreage parcels included in the subject property are Tax Parcels 37, 66, 110, 143, and 236 recorded among the Land Records of Prince George's County in Liber 43180 at folio 565 and Tax Parcels 86 and 157 recorded among the aforementioned Land Records in Liber 37115 at folio 531.

Tax Parcels 37, 143, and 236 are not subject to a previously approved Preliminary Plan of Subdivision (PPS). Partial Lots 43-44, Lots 45-47 and Partial Lots 61-66 of the Littlewood Subdivision and Tax Parcels 86, 110, 157, and 166 are subject to a Sketch Plan (S-07002) and PPS 4-07076 for the Estates at Pleasant Valley. PPS 4-07076 was approved by the Prince George's County Planning Board (PGCPB Resolution No. 08-64(A)) as a Conservation Subdivision on March 22, 2012 for 258 single family detached residences subject to 31 conditions of approval. S-07002 expired on November 7, 2009 and PPS 4-07076 is valid until December 31, 2021. A new PPS is required following approval of A-10060 as:

1. A-10060 proposes a change in the type, quantity, and location of the dwelling units approved under PPS 4-07076 and;

2. Tax Parcels 37, 143, and 236 have never been tested for adequacy under Subtitle 24.

The PPS approved in accordance with A-10060 will supersede PPS 4-07076 for Partial Lots 43-44, Lots 45-47 and Partial Lots 61-66 of the Littlewood Subdivision and Tax Parcels 86, 110, 157, and 166.

Plan Comments


1. The adjoining road names for McKay Road and Church Road are incorrectly labeled on the Basic Plan and should be corrected.


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

May 24, 2021

MEMORANDUM

TO: Thomas Sievers, Senior Planner, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Michael Calomese, Senior Planner, Community Planning Division 

SUBJECT: **A-10060 Saddle Ridge, Basic Plan Amendment**

FINDINGS

The Community Planning Division finds that, pursuant to Section 27-195(b)(1)(A) Criteria for Approval, the proposed Basic Plan Amendment does not conform to text, in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* nor does the proposed amendment conform with the vision *Plan Prince George's 2035 Approved General Plan* (Plan 2035) Established Communities Growth Policy Area.

BACKGROUND

Application Type: Zoning Map Amendment (ZMA)

Location: South side of Floral Park Road and north side of Accokeek Road

Size: 289.01 acres

Existing Uses: Densely forested; subject property bisected by Pepco transmission line.

Proposal: To change the current zoning from R-E and R-R zones to the R-S Zone

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: *Plan Prince George's 2035 Approved General Plan* (Plan 2035) places the subject property in the Established Communities Growth Policy Area. Established Communities are most appropriate for context-sensitive infill and low- to medium-density development. (p. 20. Also refer to Map 1. Prince George's County Growth Policy Map, p. 18.)

There are three areas in the lower portion of the subject property that are not part of the Future Water and Sewer Service area, as discussed in *Plan 2035*. Plan 2035 recommends placing properties that are located within the Growth Boundary, but which have not been approved for a water and sewer category change (which would allow for denser development) in Future Water and Sewer Service Areas. The Future Water and Sewer Service Areas are holding zones in which near-term development is deferred until additional residential capacity is required. (p. 20) In other words, denser development is not able to occur in those areas not covered by the Future Water and Sewer Service Areas. (See PGAtlas.com exhibit below.)

Master Plan: The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* recommends the future land use of “Residential low” on the subject property.

Planning Area: 85 A

Community: Brandywine & Vicinity

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

SMA/Zoning: The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* retained the subject property into the R-E and R-R zones.

MASTER PLAN CONFORMANCE ISSUES

The Community Planning Division finds that, pursuant to Section 27-195(b)(1)(A), the proposed Basic Plan does conform to the recommended “Residential Low” Future Land Use in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*. However, the proposed Basic Plan does not conform with all text which states “Residential low” areas are designated for single-family detached suburban residential development.

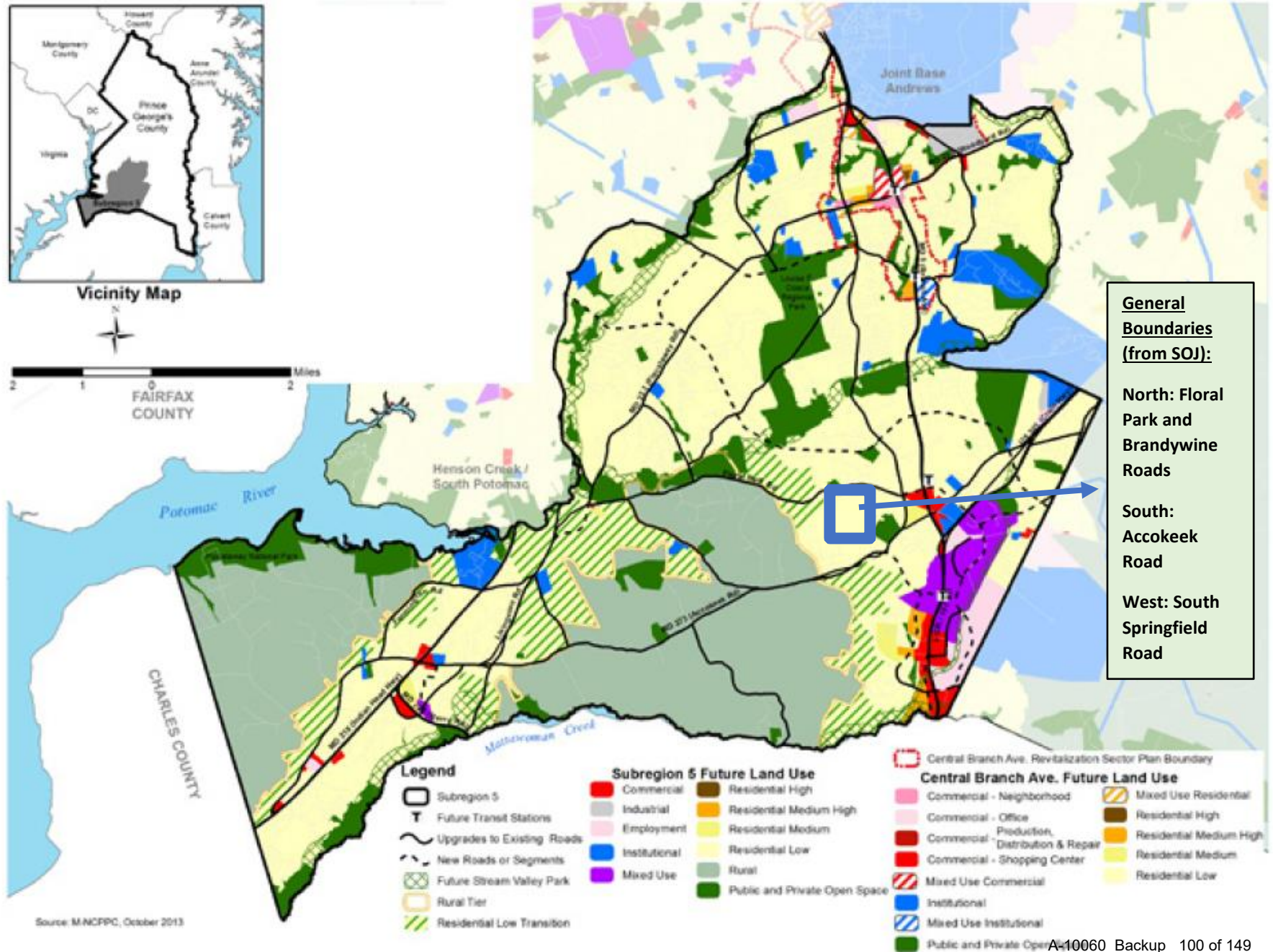
The applicant has made clear in the Statement of Justification that the applicant envisions “a “residential low” density development of townhouses and single-family homes.” The townhouses envisioned are not consistent with the intent of the Master Plan. The applicant proposes a “high-quality suburban development, below the maximum density envisioned for Residential Low areas.”

The applicant has tied the vision for the subject property to the vision for the Brandywine Community Center. The Brandywine Community Center is a medium-density development intended for mixed-use. The subject property is neither in nor adjacent to the Brandywine Community Center and should not derive proposed densities from the Brandywine Community Center.

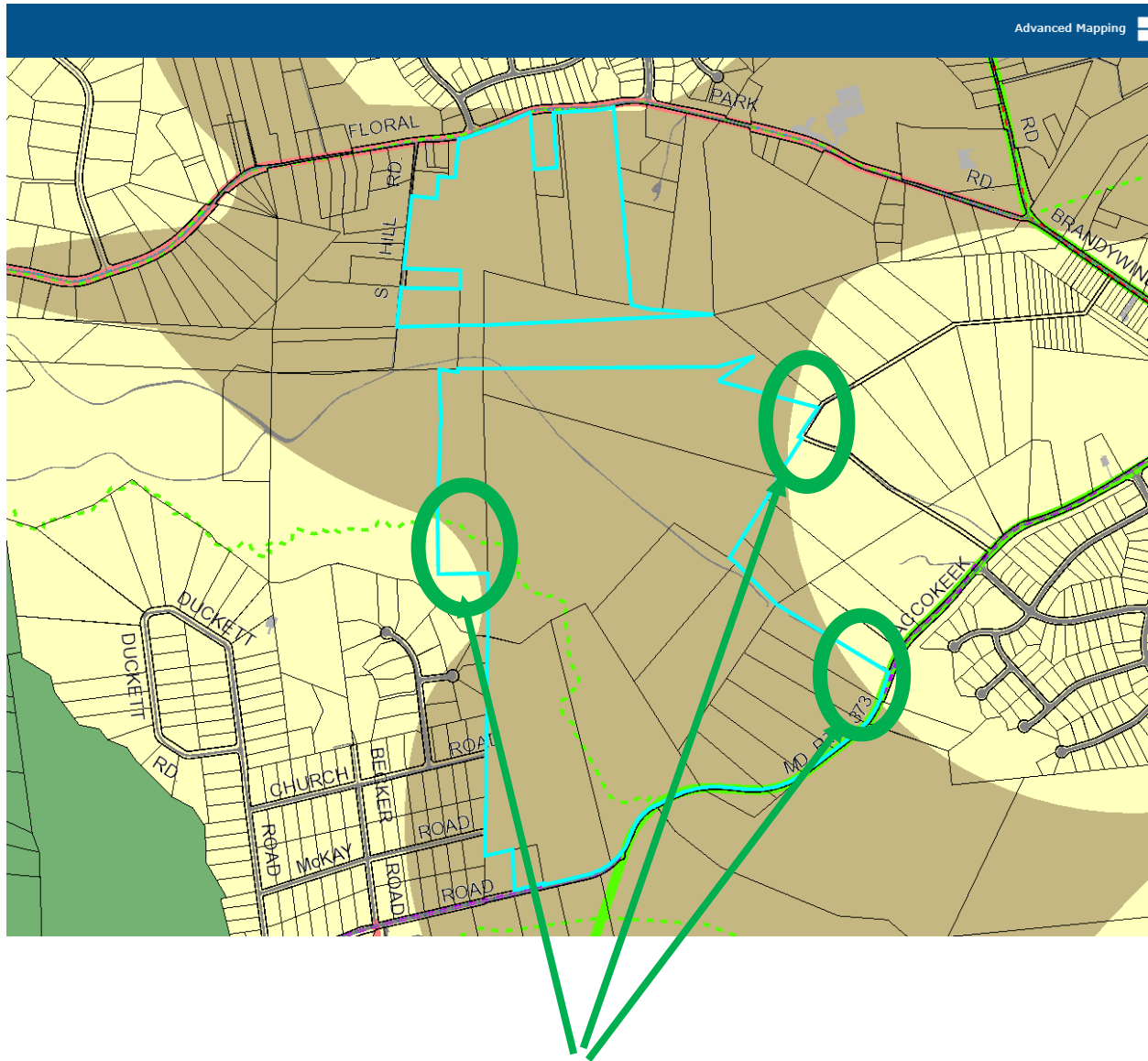
A-10060 Saddle Ridge

Scott Rowe, AICP, CNU-A, Planning Supervisor, Long-Range Planning Section, Community Planning

Map IV-1: Future Land Use



A-10060 Saddle Ridge
Plan 2035 General Plan Policy Area
Future Water and Sewer Service Areas
Source: PGAtlas.com



Three areas of subject property that fall outside of Plan 2035 future water/sewer policy.

Countywide Planning Division
Historic Preservation Section

301-952-3680

April 28, 2021

MEMORANDUM

TO: Thomas Sievers, Zoning Section, Development Review Division

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

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

SUBJECT: A-10060 Saddle Ridge

FINDINGS

1. The subject property comprises 289.01-acres and is located on the south side of Floral Park Road and the north side of Accokeek Road. The subject application proposes rezoning of the property from the R-E and R-R Zones to the R-S Zone.
2. A Phase I archeological survey was completed on the 278.09-acre Estates of Pleasant Valley property in September 2007. Three twentieth-century archeological sites were identified—18PR915, 18PR916, and 18PR917. Site 18PR915 is the remains of a farmstead dating to the second and third quarters of the twentieth century. Site 18PR916 is late nineteenth to twentieth century bard ruin. Site 18PR917 is an extensive mid-twentieth century artifact scatter that likely represents contract refuse removal from the Statler Hotel in Washington, DC in the 1940s and manure spreading subsequent to feeding the mixed refuse to swine. All these sites were disturbed by their subsequent demolition and no intact archeological deposits or features were noted in the Phase I survey. Therefore, no further work was recommended on the Estates of Pleasant Valley property.

The subject application includes several tracts of land that were not included in the initial Phase I archeology survey. These areas have a moderate probability of containing prehistoric archeological resources. Therefore, Historic Preservation staff recommends that a Phase I archeology survey be conducted on the portions of the property that were not previously surveyed.

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

CONCLUSIONS

1. Most of the subject property was surveyed for archeological resources under a previous preliminary plan submission. The applicant has added two parcels to this proposal that were not included in the previous archeological survey and have a moderate probability of containing prehistoric archeological resources (Parcels 110 and 143). Therefore, Historic Preservation staff recommend that a Phase I archeological survey be conducted on the two parcels not previously surveyed. The applicant should submit a Phase I work plan to Historic Preservation staff for review and approval prior to beginning any fieldwork.
2. This proposal will not affect any historic sites or resources.

RECOMMENDATIONS

Historic Preservation staff recommend approval of A-10060 Saddle Ridge, with the following conditions:

1. Prior to approval of the associated preliminary plan, Phase I (Identification) archeological investigations, according to the Planning Board's *Guidelines for Archeological Review* (May 2005), are recommended on the portions of the above-referenced property not previously surveyed to determine if any cultural resources are present (Parcels 110 and 143). Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is required prior to signature approval.
2. Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, prior to Planning Board approval of the final plat, the applicant shall provide a plan for:
 - i.) Evaluating the resource at the Phase II level, or
 - ii.) Avoiding and preserving the resource in place.
3. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to the approval of any grading permits.
4. Prior to the approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees, shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the M-NCPPC staff archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.

Countywide Planning Division
Prince George's County Planning Department

301-952-3650

May 21, 2021

MEMORANDUM

TO: Tom Sievers, Senior Planner, Zoning Section, DRD

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

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section, CWPD

SUBJECT: Saddle Ridge: A-10060 / Zoning Map Amendment

The Environmental Planning Section has reviewed the above referenced Zoning Map Amendment application stamped as received on April 7, 2021. Verbal and written comments were provided at a Subdivision Development Review Committee (SDRC) meeting on April 30, 2021. Revised plans and additional information were received on May 14, 2021. This Zoning Map Amendment application must meet all applicable environmental requirements. The following comments are provided for your consideration.

Background

The Environmental Planning Section (EPS) has reviewed this site previously with the review of the following applications:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
SE-1589	N/A	District Council	Approved	9/20/1967	ZO No. 444-1967
SE-1590	N/A	District Council	Approved	9/20/1967	ZO No. 445-1967
SE-1593	N/A	District Council	Approved	9/20/1967	ZO No. 450-1967
SE-2903	N/A	District Council	Approved	4/26/1976	
SE-4043	TCPII-225-91 TCPII-213-91	District Council	Approved	10/9/1992	Z.O. No. 44-1992
NRI-150-06	N/A	Staff	Approved	3/9/2007	N/A
S-07002	N/A	Planning Director	Certified	11/7/2007	N/A
4-07076	TCP1-044-07	Planning Board	Approved	3/22/2012	08-64
S-09001	N/A	N/A	Dormant	3/18/2016	N/A
A-10060	N/A	District Council	Pending	Pending	Pending

Proposed Activity

This application requests to approve a zoning change through the Basic Plan for a 289.36-acre site from the R-E and R-R Zones to the R-S Zone.

Grandfathering

The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and February 1, 2012 because the development proposal will be required to file a preliminary plan application to reflect the development proposed with the Basic Plan.

Site Description

The subject property is an approximately 289.36-acre site in the R-E and R-R Zones, located on several parcels between Floral Park Road and Accokeek Road, bounded to the east by wooded and residential lots, the south by Accokeek Road, the west by wooded and residential lots, and the north by Floral Park Road. The included properties are divided into two development areas, the northern and southern development areas, which are separated by a PEPCO high tower power line easement.

The northern section of the development is located on the south side of Floral Park Road at its intersection with Whitaker Park Drive. The southern section of the development is located on the north side of Accokeek Road, 3,900 feet west from its intersection with Branch Ave.

The entire site is within the Environmental Strategy Area 2 (formerly the Developing Tier) as designated by *Plan Prince George's 2035 Approved General Plan* (2014). The property is within the *Approved Subregion 5 Master Plan* and sectional map amendment (July 2013).

The mapped Green Infrastructure network on this site contains Regulated and Evaluation areas. The Regulated areas are mapped in association with the on-site Burch Branch stream (tributary to Piscataway Creek) and its tributaries, and the Evaluation area is associated with the woodland adjacent to the stream valleys which provide wildlife connections between the streams. The on-site stream (Burch Branch) is a Secondary Corridor to the Piscataway Creek, a Primary Corridor, and it is identified in the Green Infrastructure Plan (GI) as containing unique environmental features requiring careful consideration when proposing land development. According to available information from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), Rare, Threatened, and Endangered (RTE) species are not mapped on-site; however, confirmation from DNR regarding the RTE species is required to be provided during future development review processes. The site fronts on Floral Park Road and Accokeek Road which are designated as scenic and historic roads. The *Master Plan of Transportation* (MPOT) (2009) designates Floral Park as a primary roadway, and a portion of Accokeek Road as a collector.

The site is 289.36 acres, with approximately 201.36 acres of existing woodlands according to the 2007 Natural Resource Inventory (NRI) plan, which cover a portion of the included property. The southern development area contains several Special Exceptions that were approved for sand and gravel mining operations that are visible on the 1980 and 1984 aerial photographs on PGAtlas. Woodland clearing and installation of a gas line is visible on the 1968 aerial photograph along the western boundary limits.

An expired Natural Resource Inventory (NRI-150-06) was submitted with this application for

informational purposes only. This NRI was approved in 2007 and remained valid until 2012. The property included in the NRI contains mapped Regulated Environmental Features (REF) including streams, wetlands, and 100-year floodplain. The site contains mapped forest interior dwelling species (FIDS) habitat. Marlboro Clays and Christiana Complexes are not mapped on site. The on-site stream, Burch Branch, flows into the Piscataway Creek. The Piscataway Creek and Burch Branch are designated by the state as a Tier II waterways, which are those waters that have an existing water quality that is significantly better than the minimum water quality standards. The Environmental Technical Manual requires the delineation of Tier II buffers as part of the NRI. The entire property is within the Piscataway Creek Watershed, which is further discussed below.

The Woodland and Wildlife Habitat Conservation Ordinance (WCO) requires priority be placed on the preservation and planting of stream corridors and emphasizes the preservation of large contiguous woodland within the green infrastructure network. The site contains mapped Forest Interior Dwelling Species habitat (FIDS), which is another high priority for preservation and enhancement of on-site woodland.

Review of Previously Approved Conditions

The following text addresses previously approved applicable environmental conditions that need to be addressed with this application. The text in **bold** is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

Special Exceptions SE-1589, SE-1590, and SE-1595 were approved by the District Council on September 20, 1967. The conditions of approvals can be found in Zoning Resolution numbers 444-1967, 445-1967, and 450-1967. The application was requested by the Washington Gas Light Company on three separate parcel areas for a well for gas storage field operations. No conditions were required for these special exceptions.

Special Exceptions (SE-2903) and SE-4043 were approved by the District Council on April 26, 1976 and October 9, 1992. The application was requested by Lone Star Industries on several parcels for sand and gravel mining operations. No conditions were required for these special exceptions.

Preliminary Plan of Subdivision 4-07076 was approved by the Planning Board, and the resolution was amended on March 3, 2012. The conditions of approval can be found in PGCPB No. 08-64. The preliminary plan of subdivision and Type 1 Tree Conservation Plan (TCP) were never certified. This zoning map amendment will require a new preliminary plan of subdivision application, the prior Preliminary Plan of Subdivision 4-07076 conditions of approval will no longer apply.

Conformance with the Criteria for Map Amendment Approval

The District Council cannot approve a basic plan unless it finds that the entire development meets the criteria for approval set forth in Section 27-195(b). With respect to criteria affecting the environment, that Subsection provides:

Section 27-195(b)(1)(A) and (E)

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

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

- which the development may have on the environment and surrounding properties;
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses; or
 - (iii) The regulations applicable to land zoned R-S and developed with uses permitted in the E-I-A Zone as authorized pursuant to Section 27-515(b) of this Code.
- (E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.

After reviewing these criteria, the proposed basic plan does meet the environmental criteria for approval. This will be explained in further detail within this referral. The basic plan does conform to the specific recommendations of *Plan 2035*, the *Subregion 5 Master Plan* and sectional map amendment, or the *Countywide Green Infrastructure Plan*. The principles and guidelines set forth in those Plans seek to preserve, enhance, and restore the County's natural and built ecosystems; and with the rezoning to R-S the application must follow the guidelines of the above approved plans.

The forest conservation threshold under the Woodland Conservation Ordinance (WCO) would be slightly lower from the required 25 and 20 percent for the two existing zones to proposed R-S Zone of 20 percent for the entire application area. The on-site wooded stream systems and riparian stream buffers, if preserved to the fullest extent practicable, could provide the minimum amount of woodland conservation required on-site.

The "Future Land Use Map (Map IV-1, Page 32, *Subregion 5 Master Plan* and sectional map amendment) places the property within the "Residential Low" areas. The intent of the "residential low" designation is for single-family detached suburban development. This residential low development may have up to 3.5 dwelling units per acre.

Plan Prince George's 2035 Approved General Plan (2014)

Plan Prince George's 2035 located the entire application area within the Established Community's growth policy areas, residential low future land use, future water and service area policy area, and the Environmental Strategy Area ESA-2.

The Zoning Ordinance provides guidance regarding the impact and relationship of general plans with master plans and functional master plans. Specifically, Section 27-640 (a) of the Zoning Ordinance states the following regarding the approval of a general plan, and its effect on a previously approved master plan:

Sec. 27-640. Relationship between Master, General, and Functional Plans.

- (a) When Functional Master Plans (and amendments thereof) and General Plan amendments are approved after the adoption and approval of Area Master Plans, the Area Master Plans shall be amended only to the extent specified by the District Council in the resolution of approval. Any Area Master Plan or Functional Master Plan (or amendment) shall be an amendment of the General Plan unless otherwise stated

by the District Council.

Master Plan Conformance

The *Approved Subregion 5 Master Plan* and sectional map amendment (July 2013) approved by the District Council is the current master plan for this area. The *Subregion 5 Master Plan* identifies the on-site Burch Branch as a Secondary Corridor to Piscataway Creek (a Primary Corridor). This master plan included environmentally related policies and their respective strategies in the Environmental Infrastructure section.

The text in **bold** is the text from the Environmental Infrastructure section of the master plan and the plain text provides comments on the plan conformance.

Woodlands, Wildlife and Habitat Policies

- **Implement the master plan's desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.**
- **Ensure that new development incorporates open space, environmentally sensitive design, and mitigation activities.**
- **Protect, preserve, and enhance the identified green infrastructure network.**

Strategies Ongoing

- **Protect primary corridors (Mattawoman Creek, Piscataway Creek, and Tinkers Creek) during the review of land development proposals to ensure the highest level of preservation and restoration possible. Protect secondary corridors to restore and enhance environmental features, habitat, and important connections.**
- **Protect the portions of the green infrastructure network that are outside the primary and secondary corridors to restore and enhance environmental features, habitat, and important connections.**
- **Preserve or restore regulated areas designated in the green infrastructure network through the development review process for new land development proposals.**
- **Evaluate land development proposals in the vicinity of SCAs to ensure the SCAs are not impacted and that green infrastructure connections are either maintained or restored.**
- **Continue to implement the County's Woodland Conservation and Tree Preservation Ordinance, which places a priority on the preservation of woodlands in conjunction with floodplains, wetlands, stream corridors, and steep slopes and emphasizes the preservation of large, contiguous woodland tracts.**
- **Preserve habitat areas to the fullest extent possible during the land development process.**

The mapped Green Infrastructure network on this site contains Regulated and Evaluation areas over the entire site. The Regulated areas are mapped in association with the on-site Burch Branch stream and its tributaries, and the Evaluation area is associated with the woodlands adjacent to the stream valleys and provides wildlife connections between the streams.

The "Future Land Use Map (Map IV-1, Page 32, *Subregion V Master Plan* and sectional map amendment) places the property within the "Residential Low". The intent of the residential low

development description is to limit residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings". The proposal to change the zone to R-S, would change the open space requirement to 20 percent which is similar to what is required under the current zone. The open space requirement for this site will largely, if not entirely, be met by preservation of the on-site riparian stream buffer areas which are already required to be preserved under Subtitle 32.

The site is subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) which requires 25 percent in the R-E Zone and 20 percent in the R-R Zone. The proposed change to the R-S Zone would slightly reduce the woodland conservation threshold to 20 percent for the entire site. As outlined throughout this memo, there are significant sensitive environmental features located on this site including the Burch Branch stream and its tributaries. The existing woodland conservation threshold associated with the current zoning, if changed to R-S Zone, will continue to provide similar protection measures for the preservation of sensitive environmental features located on-site as well as for water quality purposes.

The Burch Branch stream and its tributaries located throughout the site provide excellent wooded riparian habitat. This development will maintain the existing wooded stream buffer corridors with one stream road crossing. This stream crossing shall occur at the narrowest locations along the stream system as to not disturb a greater section of the stream channel and woodland. This is in keeping with the master plan goals of preserving habitat in general, and the Burch Branch as a Secondary Corridor to Piscataway Creek, as specifically called out in the master plan. The Master Plan states on page (68):

"The secondary environmental corridors are areas where connectivity is critical to the long-term viability and preservation of the green infrastructure network, and they are critical to preserving the subregion's water quality. Conservation and preservation of these corridors, particularly the headwater areas, will preserve and improve downstream water quality, including that of the Potomac River."

The Piscataway Creek along with its on-site tributaries are important wildlife corridors within Subregion 5 that need protection.

The Master Plan Burch Branch Trail enters the western portion of the site and follows Burch Branch to Accokeek Road. To the west, just off-site, this trail will connect with the bikeway trail along Floral Park Road then to the stream valley trail along the Piscataway Creek. The *Master Plan of Transportation* (MPOT) (2009) and the *Subregion 5 Master Plan* call for pedestrian connections and stream valley trails associated with the Burch Branch and the Piscataway Creek stream valley trail. The *Subregion 5 and Countywide Green Infrastructure Plan* of the *Prince George's Resource Conservation Plan* (May 2017) identify the protection of the Piscataway Creek stream valley as important for the preservation and enhancement of the existing Regulated Environmental Features. The plans, as submitted, show the general locations for the required trails; however, the final location of the trails should be determined with future applications and any impacts to the regulated environmental features shall be minimized to the extent possible.

The original proposal included a proposed stream crossing for a road connecting Pods A and C on the basic plan. Located at this proposed crossing area is an existing "farm road" culvert crossing. This expanded road crossing will be removed from the basic plan, but the existing farm road will be

left in place to be used as part of an internal trail system.

Re-use of existing crossings is encouraged as it is a method for reducing impacts. The proposed zoning change is in conformance with the Woodlands, Wildlife and Habitat Policy of the Environmental Infrastructure Section within the *Subregion 5 Master Plan* for the reasons outlined above.

B. Water Quality, Stormwater Management, and Groundwater Policies

- Encourage the restoration and enhancement of water quality in degraded areas and the preservation of water quality in areas not degraded.
- Protect and restore groundwater recharge areas such as wetlands and the headwater areas of streams.

Strategies Short Term

- Require nitrogen removal septic systems for all new development proposed within the Mattawoman watershed and retrofit existing septic systems within 1,000 feet of surface waters and tributaries. (The Maryland Department of the Environment offers a free septic-system upgrade through the Bay Restoration Fund.)
- As part of the countywide water resources functional plan, consider recommending the use of denitrification septic systems.
- Encourage replacement of telescoping wells in areas subject to falling groundwater levels. Broaden awareness of funding sources for well replacement.
- Identify locations without stormwater management or with poorly performing facilities that would be suitable for public and private stormwater retrofit projects.
- Support managed woodlands to promote sustainable forestry and provide clean water, improve stream health, stabilize soil, reduce nutrients, and sequester carbon through actively growing forests and tree biomass.
- Identify opportunities to establish streamside buffers, wetlands, and other wildlife habitat areas through the Conservation Reserve Enhancement Program (CREP). The program helps protect water quality in local streams and rivers by reducing soil erosion, controlling nutrient runoff, and increasing wildlife habitat.
- Encourage reduction of pesticides, herbicides, and fertilizers through Integrated Pest Management (IPM).

Ongoing

- Evaluate the yard waste recycling program and ensure that it is as environmentally sound as possible.
- Emphasize protection and preservation of the headwater wetlands and headwaters areas of streams to preserve and maintain area hydrology when reviewing land development proposals.
- Support groundwater recharge areas through techniques such as bioretention and rain gardens and enhance existing wetland areas and stream buffers to maintain groundwater recharge areas.
- Explore wastewater reuse to reduce demands for potable water for non-potable uses.
- Encourage protection of land along high-quality waters and in headwater areas of high-quality watersheds, especially Mattawoman Creek and Piscataway Creek, both of which contain Tier II waters.

- **Strive to achieve or surpass established TMDLs in the Mattawoman and Piscataway Creeks.**
- **Evaluate applicability of tributary strategies in Subregion 5 during development review of new projects.**
- **Reduce or eliminate any potential flood hazards and prevent future flood hazards caused by new development and increased imperviousness.**
- **Protect and preserve existing forests and wetlands through existing land conservation and protection programs.**
- **Provide for expanded recreational and aesthetic opportunities in floodways and floodplains.**
- **Maintain, to the maximum extent practicable, the natural hydrologic patterns during development.**
- **Work with WSSC to reduce, respond to, and remediate sewer overflows.**
- **Complete stream corridor assessments for all watersheds in the subregion in support of the countywide watershed restoration efforts.**

In the statement of justification, the applicant states: "The Property includes part of the pristine Burch Branch. The Applicant proposes a development that largely preserves this stream while providing a high-quality housing environment. These breathtaking environmental features demand high value, and this development will demand the high-quality residential environment detailed in this purpose..." The development at this stage proposes to preserve existing woodland along the extensive riparian buffer system on-site. These woodland preservation areas will act as buffers to filter the stormwater before it enters the adjacent stream systems.

The submitted basic plan did not show any Stormwater Management Facilities (SWM) and their proximity to natural Regulated Environmental Features. Septic systems are not proposed, the new development is proposed to be connected to public water and sewer systems. Stormwater Management Facilities will be reviewed by the Department of Permitting, Inspections and Enforcement (DPIE), and the applicant proposes to present environmental site design (ESD) measures to treat both stormwater quantity and quality for the development, as required by Subtitle 32. Although ESD is the minimum required for managing stormwater quantities and qualities for new developments by the DPIE, more than minimum requirements should be provided for any development within close proximity to Burch Branch and Piscataway Creek.

The Piscataway Creek is a Tier II watershed, which is considered a high-quality designation identified by the state. The *Subregion 5 Master Plan* calls for preservation of land along high-quality waters and in headwater areas of high-quality watersheds, especially Mattawoman Creek and Piscataway Creek, both of which contain Tier II waters. Impacts to these waters are further reviewed by the Maryland Department of the Environment (MDE) and the Prince Georges County Soil Conservation District. (PGCSCD)

The proposed zoning change is in conformance with the Water Quality, Stormwater Management (SWM), and Groundwater Policy of the Environmental Infrastructure Section within the *Subregion 5 Master Plan* for the reasons outlined above.

C. Watersheds: Piscataway Creek

The *Subregion 5 Master Plan* states the following about Piscataway Creek.

The Piscataway Creek Watershed encompasses 69 square miles in Prince George's County. Headwaters originate to the west and east of Joint Base Andrews Naval Air Facility Washington, referred to as JBA, (in the vicinity of Camp Springs, Clinton, along Woodyard Road). On the southwest side of JBA two branches join to form Tinkers Creek, the major tributary to Piscataway Creek. Surface water runoff flows into Tinkers Creek.

Piscataway Creek Watershed lies partially in Subregion 5 and partially in Subregion 6. It is the largest watershed in Subregion 5, encompassing approximately 24,500 acres, a little over 50 percent of Subregion 5. The headwaters of Piscataway Creek originate on and in the vicinity of JBA in Subregion 6. The tidal wetlands at the mouth of Piscataway Creek are important to the overall ecology of the Lower Potomac River Basin and the natural productivity of the area supports resident and migratory fish, waterfowl, and many marsh birds. All land within 1,000 feet of the lower, approximately 4.5 miles of Piscataway Creek, is within the Chesapeake Bay Critical Area (CBCA) and subject to Prince George's County's Critical Area regulations.

Several rare, threatened, and endangered species have been found in the Piscataway Creek Watershed, including the federally listed endangered plant Sandplain gerardia (*Agalinis acuta*) and the state listed threatened Bald eagle (*Haliaeetus leucocephalus*). The Piscataway Creek Watershed is considered a stronghold watershed for two species of fish, the American Brook Lamprey (*Lampetra appendix*) and the Comely Shiner (*Notropis amoenus*), which are state listed threatened. Stronghold watersheds are essential for the conservation of these species in Maryland. According to the 2000-2004 Maryland Biological Stream Survey, these species tolerate maximum impervious surfaces of 12.9 and 8.7 percent, respectively.

Two sections of Piscataway Creek in Subregion 5 contain listed Tier II waters. One section is located between MD 210 and Gallahan Road in the eastern area of the watershed, and the other between Branch Avenue and Surratts Road near the central area of the watershed. Maryland's 1999 Clean Water Action Plan identified Piscataway Creek as a priority for restoration and recommended it for protection. According to that Plan, as of 1998, the watershed was 16.7% impervious....

Policies

- **Ensure that, to the fullest extent possible, land use policies support the protection of the Mattawoman Creek and Piscataway Creek watersheds.**
- **Conserve as much land as possible, in the Rural Tier portion of the watershed, as natural resource land (forest, mineral, and agriculture).**
- **Minimize impervious surfaces in the Developing Tier portion of the watershed through use of conservation subdivisions and environmentally sensitive design and, especially in the higher density Brandywine Community Center, incorporate best stormwater design practices to increase infiltration and reduce run-off volumes.**

Strategies Short Term

- **Retain low density zoning in the Rural Tier to retain forest land, reduce the density of development, reduce the amount of impervious cover, and reduce the number of new septic systems.**

- **Adopt a Residential Low-Transition Area that would require conservation subdivisions, as recommended in Chapter IV: Land Use and Development Pattern. This would cluster development and reduce impervious surfaces and pollutant loads from runoff.**
- **Revise the countywide stormwater management ordinance to incorporate revisions in the Maryland Stormwater Design Manual (revised May 2009) and other enhanced stormwater management policies.**
- **Designate the Priority Preservation Area per the recommendations in Chapter IV. Three areas are proposed, including portions of the Mattawoman Creek watershed in Subregion 5 and two areas west of MD 210 (Map IV-6: Priority Preservation Area). A priority preservation area (PPA) is one where strong land use policies and preservation efforts ensure that development does not convert or compromise agricultural or forest resources.**

Ongoing

- **Incorporate stormwater management best management practices, especially in the future Brandywine Community Center, to increase infiltration and reduce run-off volumes.**
- **Require mining companies to achieve post mining reclamation that meets environmental needs, with a strong emphasis on reforestation, and consideration for grassland creation.**
- **Work with landowners to permanently preserve land in the Mattawoman watershed through existing land conservation programs.**
- **Encourage the retrofitting of existing septic systems in the watershed to reduce nitrogen run-off.**

This area is not mapped as a Priority Preservation Area (PPA); however, the property to the south, across Accokeek Road, and the adjacent properties to the west are identified as a PPA. The subject area is within the Residential Low section of the master plan. The policies under the watershed section of the master plan include an emphasis on retaining low density, retaining forest land, and reducing the density of development and the amount of impervious cover. The intent of the residential low development description is to limit “residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.”

Any development on an undeveloped site will increase the impervious area and affect the hydrology of the land, which is why stormwater best management practices are required to help treat stormwater and to protect the Piscataway watershed.

The proposed zoning change is in conformance with the Watersheds Policy of the Environmental Infrastructure Section within the *Subregion 5 Master Plan* for the reasons outlined above.

D. Chesapeake Bay Critical Area

Enhance the County’s Critical Area protection program in response to local, regional, and statewide initiatives and legislative changes.

The subject property is not located in the Chesapeake Bay Critical Area.

E. Air Quality and Greenhouse Gas Emissions

Policies

- **Reduce air pollution through transportation demand management (TDM) projects and programs.**
- **Promote “climate-friendly” development patterns through planning processes and land use decisions.**
- **Increase awareness of the sources of air pollution and greenhouse gas emissions.**

Currently, the project area is forested with areas of scattered trees and grasslands. A prior use of the property was a sand and gravel mining operation, which ended in the late 1980's and the land was restored in the early 1990's. The type of the development has not been determined yet, but the number of dwelling units would range from 787 to 955 according to the basic plan. Future development patterns will be reviewed by the Urban Design Section during subsequent reviews.

G. Noise Intrusion

Policy

- **Ensure that excessive noise-producing uses are not located near uses that are particularly sensitive to noise intrusion.**

Strategies Ongoing

- **Evaluate development and redevelopment proposals in areas subject to significant noise intrusions using Phase I noise studies and noise models.**
- **Provide for adequate setbacks for development exposed to existing and proposed noise generators and roadways of arterial classification or greater.**
- **Provide for the use of noise reduction measures when noise issues are identified.**
- **Require development within 65 dBA Ldn and greater noise exposure areas to be properly protected from the transmission of noise with barriers that affect sound propagation and/or the use of sound absorbing materials in construction.**
- **Work with the Maryland State Highway Administration to ensure that as state roads such as MD 5 and US 301 are upgraded, appropriate noise reduction measures are incorporated into the roadway design.**

This proposal will not generate excessive noise.

H. Sand and Gravel Mining

Strategies

- **Continue to review proposed mining projects for impacts on the integrity of the master plan, using the following guidelines:**
 - **Mining operations should minimize impacts on scenic, historic, cultural, or recreational assets.**
 - **Post-extraction uses should support the plan's preservation goals with mined land reclaimed for agricultural and forest uses.**
 - **Additional considerations for post-extraction uses should be community uses**

such as parks and trails.

The property includes areas that were part of mining operations which are no longer in use. These mining activities took place in the 1980's according to the aerial photographs. The mining areas were restored, and some areas have naturally regenerated woodlands while others have scattered vegetation with grassland areas.

According to the basic plan, this area is proposed for a base density at 2.7 DU/ac (787 units) or a maximum density of 3.5 DU/ac (955 units). As stated previously, DPIE requires ESD with new development; however, additional measures would be required to fully protect the Piscataway watershed.

Summary of Subregion 5 Master Plan Conformance

The proposed application to rezone 289.36-acres in the R-E and R-R Zones to the R-S Zone does meet the intent of the Environmental Infrastructure Section within the *Subregion 5 Master Plan* because the approval would only result in slightly lower woodland conservation threshold. The existing woodland conservation threshold goes from 25 percent in the R-E Zone and 20 percent in the R-R Zones to a proposed 20 percent for the entire property in the proposed R-S Zone. This difference is minimal and will allow similar overall woodland clearing. The basic plan shows woodland preservation within the riparian buffer areas and areas adjacent to the riparian buffers in accordance with established preservation priorities. One stream road crossing and four development pods are shown on the plans as submitted. The applicant shall provide the minimum woodland conservation threshold on-site to the fullest extent practicable.

Conformance with the Green Infrastructure Plan

The entire site is mapped within the Green Infrastructure Network as delineated in accordance with the *Green Infrastructure Plan* of the *Approved Prince George's County Resource Conservation Plan* (2017). The mapped Green Infrastructure network on this site contains Regulated and Evaluation areas. The Regulated areas are mapped in association with Burch Branch stream and its tributaries, and the Evaluation area is associated with the woodlands adjacent to the stream valleys which provides wildlife connections between the streams.

Implementation of the Green Infrastructure Plan: Policies and Strategies

Preserving, Enhancing, Connecting, Restoring, Protecting, and Maintaining a Green Infrastructure Network

POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan 2035.

Strategies

1.1 Ensure that areas of connectivity and ecological functions are maintained, restored and/or established by:

- a. Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.
- b. Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.

- c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. **Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.**
 - f. **Targeting land acquisition and ecological restoration activities within state-designated priority waterways such as stronghold watersheds and Tier II waters.**
- 1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.**
- a. **Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**
 - b. **Prioritize use of public funds to preserve, enhance, connect, restore, and protect critical ecological systems.**

The basic plan shows that the on-site stream systems and their riparian buffers are proposed to be maintained and, for the most part, be undisturbed. Originally the applicant proposed three stream crossings. The revised basic plan now proposes one stream crossing for a proposed road. A wooded development pod area, Pod B, was also shown on the original plan for development. With the revised plan, the wooded pod area will remain undisturbed for woodland preservation. This application could potentially meet the site's woodland conservation requirement on-site by saving the wooded riparian areas and by not clearing previously proposed development Pod B. The most recently submitted basic plan is supported based on the potential to meet the site's woodland conservation requirement on-site.

The *Countywide Green Infrastructure Plan* shows Regulated and Evaluation areas on this property. Evaluation areas are areas outside the Regulated areas of riparian stream buffers and the most likely developable areas. The site does not contain mapped Sensitive Species Project Area or Special Conservation Areas.

POLICY 2: Support implementation of the GI Plan throughout the planning process.

2.1 Identify opportunities for implementation of the GI Plan as new master and sector plans are prepared by reviewing the local green infrastructure network boundaries with respect to:

- a. **Areas of local significance.**
- b. **Opportunities for connectivity through the designation of Network Gaps.**
- c. **Areas designated in local green infrastructure or sustainability plans that are in need of conservation.**
- d. **Historic properties with environmental significance.**
- e. **Specific areas in need of mitigation or restoration.**

2.2 Revise applicable ordinances and/or standards to allow the use of flexible design standards to: minimize impervious surfaces; reduce fragmentation of existing forests and habitats; establish new linkages through planting and/or restoration; and minimize ecological impacts.

- a. Prepare and adopt flexible design standards to allow alternative designs in areas where development is encouraged, such as the Plan 2035 designated Downtowns, Regional Transit Districts, the Innovation Corridor, and Local Centers.**

2.3 Strengthen regulations where environmental conditions warrant and provide greater flexibility where development is targeted.

- a. Strictly limit development impacts to regulated environmental features to activities that are absolutely necessary and unavoidable for construction of road crossings, the installation of necessary public utilities, or the placement of stormwater outfalls when no alternatives are feasible.**
- b. Allow impacts to regulated environmental features as appropriate to accommodate new development and redevelopment within designated Downtowns, Regional Transit Districts, the Innovation Corridor, and Local Centers and where needed to accommodate planned development on constrained sites. Mitigation for these impacts should be provided as close to the area of impact as possible.**
- c. Evaluate streamlining the woodland and landscaping requirements for urban redevelopment and infill development projects by revising the existing requirements regarding open/green spaces, woodland conservation, and tree canopy coverage into a comprehensive Green Area Ratio requirement.**

2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/or planting of a new corridor with reforestation, landscaping and/or street trees.

2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.

2.6 Strategically locate off-site mitigation to restore, enhance and/or protect the green infrastructure network and protect existing resources while providing mitigation.

This site is not within a *Plan 2035* designated downtown, regional transit district, innovation corridor, or local center area where development is encouraged, and the environmental regulations should remain intact. Any development application should be made to minimize impervious areas and reduce fragmentation of the Green Infrastructure Network.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure to support the implementation of the GI Plan.

3.1 Continue public acquisition of land and easements in stream valleys designated in the

Land Preservation Parks and Recreation Plan.

The application area is not proposing any planned parks on-site but does have a portion of the Burch Branch Master Planned trail on-site. The Burch Branch Trail enters the western portion of the site and follows Burch Branch to Accokeek Road. To the west, just off-site, this trail will connect to the bikeway trail along Floral Park Road, then with the stream valley trail along Piscataway Creek. Any required park dedication will be reviewed by the Parks Department and the Transportation Planning Section at time of preliminary plan of subdivision. In review of the trail, emphasis should be placed on the woodland preservation with limited impacts to the regulated environmental features.

3.2 Ensure that immediate and future impacts to the green infrastructure network are minimized, if not avoided, when public facilities and infrastructure are constructed.

- a. **Strategically plan and fund public infrastructure, such as stormwater management facilities and sewer and water lines, to support the desired development pattern of Plan 2035 and concentrate growth outside of the green infrastructure network in so far as possible.**
- b. **Consider modifying the review process for public facility and infrastructure projects to prioritize those that have a reduced impact on the environment or that include ecological restoration as a key element.**
- c. **Ensure that public facilities and infrastructure consider the impacts of sea level rise and extreme weather events in their designs.**
- d. **Minimize forest and ecosystem fragmentation when public facilities are built in the green infrastructure network and maintain ecological functions of the network.**
- e. **Collocate utilities in urban settings to reduce or minimize the impact on the green infrastructure network. Consider establishing a framework to hold regular/annual meetings with utilities in order to coordinate planning investment and development needs.**

3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.

- a. **Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**
- b. **Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

The proposed project will require both internal circulation and external connections for traffic, bicycle, and pedestrian use. The applicant has already reduced the amount of stream road crossing from three to one and will propose an internal trail system along with the required Master Planned Trail. This is in keeping with the master plan goals of designing transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network. Impacts to the Regulated Environmental Features for infrastructure, roads, and trails should be

avoided to minimize fragmentation and maintain the green infrastructure network to the fullest extent practicable.

- 3.4 Ensure full compliance with and enforcement of all existing regulations including the Chesapeake Bay Critical Area (CBCA) and the Woodland and Wildlife Conservation Ordinance.**
- 3.5 Encourage interior forest restoration and preservation by creating exclusion or limited use areas where forest interior dwelling bird species (FIDS) habitat is present on public lands.**

The site is not within the Chesapeake Bay Critical Area (CBCA). The development shall provide full compliance with the Woodland and Wildlife Conservation Ordinance (WCO).

The minimum thresholds established in the WCO are based on zoning categories set by the state. Higher density residential zones require a lower woodland conservation threshold than lower density residential zones. The requested change in use will result in a minimal change to the woodland conservation threshold which is currently 25 percent in the R-E Zone, and 20 percent in the R-R Zone. The proposed zoning change to R-S Zone will result in a woodland conservation threshold of 20 percent for the entire site.

The on-site woodlands are part of a large contiguous woodland area that connects to the Piscataway Creek stream valley and is potential Forest Interior Dwelling Species (FIDS) habitat. A large part of this woodland area is the Burch Branch stream system. As part of the basic plan, the riparian stream buffer areas and the wildlife corridors located on-site are proposed to be preserved with minimal impacts.

Improving Surface and Ground Water Quality

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

The basic plan does not show stormwater structures, only existing woodland areas to be preserved and proposed stream crossing areas to get to the various development pods. Currently the site contains existing woodlands with areas of scattered trees and grasslands. No farming is located within the application area. Any kind of development within the project boundary will increase the impervious area of the property. The Prince George's County Department of Permitting, Inspections, and Enforcement require all development to utilize ESD stormwater management to control various amounts of surface rain runoff. Environmental Site Design relies on integrating site design, natural hydrology, and smaller stormwater control facilities to capture and treat runoff. Any development on an undeveloped site will increase the impervious area and affect the hydrology of the land, which is why ESD's methods are required to help treat stormwater.

With DPIE's implementation of ESD stormwater structures for the proposed development, the development should be in conformance with the *Countywide Green Infrastructure Plan*, and the *Subregion 5 Master Plan*.

Preserving, Enhancing, and Restoring Canopy Coverage

POLICY 7: Preserve, enhance, connect, and restore forest and tree canopy coverage. General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.3 Improve the success rate of removal of invasive plant projects by providing standards for the initial removal and maintenance to ensure long-term eradication. Resources need to be allocated and partnerships with volunteer or other organizations are needed to ensure long-term success of invasive plant removal projects.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/or amendments are used.**

Forest Canopy Strategies

- 7.10 Continue to focus conservation efforts on preserving existing forests and ensuring sustainable connectivity between forest patches.**
- 7.11 Improve the success of afforestation and reforestation efforts by requiring that the plantings be: conducted in uncompacted soils with adequate organic matter, planted with planting of stock larger than seedlings, and provided protections from and management of competing vegetation.**
- 7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.**
- 7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.**

The basic plan shows the on-site stream systems and their riparian buffers to be maintained and undisturbed. Originally the applicant proposed three stream crossings with the basic plan. The revised basic plan proposes one stream road crossing. A proposed wooded development pod (Pod B) was also shown on the original plan to be developed, and with this revision the wooded area within Pod B will remain undisturbed to be used for the project's woodland preservation requirements. This application could potentially meet the site's woodland conservation requirement on-site by saving the wooded riparian areas and by not clearing formerly proposed development Pod B. The most recently submitted basic plan is supported based on the potential to meet the site's woodland conservation requirement on-site.

The requested change in use will result in a minimal change to the woodland conservation threshold which is currently 25 percent in the R-E Zone, and 20 percent in the R-R Zone. The proposed zoning change to the R-S Zone has a woodland conservation threshold of 20 percent for the entire property.

The on-site wooded stream systems and riparian stream buffers, if preserved to the fullest extent practicable, could provide the minimum amount of woodland conservation required on-site. The woodland conservation threshold shall be met on-site.

Summary of Master Plan Conformance

The basic plan is in conformance with the *Plan 2035*, the *Subregion 5 Master Plan* and sectional map amendment, and the *Countywide Green Infrastructure Plan*, and reflects the intent of the Woodland Conservation Ordinance (WCO). The proposed zoning change will have a minimal effect on the overall woodland conservation threshold and the applicant has shown on the basic plan the proposed preservation of wooded regulated environmental features and the reduction of stream impacts. The woodland conservation threshold shall be met on-site.

Environmental Review

Existing Conditions/Natural Resource Inventory (NRI)

An NRI is not required as part of a zoning amendment application; however, an approved NRI covering a portion of the site, but showing the entire land area included in the application was provided. Previously an NRI (NRI-0150-06) was approved in March 2007. This NRI has since expired and now a new NRI is required with any new development applications to include the additional property proposed with the zoning map amendment (ZMA). A review of the NRI plan showed regulated environmental features and 118 specimen trees. No further information is needed at this time.

Woodland Conservation

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square-feet in size and it contains more than 10,000 square-feet of existing woodland.

The requested change in use will result in a minimal change to the woodland conservation threshold which is currently 25 percent in the R-E Zone and 20 percent in the R-R Zone. The proposed zoning change to R-S Zone would reduce the woodland conservation threshold of 20 percent.

All future development review applications are subject to the 2010 Woodland Conservation Ordinance and are not grandfathered for woodland conservation regulations. A Tree Conservation Plan in accordance with the current regulations is required with future applications.

Specimen Trees

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

With the NRI review, all on-site specimen trees will be identified, and health status will be noted. A variance request for the removal of specimen trees shall be submitted with the acceptance of future development applications.

Regulated Environmental Features

There is Primary Management Area (PMA), comprised of Regulated Environmental Features which include floodplain, streams and associated buffers, steep slopes, and wetlands with their associated buffers located on-site. Under Section 27-521(a)(11) of the Zoning Ordinance, the Plan shall demonstrate the preservation and/or restoration of the REF in a natural state to the fullest extent possible. A letter of justification with exhibits shall be submitted for review prior to the acceptance of any application requesting impacts to REF's.

Stormwater Management

A Site Development Concept will be reviewed by DPIE and should be submitted for review with the acceptance of future development applications.

Erosion and Sediment Control

This site is within a Tier II catchment area. Tier II waters are high-quality waters within the State of Maryland as designated by the Maryland Department of Environment that are afforded special protection under Maryland's Anti-degradation policy. A 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams in accordance with the Prince George's Soil Conservation District (PGSCD) requirements. This buffer is required to be shown on the NRI. Redundant erosion and sediment control measures may be required on the Erosion and Sediment Control Plan reviewed by the Soil Conservation District. The limits of development on the Erosion and Sediment Control Plans must match the limits of development on the Site Development Plan and the Tree Conservation Plans.

Scenic and Historic Roads

Floral Park Road is designated as a scenic/historic road and Accokeek Road is designated as an historic road in the *Approved Countywide Master Plan of Transportation* (November 2009).

The *Master Plan of Transportation* includes a section on Special Roadways, which includes designated scenic and historic roads, and provides specific policies and strategies which are applicable to these roadways, including to conserve and enhance the viewsheds along designated roadways. Any improvements within the right-of-way of a historic road are subject to approval by the County under the Design Guidelines and Standards for Scenic and Historic Roads.

The Prince George's County Landscape Manual addresses the requirements regarding buffers on scenic and historic roads. These provisions will be evaluated at the time of the review of the specific design plan. Adjacent to a historic road, the Landscape Manual requires a Section 4.6 landscape buffer (Buffering Development from Special Roadways) based on the development tier (now ESA 2). In ESA2, the required buffer along a historic road is a minimum of 20-feet-wide to be planted with a minimum of 80 plant units per 100 linear-feet of frontage, excluding driveway openings.

Landscaping is a cost-effective treatment which provides a significant visual enhancement to the appearance of a historic road.

The Special Roadway buffer must be located outside of the right-of-way and public utility easements, and preferably by the retention of existing good quality woodlands, when possible.

Summary

The rezoning request is supported because it has been found to meet Section 27-195(b)(1)(A) and (E) of the Zoning code. The proposal will result in a minimal change to the woodland conservation threshold which is currently 25 percent in the R-E Zone and 20 percent in the R-R Zone. The proposed zoning change to the R-S Zone would reduce the woodland conservation threshold to 20 percent for the entire site. This proposed application will be required to have an environmental site design to measure, control, and treat stormwater runoff in accordance with current County requirements. The basic plan shows woodland preservation, with limited impacts to the on-site riparian buffer areas, for one stream road crossing and four development pods. The basic plan demonstrates that the 20 percent woodland conservation threshold can be met on-site. Future development applications shall demonstrate preservation of the designated scenic and historic nature of both Floral Park Road and Accokeek Road.

If you have any questions concerning this review, please contact me by e-mail at Alwin.schneider@ppd.mncppc.org or call 301-952-3650.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: May 10, 2021

TO: Tom Sievers, Senior Planner
Subdivision and Zoning Section
Development Review Division
Planning Department

VIA: Sonja Ewing, Assistant Division Chief *SME*
Park Planning and Development Division
Department of Parks and Recreation

FROM: Tom Burke, Planner Coordinator *TB*
Land Acquisition/Management & Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **A-10060 Saddle Ridge**

The Department of Parks and Recreation (DPR) has reviewed and evaluated this application as it pertains to public parks and recreational facilities.

PROPOSAL

This application is a petition to amend the zoning on the subject property from the Rural Residential (R-R) and Residential Estate (R-E) Zones to the Residential-Suburban Development (R-S) Zone. In consideration of this request, the applicant is seeking approval of a basic plan in accordance with Part 3, Division 2, Subdivision 3 of the Zoning Ordinance.

BACKGROUND:

The subject 289.01-acre property is currently within the R-E Zone (188.01) acres, and the R-R Zone, (1.00 acres). The site is located on the south side of Floral Park Road and the north side of Accokeek Road (MD 373), in Brandywine, and is subject to the 2013 *Subregion 5 Master Plan and Sectional Map Amendment* (The Subregion 5 Master Plan and SMA), the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*. This property is currently unimproved and mostly wooded with fallow agricultural fields interspersed.

DISCUSSION

This site is adjacent to the 67-acre undeveloped park property known as Pleasant Springs Park, to the east. Accokeek East Park is located approximately 3.5 miles to the west and contains a playground, two half basketball courts, a loop trail, a picnic shelter, one lighted football/soccer field and two non-lighted football/soccer fields. This property is also approximately 2.6 miles west of the Southern Area Aquatics and Recreation Complex (SAARC) facility. The Subregion 5 Master Plan and SMA indicates that Brandywine contains approximately 261 acres of local parkland, which is sufficient to meet projected needs through 2030. The plan recommends the additional acquisition of land along the Mattawoman Watershed Stream Valley Park and Timothy Branch to meet long term needs. Additionally, the Subregion 5 Master Plan and SMA recommends the future acquisition of a 60-acre parcel on Accokeek Road west of Saddle Ridge near the intersection of McKendree Road.

The Master Plan of Transportation calls for the development of a planned hard surface hiker/biker/equestrian trail known as the Burch Branch Stream Valley Trail, designated in the southwestern portion of this site. This trail is intended to connect a future bikeway along Accokeek Road with Floral Park Road and ultimately with Piscataway Creek Stream Valley Park to the west. The surrounding trail/bikeway network will also establish connections to the SAARC facility to the east.

At the time of preliminary plan of subdivision DPR will evaluate the mandatory dedication of parkland requirements and the location of the master plan trail. Prior to preliminary plan application, DPR staff recommend that the applicant coordinate the location of the master plan trail and opportunities to align the trail with the proposed internal infrastructure and thereby minimize development within regulated environmental features.

RECOMMENDATION:

The Park Planning & Development Division of the Department of Parks and Recreation recommends approval of the Saddle Ridge Basic Plan, A-10060.

cc: Bridget Stesney
 Alvin McNeal



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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Countywide Planning Division
Special Projects Section

May 14, 2021

MEMORANDUM

TO: Thomas Sievers, Senior Planner, Zoning Review Section, Development Review Division

VIA: **BR** Bobby Ray, Planning Supervisor, Special Project Section, Countywide Planning Division

FROM: **EP** Elena Perry, Senior Planner, Special Projects Section, Countywide Planning Division

SUBJECT: **A-10060 Saddle Ridge**

Project Summary: Basic Plan – Proposed rezoning of 289 acres from Rural Residential (R-R) and Residential Estate (R-E) to Residential-Suburban (R-S) for residential development, recreation facilities, trails, and open space.

Section 27-195(b)(1)(D) requires:

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

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

RESIDENTIAL

Water and Sewer:

The 2018 Water & Sewer Plan identifies the proposed development within Water and Sewer Category 4, Community System Adequate for Development Planning and Category 5, Future Community Service.

Specifically, Parcel 188 (identified as Walton Maryland LLC ETAL [Tax ID 11891820], and part of lot 44 (Walton Maryland LLC ETAL [Tax District 11 and Tax Account 1189141]) are designated Water and Sewer Category 5, Future Community Service. If the applicant wishes to develop parcels in Category 5 they will need to apply for a category change to Category 4 before Preliminary Plan of Subdivision. The applicant should contact Shirley Anthony Branch, Water & Sewer Plan

Coordinator, Department of Permitting, Inspections and Enforcement (DPIE) at sabran@co.pg.md.us regarding the Water / Sewer category change process.

The 2020 legislative amendment CR-045-2020 changed Parcels 37, 143, and 236 from Water and Sewer Category 5 to Category 4.

Additionally, parcels 037, 143, 236, 188, PT LOT 44 EQ 37.52 AC, and PT LOTS 43.44 EQ 1.04 AC are in Tier 2 of the Sustainable Growth Act. Tier 2 comprises property currently planned for public sewer service.

Per Plan 2035 Growth Policy Map, the majority of the subject property is within a Future Water and Sewer Service Area.

“Plan 2035 recommends placing properties that are located within the Growth Boundary, but which have not been approved for a water and sewer category change (which would allow for denser development) in Future Water and Sewer Service Areas. The Future Water and Sewer Service Areas are holding zones in which near-term development is deferred until additional residential capacity is required.” (Plan 2035, page 20)

Capital Improvement Program (CIP):

The subject project is located in Planning Area 85A Brandywine Vicinity. The Prince George’s County FY 2021-2026 Approved CIP does not identify any schools and/or public safety facilities in the Planning Area.

Police:

This project is served by Police District VII, Fort Washington located at 11108 Fort Washington Road in Fort Washington. Per Section 24-122.01(c)(1)(A) of the Subdivision Regulations, the Planning Board test for police adequacy is based on a response time residential standard of ten minutes for emergency calls and 25 minutes for non-emergency calls. The residential response time standard of ten minutes for priority calls in this area are currently failing (as of acceptance), therefore, mitigation may be required. However, per Section 24-122.01(f) [CB-20-2020 enacted July 21, 2020] the Public Safety Facilities mitigation requirement may be waived by Council Resolution. The test for police adequacy will be further evaluated at the time of Specific Design Plan and again at time of Preliminary Plan of Subdivision review.

Fire and Rescue:

This project is served by the Brandywine Volunteer Fire/EMS Co. 840 located at 13809 Brandywine Road in Brandywine as the first due station. Per Section 24-122.01(d)(1)(A) of the Subdivision Regulations, the Planning Board test for adequacy recognizes the national standard of a 7-minute *total response time* for Fire/EMS response times for residential development. This will be further evaluated at the time of Preliminary Plan of Subdivision review.

Schools:

This project is in School Cluster 6. Gwynn Park High School, Gwynn Park Middle School, and Brandywine Elementary School serve this area. Per Section 24-122.02 of the Subdivision Regulations, Council Resolutions CR-23-2001 and CR-38-2002, *Adequate Public Schools Facility Regulations for Schools*, impacts to school facilities will be further evaluated at the time of Preliminary Plan of Subdivision.

Library:

This area is served by the Accokeek Branch Library, 15773 Livingston Road, Accokeek, MD and the Surratts-Clinton Branch Library, 9400 Piscataway Road, Clinton, MD.

Staff concludes that the subject site complies with the requirements of Section 27-195(b)(1)(D) for the purpose of the Basic Plan. As stated, a thorough testing of adequate public facilities will occur at the time of Preliminary Plan of Subdivision review.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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June 3, 2021

MEMORANDUM

TO: Tom Sievers, Urban Design Review Section, Development Review Division

FROM:  Tom Masog, Transportation Planning Section, Countywide Planning Division

SUBJECT: **A-10060: Saddle Ridge Basic Plan**

Proposal

The applicant is proposing to rezone the property from the R-R and the R-E Zones to the R-S Zone. The R-S Zone is a comprehensive design zone, and the plan is required to address the various findings required for the approval of that zone.

Background

The rezoning of a site to a comprehensive design zone (CDZ) is not a simple rezoning; it involves the approval of a basic plan. The basic plan shows environmental features, proposed land uses and densities, and a generalized circulation pattern with access points in a schematic manner. The review focuses on conformity to approved master, sector, and other land use plans in consideration of the land uses and densities proposed. Additionally, there is a requirement that transportation facilities will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. Furthermore, it is required that the uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved general or master plans.

There is an underlying subdivision, Preliminary Plan of Subdivision (PPS) 4-07076, that covers most of this site. To the extent that this PPS contains information that may be relevant in considering the subject application, such information will be used in the review. But conditions from that plan will not be formally reviewed, and there is no requirement that the subject application conform to the PPS.

The subject property is located within Transportation Service Area (TSA) 2, as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property would be evaluated according to the following standards:

Links and Signalized Intersections: Level of Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections a three-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

Review Comments

It is anticipated that future comprehensive design plan (CDP) and PPS applications will be accompanied by a traffic study that will be reviewed with greater detail, and that degree of detail is more appropriate for those applications. According to the "Transportation Review Guidelines, Part 1," reviewing a traffic study with the CDP and PPS is preferred for four reasons: (a) the proposed development yields are better known at that stage of review; (b) there is a specific requirement for TIS submittal at the time of comprehensive design plan; (c) the review of the comprehensive design plan is better suited to run concurrently with the review of the preliminary plan, allowing a single study to be used for both applications; and (d) Section 27-195(c)(1) greatly limits the scope of conditions placed at the time of rezoning, which minimizes the value of a detailed evaluation of traffic operations at the time of basic plan.

When a future traffic study is done, the study should examine the site impact at the following locations:

MD 5 Service Road and Brandywine Road
MD 5 Service Road and MD 373 (Accokeek Road)
Brandywine Road and Floral Park Road
Brandywine Interchange Overpass and southbound MD 5 Ramps
Brandywine Interchange Overpass and northbound MD 5 Ramps
Floral Park Road and northeast site access
Floral Park Road and northwest site access
MD 373 and southeast site access Future
MD 373 and southwest site access
US 301 and MD 381

The subject property is located within Planning Area 85A and is affected by the Brandywine Road Club. Specifically, County Council Resolution CR-9-2017 indicates the following:

1. It establishes the use of the Brandywine Road Club for all properties within Planning Area 85A and 85B as a means of addressing significant and persistent transportation deficiencies within these planning areas. In so doing, CR-9-2017 states that the resolution applies to properties meeting adequacy under Section 24-124(a)(8) and "shall include any property

whose application for preliminary plan of subdivision shows the subject property to be located, in whole or in part, within Planning Areas 85A or 85B.”

2. It establishes a list of projects for which funding from the Brandywine Road Club can be applied.
3. It establishes standard fees by development type associated with the Brandywine Road Club to be assessed on approved development.

The council resolution works in concert with Council Bill CB-22-2015, which permits participation in roadway improvements as a means of demonstrating adequacy for transportation as required in Section 24-124. Specifically, Council Bill CB-22-2015 allows the following:

1. Roadway improvements participated in by the applicant can be used to alleviate any inadequacy as defined by the “Guidelines.” This indicates that sufficient information must be provided to demonstrate that there is an adequacy.
2. To be subject to CB-22-2015, the subject property must be located in an area for which a road club was established prior to November 16, 1993. In fact, the Brandywine Road club was included in Council Resolution CR-60-1993 adopted on September 14, 1993, and it was developed and in use before that date.

Pursuant to Council Resolution CR-9-2017, the Brandywine Road Club fee for the subject application fee will be determined and imposed by condition at the time of preliminary plan of subdivision. The condition would include a requirement that all fees would be indexed by the appropriate cost indices by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). Pursuant to Council Bill CB-22-2015, once the appropriate payment is made to the satisfaction of DPIE, no further obligation will be required of the applicant regarding the fulfillment of transportation adequacy requirements of Section 24 124(a).

Comparison of Existing Zoning with Proposal

The applicant proposes a rezoning that could result in a maximum of 955 residences on the subject property. Using this information along with the yield of the existing zones, the following table has been prepared to summarize the trip generation comparison of the existing zoning with the proposed zoning, in consideration of the following assumptions:

- Trip generation rates for the various uses are as published in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines).” All development is assumed to be single family residential.
- The existing R-R Zone is assumed to have a development yield of 1.85 residences per acre. The existing R-E Zone is assumed to have a development yield of 0.85 residences per acre. Both yields are as shown in the “Transportation Review Guidelines, Part 1.”

A-10060, Saddle Ridge AM, PM, and Daily Trip Comparison of Proposed Zoning with Existing Zoning										
Zone	Quantity	Unit	Use Type	AM Peak Hour			PM Peak Hour			Daily
				In	Out	Total	In	Out	Total	Total
Existing										
R-R	169	acres								
	312	units	residential	47	187	234	184	97	281	2,808
R-E	120	acres								
	102	units	residential	15	62	77	60	32	92	918
Existing zoning: potential trip generation				62	249	311	244	129	373	3,726
Proposed										
R-S	955	units	residential	143	573	716	564	296	860	8,595
Proposed zoning: potential trip generation				143	573	716	564	296	860	8,595
Comparison of Proposed Versus Existing Zoning				+81	+324	+405	+320	+167	+487	+4,869

As documented above, the site would generate a little less than 5,000 additional daily trips with the rezoning. The rezoning would also result in 400 to 500 additional peak hour trips.

From the information presented in the above table, the changes between the existing and the proposed zoning are significant. However, the transportation staff does not believe that the additional volumes would lower the level-of-service anticipated by the master plan. The *Approved Subregion 5 Master Plan and Sectional Map Amendment* is, to a degree, based on the continued use of the Brandywine Road Club as a means of sharing in the major roadway improvements in the area. To augment the roadway recommendations, the master plan also recommends a transit line (also known as the Southern Maryland Rapid Transit line) parallel to MD 5 between the Branch Avenue Metrorail Station and Charles County. These facilities together ensure that adequate capacity exists in the MD 5 corridor to accommodate the rezoning.

Future forecasts for Floral Park Road, as documented with the *Approved Subregion 5 Master Plan and Sectional Map Amendment*, would serve 6,600 average daily traffic (ADT) on the section between Springfield Road and Brandywine Road, with a level-of-service (LOS) A. The 163 residences proposed within Pod A would add ADT of approximately 1,000 to that link, and the resulting ADT of 7,600 would continue to operate at LOS A.

Similarly, future forecasts for Accokeek Road, as documented with the *Approved Subregion 5 Master Plan and Sectional Map Amendment*, would serve 23,400 average daily traffic (ADT) on the section between McKendree Road and Brandywine Road, with a level-of-service (LOS) D. The 792 residences proposed within Pods C, D, and E would add ADT of approximately 3,500 to that link, and the resulting ADT of 26,900 would continue to operate at LOS D.

Access and circulation are acceptable as shown on the plan. The overall circulation system is affected in large by environmental features within the site.

The overall site is affected by two planned transportation facilities:

- The site is adjacent to Floral Park Road, which is shown as a master plan primary facility on the *Approved Subregion 5 Master Plan and Sectional Map Amendment*. Future plans will be required to demonstrate adequate dedication of 30 feet from centerline along Floral Park Road.
- The site is adjacent to Accokeek Road (MD 373), which is shown as a master plan collector facility on the *Approved Subregion 5 Master Plan and Sectional Map Amendment*. Future plans will be required to demonstrate adequate dedication of 40 feet from centerline along Accokeek Road.

Conclusion

From the standpoint of transportation and in consideration of the findings contained herein, it is determined that this plan is acceptable if the application is approved.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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May 22, 2020

MEMORANDUM

TO: Thomas Sievers, Development Review Division

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

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

SUBJECT: **Zoning Map Amendment for Pedestrian and Bicyclist Transportation Master Plan Compliance**

The following zoning map amendment was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*, the *Approved Subregion 5 Master Plan and Sectional Map Amendment*, and the Basic Plan Regulations to provide the appropriate pedestrian and bicycle transportation recommendations.

Zoning Map Amendment Number: A-10060

Zoning Map Amendment Case Name: Saddle Ridge

Type of Master Plan Bikeway or Trail

Municipal R.O.W.*	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u>X</u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u> </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> </u>
Sidewalks	<u>X</u>	Trail Access	<u>X</u>

Subject to 24-124.01: No

Zoning Map Amendment Case Background	
Building Square Footage (non-residential)	N/A
Number of Units (residential)	787 – 955 units
Abutting Roadways	Floral Park Road, Accokeek Road, Brandywine Road
Abutting or Nearby Master Plan Roadways	Floral Park Road (P 501), Accokeek Road – MD 373 (C-527)
Abutting or Nearby Master Plan Trails	Planned Side Path: Floral Park Road Planned Shared Roadway: Accokeek Road

	Planned Hard Surface Trail: Burch Branch Trail
Proposed Use(s)	Residential
Zoning	Proposed Zoning : R-S (Residential Suburban)
Centers and/or Corridors	N/A
Prior Approvals on Subject Site	N/A

Submitted Plans

The submitted plans display the proposed boundaries of A-10060, a zoning map amendment that proposes to rezone 289.36 acres of R-E (Residential-Estate), and R-R (Rural Residential) properties to R-S (Residential-Suburban). The subject property is unimproved and contains frontage along Floral Park Road to its northern bounds and along Accokeek Road to its southern bounds. Additionally, the subject property contains frontage along South Hill Road, Church Drive, and McKay Drive, at the western bounds of the subject property. No frontage along the subject property contains sidewalks or bicycle facilities. The location of the planned Floral Park Road side-path and the planned Burch Branch trail are accurately depicted on the submitted plans.

The subject property is not located within a designated Center or Corridor and is therefore not subject to Section 24-124.01 and the Transportation Review Guidelines – Part 2. The applicant's submission displays proposed access through the development as well as proposed clubhouse locations and community focal points.

Prior Approvals

Preliminary plan of subdivision 4-07076 was approved for 323 lots and 13 parcels for single-family residential use. Condition 6 of 4-07076 discusses master plan trails and sidewalks and is copied below:

6. In conformance with the approved Subregion V master plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
 - a. Construct the master plan trail along the subject site's entire frontage within the public right of way, unless modified by SHA, to provide a connection from Block C (adjacent to the Pleasant Valley to the west) to the Pleasant Valley Community Park (M-NCPPC).
 - b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.

Comment: PPS 4-07076 did not move forward with construction. The conditions of approval set forth in the Planning Board resolution are therefore not binding regarding subsequent developments. However, staff recommend all master plan trails within the subject property be provided with future development, consistent with condition 6-a as well as ensure all future submissions display sidewalks along both sides of all internal roads.

Master Plan Recommendations

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which recommends the following facilities:

Planned Side Path: Floral Park Road

Planned Shared Roadway: Accokeek Road

Planned Hard Surface Trail: Burch Branch Trail

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

The Off-Road Trails Section of the *Approved Subregion 5 Master Plan and Sectional Map Amendment* makes the following policy recommendations (p.118):

Policies:

Promote pedestrian and bicycle opportunities as part of a multi-modal transportation network.

Promote dual-route facilities along all of the major road transportation corridors.

Connect a spine network of trails to the most populated areas.

Expand and promote hiker/biker/equestrian recreational activities.

Promote and encourage cycling and walking for commuting purposes as an alternative to driving a car.

Promote safe pedestrian and bicycle facilities in and around public schools, and in population centers such as Clinton and Brandywine.

An additional recommendation regarding bicycle safety is provided below:

Install bicycle signage and safety improvements along designated shared-use roadways when development occurs or roadways are upgraded. Bikeway improvements may include paved shoulders, painted bike lanes, and bike signage. (p.121)

Comment: The subject property falls in the developing tier (Transportation Service Area 2), which requires sidewalks on both sides of all new internal roads. As development occurs within the proposed area, staff will further evaluate bicycle and pedestrian transportation. Staff recommend that implementation of complete streets be considered at the time of the Comprehensive Design Plan for the subject property. Additionally, staff recommend pedestrian and bicycle facilities be provided

consistent with the *Approved Subregion 5 Master Plan and Sectional Map Amendment* pedestrian and bicycle policies including additional connections and facilities connecting to Church Road and McKay Road to promote multimodal transportation.

Zoning Ordinance

Section 27-195(b)(1) of the ordinance discusses requirements for the approval of a Basic Plan and is copied below:

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

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

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

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

Moreover, Section 27-195(c) provides for conditional approval of a zoning map amendment.

(1) When it approves the Zoning Map Amendment, the District Council may impose reasonable requirements and safeguards (in the form of conditions) which it finds are necessary to either:

(A) Protect surrounding properties from the adverse effects which might accrue from the Zoning Map Amendment;

(B) Further enhance the coordinated, harmonious, and systematic development of the Regional District

Section 27-513(b) includes increment factors for increasing the density of a proposed development. The table from section 27-513(b) displays one factor permitting an additional 5% increase in dwelling units for providing a separated pedestrian system and is copied below:

	RESIDENTIAL SUBURBAN 1.6	RESIDENTIAL SUBURBAN 2.7
(3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed	5% in dwelling units	5% in dwelling units

The submitted basic plan includes a general alignment of the Floral Park Road side-path, the Accokeek Road shared-roadway, and the Burch Branch Trail. An additional pedestrian connection has been provided between Pod A and Pod C.

Comment: As noted on the submitted basic plan, the alignment of the Floral Park Road side-path, the

Accokeek Road shared-roadway, and the Burch Branch Trail are shown for reference only and may be shifted in accordance with the Department of Parks and Recreation at the time of subsequent applications. While staff supports the opportunity to re-align the Accokeek Road shared-roadway and the Burch Branch Trail at a future phase of development, staff recommend that these master plan facilities be provided and conceptual alignments be provided in a comprehensive design plan as well as a more refined alignment in future applications.

Section 27-521(a) provides additional requirements for the approval of a comprehensive design plan.

(a) Prior to approving a Comprehensive Design Plan, that Planning Board shall find that:

(1) The plan is in conformance with the Basic Plan approved by application per Section 27-195;

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

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

Comment: Staff will review these criteria in more detail during the review of the comprehensive design plan. However, these findings inform the necessary conditions for the zoning map amendment and basic plan and the considerations for the subsequent comprehensive design plan.

Section 27-192 provides for the Planning Board to make a recommendation to approve or note approve a zoning map amendment. Specifically, Section 27-192(c):

The Planning Board may recommend to the District Council that the application (including Basic Plan) be approved, approved with modification or conditions, or denied. A recommendation for approval shall address the land use types, land use relationships, and maximum and minimum land use quantities, as well as base density. The Planning Board may also recommend that certain planning or development matters (known as “considerations”) be considered at the time of the Comprehensive and Specific Design Plans are reviewed. In making its recommendation, the Planning Board shall find that the applicant has demonstrated that the entire development, and any proposed stage thereof, meets all of the criteria for District Council approval of the application (Section 27-195).

Comment: In effort to better achieve a roadway network that supports all modes of transportation, staff recommend that traffic calming measures including but not limited to, curb extensions, mini traffic circles, chicanes, neckdowns and narrowed traffic lanes, speed tables, elevated pedestrian crossings, and roadway striping and markings be considered in the design guidelines for the comprehensive design plan. Staff recommend that a comprehensive network of shared-lane markings (sharrows) be considered for the internal streets to create a neighborhood wide bicycle boulevards network. Staff also recommend the applicant establish an alignment for all master plan trails through the community that avoids regulated environmental features, to the extent practical. Lastly, staff recommend pedestrian and bicycle connections to the adjacent residential communities.

Conclusion:

Based on the findings presented above, staff find that the pedestrian and bicycle transportation

facilities and the proposed application are consistent with Section 27-195 and that the proposed rezoning of the property will not impair the ability to make multimodal transportation related recommendations that are supported by an approved Master Plan or Functional Master Plan or included in the subdivision regulations and zoning ordinance, if the following conditions are met.

1. All internal and frontage streets of the subject site shall conform to the Master Plan of Transportation Complete Streets Policies and Principles and provide for multimodal transportation.

2. A conceptual alignment of the Burch Branch Trail, the Floral Park Road shared-use path, and the Accokeek Road shared-lane markings be provided on the Comprehensive Design Plan.

3. The following comprehensive design plan considerations shall be addressed and incorporated into the comprehensive design plan guidelines.

a. Traffic calming measures are to be provided within the internal roadway network, including but not limited to, curb extensions, mini traffic circles, chicanes, neckdowns and narrow traffic lanes, speed tables, elevated pedestrian crossings, and roadway striping and markings;

b. Pedestrian and bicycle connections between the different development pods as well as adjacent residential communities

c. Shared-lane roadway markings (sharrows) provided along internal streets to create neighborhood bicycle boulevards

d. Establish an alignment for all master plan trails through the community that avoids regulated environmental features, to the extent practical

From: [Zhang, Henry](#)
To: [Sievers, Thomas](#)
Cc: [Hurlbutt, Jeremy](#)
Subject: FW: UPDATE re: ACCEPTANCE Referral - A-10060 Saddle Ridge
Date: Tuesday, May 18, 2021 11:19:01 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
Importance: High

Hi, Tom,

The Urban Design Section has reviewed Zoning Map Amendment Application, A-10060, for Saddle Ridge, which is to rezone the 289.01-acre property in the R-E and R-R Zones to the R-S (Residential Suburban Development) Zone that is one of the nine comprehensive design zones. The Urban Design Section has no objections to the approval of this ZMA application.

The site will be subject to Comprehensive Design Plan (CDP) and Specific Design Plan (SDP) review after the approval of this rezoning application, prior to issuance of any building permits. The Urban Design Section will review all urban design issues and the site's conformance with applicable regulations, including the requirements of the *Landscape Manual* at the time of both CDP and SDP approvals.

This email is in lieu of a formal memorandum from the Urban Design Section.

Thanks

Henry H. Zhang, AICP LEED AP CPTED Specialist

Master Planner | Urban Design



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

301-952-4151 | henry.zhang@ppd.mncppc.org



From: ePlan <ePlan@ppd.mncppc.org>

Sent: Friday, May 14, 2021 10:23 AM

To: ePlan <ePlan@ppd.mncppc.org>; Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Hall, Ashley <Ashley.Hall@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Barnett-Woods,

Bryan <bryan.barnettwoods@ppd.mncppc.org>; Zhang, Henry <Henry.Zhang@ppd.mncppc.org>; Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>; Dixon, June <june.dixon@ppd.mncppc.org>; Chaconas, Sheila <Sheila.Chaconas@ppd.mncppc.org>; Holley, Edward <Edward.Holley@Pgparcs.com>; Thompson, Ivy <Ivy.Thompson@ppd.mncppc.org>; Walker, Tineya <tineya.walker@ppd.mncppc.org>; PPD-EnvDRDreferrals <ppd-envdrdreferrals@ppd.mncppc.org>; 'Reilly, James V' <JVReilly@co.pg.md.us>; SLToth@co.pg.md.us; ljdillon@co.pg.md.us; DPIE <DARichards@co.pg.md.us>; AMGullickson@co.pg.md.us; tgaskins@co.pg.md.us; De Guzman, Reynaldo S. <rsdeguzman@co.pg.md.us>; rlattiv@co.pg.md.us; Snyder, Steven G. <SGSnyder@co.pg.md.us>; 'Abdullah, Mariwan' <MAbdullah@co.pg.md.us>; Formukong, Nanji W. <nwformukong@co.pg.md.us>; Salles, Cicero D. <cdsalles@co.pg.md.us>; sabranch@co.pg.md.us; jtarr@co.pg.md.us; 'Kwesi Woodroffe' <kwoodroffe@sha.state.md.us>; 'Tania Brown - SHA' <TBrown13@mdot.maryland.gov>; shayla.taylor@pgcps.org; rhianna.mccarter@pgcps.org; Salles, Cicero D. <cdsalles@co.pg.md.us>; jtarr@co.pg.md.us; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; 'Aheart, Charlotte D.' <CDAheart@co.pg.md.us>; kenneth.l.barnhart@verizon.com; mark.g.larsen@verizon.com; jkoroma@pepco.com; wkynard@pepcoholdings.com; Charles.curry@bge.com; Herb.Reigel@smeco.coop; 'Ulrich,Keith' <Keith.Ulrich@SMECO.coop>; kencrouse@comcast.net; 'AZZAM, ABDULKADER' <aa9168@att.com>; 'IBRAHIM, WALID' <wi340d@att.com>; 'sh3700@att.com' <sh3700@att.com>; pmartinez@washgas.com; Giles, Mary C. <mcgiles@co.pg.md.us>; #dsgintake@wsscwater.com; Ray, Bobby <Bobby.Ray@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>; Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>

Cc: Summerlin, Cheryl <Cheryl.Summerlin@ppd.mncppc.org>; Fairley, Lillian <Lillian.Fairley@ppd.mncppc.org>; Graham, Audrey <Audrey.Graham@ppd.mncppc.org>; Townsend, Donald <Donald.Townsend@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Davis, Lisa <Lisa.Davis@ppd.mncppc.org>; Hunt, James <James.Hunt@ppd.mncppc.org>; Checkley, Andree <andree.checkley@ppd.mncppc.org>; Lohman, Regina <Regina.Lohman@ppd.mncppc.org>; Dozier, Kimberly <Kimberly.Dozier@ppd.mncppc.org>; Staton, Kenneth <Kenneth.Staton@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>; Braden IV, Sam <Sam.BradenIV@ppd.mncppc.org>; Anne Dowell <ADowell@RODGERS.com>; Sievers, Thomas <Thomas.Sievers@ppd.mncppc.org>; Windsor, Theresa <Theresa.Windsor@ppd.mncppc.org>

Subject: RE: UPDATE re: ACCEPTANCE Referral - A-10060 Saddle Ridge

Greetings,

We have received the following SDRC response.

<https://www.dropbox.com/sh/503u3scwd8nn7dn/AABD529JtCtDcVd9UAfgWNpVa?dl=0>

Thank you,

Randa Lee

Senior Planning Technician, Development Review Division

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

14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-952-3867 | randar.lee@ppd.mncppc.org



From: Lee, Randar

Sent: Friday, April 16, 2021 4:24 PM

To: ePlan <ePlan@ppd.mncppc.org>; Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Hall, Ashley <Ashley.Hall@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Barnett-Woods, Bryan <bryan.barnettwoods@ppd.mncppc.org>; Zhang, Henry <Henry.Zhang@ppd.mncppc.org>; Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>; Dixon, June <june.dixon@ppd.mncppc.org>; Chaconas, Sheila <Sheila.Chaconas@ppd.mncppc.org>; Holley, Edward <Edward.Holley@Pgpc.com>; Thompson, Ivy <Ivy.Thompson@ppd.mncppc.org>; Walker, Tineya <tineya.walker@ppd.mncppc.org>; PPD-EnvDRDreferrals <ppd-envdrdreferrals@ppd.mncppc.org>; Reilly, James V' <JVReilly@co.pg.md.us>; SLToth@co.pg.md.us' <SLToth@co.pg.md.us>; 'lj Dillon@co.pg.md.us' <lj Dillon@co.pg.md.us>; 'DPIE' <DarRichards@co.pg.md.us>; 'AMGullickson@co.pg.md.us' <AMGullickson@co.pg.md.us>; 'tgaskins@co.pg.md.us' <tgaskins@co.pg.md.us>; 'De Guzman, Reynaldo S.' <rsdeguzman@co.pg.md.us>; 'rlattivor@co.pg.md.us' <rlattivor@co.pg.md.us>; 'Snyder, Steven G.' <SGSnyder@co.pg.md.us>; 'Abdullah, Mariwan' <MABdullah@co.pg.md.us>; 'Formukong, Nanji W.' <nwformukong@co.pg.md.us>; Salles, Cicero D. <cdsalles@co.pg.md.us>; 'sabbranch@co.pg.md.us' <sabbranch@co.pg.md.us>; 'jtarr@co.pg.md.us' <jtarr@co.pg.md.us>; 'Kwesi Woodroffe' <kwoodroffe@sha.state.md.us>; 'Tania Brown - SHA' <TBrown13@mdot.maryland.gov>; 'shayla.taylor@pgcps.org' <shayla.taylor@pgcps.org>; 'rhianna.mccarter@pgcps.org' <rhianna.mccarter@pgcps.org>; Salles, Cicero D. <cdsalles@co.pg.md.us>; 'jtarr@co.pg.md.us' <jtarr@co.pg.md.us>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; 'Aheart, Charlotte D.' <CDAheart@co.pg.md.us>; 'kenneth.l.barnhart@verizon.com' <kenneth.l.barnhart@verizon.com>; 'mark.g.larsen@verizon.com' <mark.g.larsen@verizon.com>; 'jkoroma@pepco.com' <jkoroma@pepco.com>; 'wkynard@pepcoholdings.com' <wkynard@pepcoholdings.com>; 'Charles.curry@bge.com' <Charles.curry@bge.com>; 'Herb.Reigel@smeco.coop' <Herb.Reigel@smeco.coop>; 'Ulrich,Keith' <Keith.Ulrich@SMECO.coop>; 'kencrouse@comcast.net' <kencrouse@comcast.net>; 'AZZAM, ABDULKADER' <aa9168@att.com>; 'IBRAHIM, WALID' <wi340d@att.com>; 'sh3700@att.com' <sh3700@att.com>; 'pmartinez@washgas.com' <pmartinez@washgas.com>; Giles, Mary C. <mcgiles@co.pg.md.us>; '#dsgintake@wsscwater.com' <#dsgintake@wsscwater.com>; Ray, Bobby <Bobby.Ray@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>; Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>
Cc: Summerlin, Cheryl <Cheryl.Summerlin@ppd.mncppc.org>; Fairley, Lillian <Lillian.Fairley@ppd.mncppc.org>; Graham, Audrey <Audrey.Graham@ppd.mncppc.org>; Townsend, Donald <Donald.Townsend@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Davis, Lisa <Lisa.Davis@ppd.mncppc.org>; Hunt, James <James.Hunt@ppd.mncppc.org>; Checkley, Andree <andree.checkley@ppd.mncppc.org>; Lohman, Regina <Regina.Lohman@ppd.mncppc.org>; Dozier, Kimberly <Kimberly.Dozier@ppd.mncppc.org>; Staton, Kenneth <Kenneth.Staton@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>; Braden IV, Sam <Sam.BradenIV@ppd.mncppc.org>; 'Anne Dowell' <ADowell@RODGERS.com>; Sievers, Thomas <Thomas.Sievers@ppd.mncppc.org>; Windsor,

Theresa <Theresa.Windsor@ppd.mncppc.org>

Subject: UPDATE re: ACCEPTANCE Referral - A-10060 Saddle Ridge

FYI - Please find new dates below.

From: ePlan

Sent: Friday, April 16, 2021 2:16 PM

Subject: UPDATE re: ACCEPTANCE Referral - A-10060 Saddle Ridge

This is an EPlan ACCEPTANCE of **A-10060 Saddle Ridge** to be reviewed at the Planning Board level scheduled for **7/8/2021**.

This case was officially accepted as of April 7, 2021.

SDRC is scheduled for April 30, 2021.

Major Issue Referral Deadline April 22, 2021

Referral Due Date (as shown on TSR Due Date matrix) **May 17, 2021**

- All responses must be emailed to the assigned reviewer and to PGCReferrals@ppd.mncppc.org ;
- attach signed memo's on official letterhead
- attach a signed PDF and Word version of the document.
- The email subject must include: Case number + Case name + Dept + Reviewer initials.
- Please indicate in the body of your email if the attached response is the 1st, 2nd or 3rd

***Please submit ALL comments to assigned reviewer**

Thomas.Sievers@ppd.mncppc.org and to PGCReferrals@ppd.mncppc.org (email).

Revised Information (55 day) Due Date: May 14, 2021

Click on the hyperlink to view the Acceptance Documents:

<https://www.dropbox.com/sh/503u3scwd8nn7dn/AABD529JtCtDcVd9UAfgWNpVa?dl=0> (3-31-2021)

NOTE: Plans and documents for this case will be available in Dropbox until Planning Board hearing and decision. You may download and save for your records but the plans are not final until conditions are met and the plan is certified.

Thank you,

Randa Lee

Senior Planning Technician, Development Review Division



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772

301-952-3867 | randar.lee@ppd.mnccppc.org





Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

April 30, 2021

TO: Thomas Sievers, Thomas.sievers@ppd.mncppc.org
Development Review Division, M-NCPPC

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

RE: A-10060 Saddle Ridge
Rezone Property from R-E and R-R Zones to the R-S Zone

CR: Floral Park Road
CR: Accokeek Road (MD373)

In response to the Zoning Amendment Application (A-10060) referral, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The Saddle Ridge property is located along the south side of Floral Park Road and along the north side of Accokeek Road approximately a mile west of Branch Avenue (MD5)/ Brandywine Road / Accokeek Road Intersection.
- Accokeek Road is a State- maintained roadway; therefore, coordination with the Maryland State Highway Administration (SHA) is required.
- Floral Park Road is an 80-foot right of way collector roadway that is being maintained by the county. Road right of way dedication and roadway frontage improvements along Floral Park Road are required to be built by the developer of this property, to comply with the master planned roadway standard.
- The applicant is requesting a rezoning amendment of the subject property from R-E and R-R Zones to the R-S Zone. DPIE has no objection to this proposed rezoning.
- DPIE permits are required for the roadway frontage improvements, proposed access points from existing County roads, utility taps and on-site grading work associated with this site.
- The proposed zoning amendment application does not have an approved stormwater management concept. Stormwater management will be required to be built by the developer of this property to provide quality control and control quantity control for the change from pre-developed to post developed conditions.

Thomas Sievers
April 30, 2021
Page 2

- The access road into this site from Floral Park Road appears to be within the flood prone areas. The applicant shall submit 100-year floodplain delineation for approval and shall design and construct an alternative access that will be not be inundated during 100 - year flooding.
- Detailed floodplain, environmental, access, stream and sight distance studies are to be considered in this proposed development.
- This project is subject to a detailed geotechnical and slope stability analysis to assess the buildable area of this property.

If you have any questions or need additional information, please contact Mr. Formukong Nanji, District Engineer for the area, at 301.636.2060.

MCG:NF:ag

cc: Nanji Formukong, District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Mengis Tesfatsion Engineer, S/RPRD, DPIE
D.R. Horton 181 Harry S. Truman Parkway, Suite 250 Annapolis MD 21401
Rodgers Consulting 1101 Mercantile Lane, Suite 280 Upper Marlboro, MD 20774



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



Melinda Bolling
Director

MEMORANDUM

April 16, 2021

TO: Thomas Sievers, Subdivision Review Section
Maryland-National Capital Park & Planning Commission

FROM: Shirley Anthony Branch, Water and Sewer Plan Coordinator *SAB*
Site/Road Plan Review Division, DPIE

RE: SDRC Comments – Saddle Ridge, A-10060

Below are my comments on a rezoning application scheduled for review at the **April 30, 2021** SDRC meeting. This is a first response for this project. Should you have any questions regarding the attached information, please feel free to call me at 301.636.2060.

A-10060 Saddle Ridge
Tax IDs: numerous; Tax Map: 144 C-2, & 144 C/D-3/4
Acres: 288; Currently zoned R-E & R-R
WSSC Grid: 219SE06

1. The 2018 Water and Sewer Plan designates the majority of the property in a Water and Sewer Category 4, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, for development on public sewer. Parcel 188 is designated Category 5, and Parcel 44 is in split Categories 5 and 4.
2. Category 4, obtained via the Legislative Amendment process, must be approved before approval of a preliminary plan of subdivision. Please contact the Water and Sewer Plan Coordinator, DPIE, for further information and instructions.
3. Water lines in Accokeek Road and Floral Park Road abut much of the project. Sewer lines are in the vicinity within other subdivisions.
4. Floodplain is present on the property and FPS 200807 governs. Please contact the Floodplain Manager, DPIE, for further information and instructions.

*The Department of Permitting, Inspections and Enforcement (DPIE) determines the validity in category designations of the Prince George's County Water and Sewer Category Maps. Information reflects the category designated by the 2018 Water and Sewer Plan and its amendments deemed accurate as of **November 20, 2020**. Any dispute of the designated category or comments herein may be addressed to the Site/Road Plan Review Division, Water and Sewer Plan Coordinator, at 301.636.2060.*

cc: Mary C. Giles, P.E., Associate Director, S/RPRD, DPIE
Salman U. Babar, P.E., S/RPRD, DPIE

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774
Phone: 301.636.2060 ♦ <http://dpie.mypgc.us> ♦ FAX: 301.925.8510

From: [PPD-POR](#)
To: [Sievers, Thomas](#)
Subject: FW: Your confirmation for Person Of Record Online Registration
Date: Monday, April 12, 2021 10:10:32 AM

Message received in the POR mailbox.

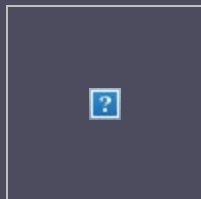
Thanks...Retha

From: noreply@ppd.mncppc.org <noreply@ppd.mncppc.org>
Sent: Monday, March 29, 2021 6:57 PM
To: noreply <noreply@ppd.mncppc.org>; martincalhoun00@gmail.com; PPD-POR <PPD-POR@ppd.mncppc.org>
Subject: Your confirmation for Person Of Record Online Registration

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

Development Review Division
The Maryland-National Capital Park and Planning Commission

Request to Become Person of Record



*****DO NOT REPLY TO THIS
EMAIL*****

Thank you for registering to become a person of record for the subject application. You will be notified when the Planning Board hearing date is scheduled. Please carefully verify that the information you submitted is correct. If you find an error, please forward this email to Retha.Pompey-Green@ppd.mncppc.org and note the correction needed. To stay up to date with the Planning Department announcements and scheduled hearings, please favorite <http://www.pgplanning.org> and visit often!

Your request to become of person of record has been submitted successfully on 06:56:39PM Monday 29 March, 2021.

Below is the detail information with your request. Please keep for your record.

Application Information

- **Application Number:** A-10060: SADDLE CREEK
-

Contact Information

- **Your Name:** Martin Calhoun
- **Address:** 6401 floral park rd Road, 6401 Floral Park Rd Brandywine, MD 20613
- **Primary Phone:** 240-468-3436
- **Secondary Phone:** 202-892-9571
- **Email:** martincalhoun00@gmail.com

Comments i dont approve of this plan

If you have any problems or questions, please contact the Planning Department.

Thank you

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

STAY CONNECTED:



Additional Back-up

For

**A-10060
Saddle Ridge**

JUNE 15, 2021

Dear: Adjoining property owner, municipality, previous party of record and / or registered association:

Re: Saddle Ridge ZMA
A-10060

Virtual Public Meeting
JUNE 29, 2021
6:00 PM

A Zoning Map Amendment for the above-referenced project has been submitted for review to the Development Review Division of The Maryland-National Capital Park and Planning Commission ("M-NCPPC"). A hearing before the Prince George's County Planning Board is scheduled for July 8th, 2021.

Saddle Ridge is located in the southernmost part of Prince George's County, south of Floral Park Road and north of Accokeek Road, approximately a mile west of the Branch Avenue (MD 5)/ Brandywine Avenue/Accokeek Road intersection. The nature of the review of the Zoning Map Amendment is to rezone the property from the existing R-E (Residential Estate) and R-R (Rural Residential) zones to the R-S (Residential Suburban) zone. A Basic Plan has been submitted with the application that outlines areas proposed to be developed within the site as well as areas being preserved. The proposal is to develop the property with a walkable, active residential neighborhood with onsite recreation. It respects the value of Burch Branch by making it a valuable part of the development without imposing undue impacts.

The developer would like to meet with you and your community to discuss the project. In these times, when public gatherings are not appropriate, the developer invites you to a Virtual Public Outreach meeting using Microsoft Teams. With Microsoft Teams, you will be able to see the proposed plans from your computer as we discuss the project. The virtual meeting will be conducted on Tuesday June 29th at 6:00 PM.

This Virtual Meeting will be an opportunity for everyone to meet - virtually, for the development team to outline the proposal, and for you to ask any questions or share any thoughts or comments with the development team. Obviously, we would prefer to do this in person, but in these challenging and unprecedented times, and in the abundance of caution for everyone's wellbeing, we believe that this is the next best thing.

If you have any questions, or if you would like to participate in the virtual meeting, please contact us via email (PublicInfo@roddgers.com) and we will send you additional details and instructions on how to participate. Please reference "Saddle Ridge A-10060" in the subject line.

To join the public meeting by phone only, call 301-798-4992 at the meeting start time and, when prompted, enter the Conference ID: 433 600 489#

Thank you in advance and we look forward to meeting you online.

Sincerely,
Rodgers Consulting, Inc.



Charlie Howe
Team Leader/Senior Associate

N:\MD-Prince Georges\Saddle Creek\documents\Administrative\Correspondence\Letters\Saddle Ridge ZMA - Public Outreach Meeting Notice.docx

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Rosaryville Citizens Association
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Upper Marlboro, MD 20772

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Saddle Ridge

A-10060

Zoning Map Amendment

SDRC Response – Statement of Justification

Saddle Ridge
Basic Plan A-10060
Text and Statement of Justification
March 26, 2021
REVISED May 13, 2021

SADDLE RIDGE

Zoning Map Amendment A-10060

Basic Plan Text

and

Statement of Justification

March 26, 2021

REVISED
MAY 13, 2021

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APPENDIX

APPENDIX ‘A’: Parcel Identification

SUPPORTING EXHIBITS

- EXHIBIT A.1 Neighborhood land Use
- EXHIBIT B: Density Range
- EXHIBIT C: Water Sewer Category Change

I. INTRODUCTION

A. PROPERTY LOCATION AND DESCRIPTION

Saddle Ridge, (the “Property”) is located on the north side of Accokeek Road and the south side of Floral Park Road, approximately a mile west of the Branch Avenue (MD 5) / Brandywine Road / Accokeek Road intersection. The irregularly-shaped 289.36± Property is characterized by rolling terrain, with steeper slopes associated with the Burch Branch, which runs north-south through the Property. A Pepco transmission line bisects the northern section of the Property. This Pepco property also includes some environmental features. No vehicular access is proposed to cross this property or the streams. However, a trail will connect the north and south portions of the Property, providing bike and pedestrian access to amenities via connections to, and conversion of, an existing gravel road. Detailed parcel information can be found in Appendix “A.”

B. PURPOSE OF THE APPLICATION

D.R. Horton, the “Applicant,” seeks a rezoning on the subject Property from the R-R (Rural Residential) and R-E (Residential Estate) Zones to the R-S (Residential-Suburban 2.7 to 3.5 dwellings/acre) Zone. In consideration of this request, the Applicant seeks approval of a Basic Plan in accordance with Part 3, Division 2, Subdivision 3 of the Zoning Ordinance.

C. NEIGHBORHOOD LAND USE AND ZONING

The Applicant proposes the following triangular neighborhood for zoning purposes:

NORTH:	Floral Park and Brandywine Roads
SOUTH:	Accokeek Road
WEST:	South Springfield Road

The neighborhood is an olio (Exhibit A.1). It is mostly farm and woodland. A few single-family detached homes can be found on the perimeter, including large parcels along Brandywine and Floral Park Roads, and the Arthur Lusby Estates linear subdivision along South Springfield Road. Pleasant Springs subdivision of three-quarter acre lots (with some larger lots) is on the north side of Accokeek just west of subject Property. Burch Branch runs generally from west to east through the neighborhood; with its associated tributaries, this system is a major feature of the area.

Just south of the neighborhood, across Accokeek Road, is Lakeview at Brandywine, a community of single-family detached homes on half acre lots. Just north, across Floral Park Road, is the Village of Savannah-Chatham Village, another community of single-family detached home on half acre lots.

II. MASTER PLAN AND GENERAL PLAN

A. MASTER PLAN

The Property is found in the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (“Master Plan” and “SMA”). The overall vision for Subregion 5 is:

Communities will have a system of sidewalks and multiuse trails connecting to parks, open space, recreation centers, and other destinations.

In the Piscataway, Mattawoman, and Potomac watersheds, land along the periphery of the County, is preserved to protect the landscape, rivers, creeks, forests, farms, and rich history that defines and unites the subregion. Historic sites and new businesses complement each other to promote tourism, which will encourage visitors to experience agricultural and rural lifestyles first hand. The rural character of the region is preserved through measures that minimize sprawl and protect cultural, natural, and agricultural resources. Existing agricultural and mineral resources serve as catalysts for economic activities conducted in an environmentally sensitive manner. (p. 27)

The Master Plan also includes specific visions for the three subareas, Accokeek, Brandywine, and Clinton/Tippett. Brandywine is in the southeast section of the Subregion and includes the entire Property. The Vision for the Brandywine area is:

Brandywine develops into the center envisioned in the 2002 Prince George’s County Approved General Plan. It is a large, mixed-use community within the MD 5/US 301 corridor with transit-oriented neighborhoods designed so residents and employees can walk to nearby bus or light rail commuter stations. A variety of housing choices are available to residents, from apartments to single-family dwellings, and there are many opportunities to shop, dine, and be entertained. A well-planned road network allows local traffic to circulate throughout the community without relying, on the regional highway network. A key feature in Brandywine is the network of pedestrian trails and bike paths that connect living areas to schools, shops, and parks. East of Brandywine is the original village of

Brandywine, is a vital part of the larger community and includes one-of-a-kind restaurants and small shops along a traditional main street, MD 381. West of Brandywine, the land uses transition to rural, low density residential development. (p. 28)

A low-density development (<3.5 dwellings per acre) of townhouses and single-family homes perfectly fits the Brandywine Vision. Key ingredients of the proposed Basic Plan include a variety of housing types, open spaces with pedestrian paths and sidewalks, bike paths and lanes connecting residents with a series of private recreational facilities throughout the community. It also provides easy access to the emerging Brandywine Center, an auto-reliant Local Town Center along Crain Highway just to the north.

The Future Land Use Map (Map VI-1; p. 32), recommends the Property for Residential Low land use. The Master Plan discusses these areas.

Residential Low areas are “...designated for single-family detached suburban development. Most of the land in Subregion 5 is in this category, which is intended for single-family detached residential development that may have up to 3.5 dwelling units per acre.” (p. 33) Table IV-1 (p. 31) describes Residential Low land use as an area of “Primarily single-family detached dwellings,” with several “Applicable Zones,” including the R-S Zone. Given that townhomes are permitted in the R-S Zone, and that the Residential Low land use area envisions that some dwellings will be other than the “primarily” single-family detached, the mix of units proposed is appropriate.

The focus of the Master Plan recommendation for the Residential Low land use area is to limit density and preserve large areas of woodland and environmentally sensitive areas. The Basic Plan map includes a density below the recommended maximum in the Residential Low area and a Concept Plan (Exhibit B) that clusters development away from the environmentally sensitive areas associated with Burch Branch and its tributaries.

Proposed is a high-quality suburban development, below the maximum density envisioned for Residential Low areas, with a network of open space, private recreational facilities and trails, in line with the overall goals of the Master Plan. The conceptual design demonstrates the attention to detail in advancing these goals (p. 35).

The portions of Brandywine not in the Village of Brandywine, are envisioned “as being primarily low density residential. Much of the future residential development would be in large master-planned subdivisions, particularly in the northern and western portions of the community, such as Saddle Ridge and the Estates at Pleasant Valley.” (p. 42, emphasis added.)

This Property, identified in the Brandywine Area, is prime for such large master-planned subdivisions as it is very close to Brandywine Local Town Center just north of the Property on Crain Highway. The Brandywine Local Town Center was later identified in *Plan Prince George’s 2035* (“Plan 2035”) as an automobile dependent center. New homes in the area can catalyze the further development in the center.

The Master Plan also identifies several historic sites and resources near the Property. The closest historic site is the Hawkins Tobacco Barn (85A-086) approximately 1,500 feet east on Floral Park Road. Union Bethel AME Church, a historic resource (85A-018), is approximately 1,700 feet east, across Floral Park Road from the Hawkins Tobacco Barn. Farther away are the Marlow Huntt Store (Historic Site 85A-033-14) is 3,000± east on Brandywine Road, and the McKendree Church Cemetery (historic resource 85A-20) approximately 4,300 feet west on Accokeek Road. Given their distance from the Property, no impact to these sites or their environmental settings are anticipated.

Finally, the Master Plan shows a shared road trail along Accokeek Road. This trail will provide quick bike access to the Brandywine Center, a little over a mile to the east.

B. PLAN 2035

Plan 2035, approved in 2014, placed the Property in the Established Communities Growth Policy Area. Plan 2035:

“classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established Communities are most appropriate for context-sensitive infill and low-to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools,

parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.” (p. 20)

Plan 2035 describes Residential Low density as up to 3.5 dwellings per acre and medium density as up to 8.0 dwellings per acre. The proposal, comprising fewer than 3.5 units per acre, fits the Residential Low recommendation of both the Master Plan and Plan 2035.

Plan 2035 sets forth the following 12 *Land Use* and 8 *Housing and Neighborhood* Policies (starting p. 100). These policies include goals and strategies aimed at promoting the health, safety and welfare of current and future residents and workers by ensuring that a mix of housing types and quantities are provided throughout the County, with a range of accessibility and affordability options. Not all of the policies are within an Applicant’s control, but Saddle Ridge helps advance those that are.

1. LAND USE POLICIES

POLICY 1: Direct a majority of projected new residential and employment growth to the Regional Transit Districts in accordance with the Growth Policy Map and the Growth Management Goals set forth in Table 17.

Goals

LU1.1 To support areas best suited in the near term to become economic engines and models for future development, encourage projected new residential and employment growth to concentrate in the Regional Transit Districts that are designated as Downtowns (see the Strategic Investment Program under the Implementation section).

LU1.2 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they are consistent with and support the Plan 2035 growth management goals, vision, and policies. Conduct a comprehensive analysis of the Zoning Ordinance, including its use tables, zoning districts and densities, and variance criteria.

LU1.3 Evaluate the existing zoning districts in the Regional Transit Districts to ensure that sufficient development capacity is available to meet desired

population and employment targets set forth by the Center Classification System (see Table 16).

LU1.4 Annually review and report on county growth trends to measure progress toward meeting Plan 2035 growth management goals. Identify potential revisions to policies and ordinances to assist with meeting the goals.

LU1.5 Annually review the CIP program to ensure consistency with the Plan 2035 vision, goals, and policies. The Planning Board will review proposed public facility and infrastructure projects and submit its recommendations to the District Council and County Executive for consideration (also see Strategic Investment Program under the Section V: Implementation).

LU1.6 Identify the key capital improvement projects for each of the centers identified in Table 16 that are necessary to promote and facilitate economic and residential development within the center. Identify and coordinate the capital improvement projects with county agencies and key stakeholders. Prepare a summary of the Center Diagnostic score for each center.

RESPONSE: This Plan 2035 policy and its goals encourage projected new residential and employment growth to concentrate in the Downtowns, but recognizes that residential development will occur in the Established Communities (p. 110). The County is currently in a Countywide Map Amendment (CMA) process. The Zoning Ordinance and Subdivision Regulations have been revamped and the revisions approved, but they will not take effect until the CMA is adopted. While many of the zones have been replaced with new districts, the new Zoning Ordinance continues to include the R-S Zone. With the Master Plan, Plan 2035, and the proposed future land use associated with the coming CMA, all recommending residential low development at a density of up to 3.5 dwellings per acre, Saddle Ridge presents a development that fit easily into the residential priorities set be these plans. It is poised to become a premier development in southern Prince George’s County.

POLICY 2: Limit the expansion of public water and sewer outside the Growth Boundary in Rural and Agricultural Areas.

Goals

LU2.1 Coordinate the provision of public water and sewer, as outlined in the Public Facilities Element, with the Department of Environmental Resources (DER) and the Washington Suburban Sanitary Commission (WSSC) and in accordance with the Growth Policy Map to ensure that water and sewer facilities are not extended beyond the Growth Boundary. The Growth Boundary should be reviewed on a periodic basis to assess compatibility with Plan 2035 goals.

LU2.2 Coordinate amendments to the Growth Boundary with future updates to the Septic Tier Map and the county's Water and Sewer Plan.

RESPONSE: The Property is within the Growth Boundary. The Public Facilities Element sets a Policy Goal to “Ensure public facilities provide efficient and equitable service to existing and future County residents and businesses.” (p. 238) Water and sewer area available to the Property and will not be extended beyond the Growth Boundary.

POLICY 3: Use Plan 2035, including the Growth Policy Map and Center Classification System, to guide the development of land use policies for all future master and sector plans, functional plans, and other county planning documents.

Goals

LU3.1 Evaluate the Plan 2035 future land use categories and apply to new master plans so that, over time, all plans use a common nomenclature to describe similar land uses. Allow plans to develop common land use subcategories.

LU3.2 Review preliminary master plans and rezoning requests to ensure that proposed development is consistent with the Growth Policy Map and the Center Classification System (see Table 16). (see also Section V: under Plan Administration for Amendments and Updates).

LU3.3 Review approved master plans to evaluate the consistency of existing Regional Transit Districts and Local Centers with the Center Classification System (see Table 16). To ensure consistency, future master plan revisions and/or rezonings may be warranted.

RESPONSE: All of the Property is in the Established Communities Growth Policy Area. As noted, this Policy Area is defined as being appropriate for context-sensitive in-fill development. The Saddle Ridge Basic Plan and its illustrative conceptual plan show a development that falls under the density cap (3.5 dwellings per acre) described in the Master Plan and is contextually similar to other developments west of US 301 / MD 5, approved and/or constructed (McKendree Village, Chaddsford, Calm Retreat M-X-T, and Branch Avenue M-X-T). Upon approval, the Applicant will take this proposal through the Comprehensive Design Plan and Preliminary Plan of Subdivision processes, allowing the Applicant to pursue a development in conformance with the Master Plan.

POLICY 4: Phase new residential development to coincide with the provision of public facilities and services.

Goals

LU4.1 Annually evaluate the county's residential and employment forecast projections to identify the amount of new land area required to meet demand.

LU4.2 Create a working group to address the magnitude of the residential pipeline in Established Communities and Rural and Agricultural Areas. Potential strategies to reduce the pipeline include amending the county code to limit validity periods, reevaluating approved adequate public facilities for projects that have not provided assurances that public infrastructure will be constructed in a timely manner, and requiring performance bonding prior to recordation of final plat.

LU4.3 Evaluate strategies to phase development countywide. Potential strategies include establishing a residential allocation process.

RESPONSE: The Property is in Water and Sewer Category 4. CR-45-2020 changed the Water and Sewer categories for parcels 37, 143 and 236 in the north portion to Category 4 from Category 5. Water and Sewer are available to the Property. Private recreational facilities are proposed—a swimming pool, clubhouse, paths and open areas—to reduce the impacts on the public park system. Adequacy of other public facilities will be established here and will be re-evaluated at the time of Preliminary Plan of Subdivision. County policies and

regulations regarding adequacy of all public facilities will be examined per the requirements in effect at each stage.

POLICY 5: Implement the Growth Policy Map through coordinated multimodal transportation and mobility planning and programs.

RESPONSE: The Transportation Policies found beginning on Page 152 aim to improve transportation standards and options, including more transportation options, the implementation of complete streets, and other ways of accommodating pedestrians and bike traffic. While the particulars of the streets within Saddle Ridge will be examined at three later stages of the approval process (Comprehensive Design Plan, Preliminary Plan of Subdivision, and Specific Design Plan), the Applicant fully intends to accommodate pedestrians and bicyclists within the development. Accokeek Road is a shared bike road and Floral Park is a side path roadway. Not only will cyclists and pedestrians move through the neighborhood harmoniously with automobiles, cyclists will be able to access local businesses through the countywide bike path system.

POLICY 6: Support new employment growth in Employment Areas in accordance with the Growth Policy Map and the Growth Management Goals (see Table 17).

Goals

LU6.1 Align the Economic Development Corporation's work program with the Growth Policy Map to establish programs and policies to support employment growth in the Employment Areas, with a particular emphasis on the Innovation Corridor (see the Strategic Investment Program under Implementation).

RESPONSE: The Property is not in an Employment Area and the proposal does not include employment uses which are generally more appropriate in those locations.

POLICY 7: Limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers.

Goals

LU7.1 Reevaluate mixed-use land use designations outside of the Regional Transit Districts and Local Centers as master plans are updated.

LU7.2 Consider developing, as part of the Zoning Ordinance update, alternative lower density zoning districts that promote walkability and allow for a mix of uses.

RESPONSE: Saddle Ridge is not in a Regional Transit District or Local Center, although is it fairly close to the Brandywine Local Town Center described in Plan 2035. As such, mixed uses are neither recommended nor proposed.

POLICY 8: Strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities.

Goals

LU8.1 Coordinate land use planning with county municipalities.

LU8.2 Use conservation subdivisions in areas adjacent to Rural and Agricultural Areas to transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.

LU8.3 Encourage municipalities to designate Development Review Districts to promote and preserve the integrity of high-quality and complementary infill development in the Established Communities.

LU8.4 Revise and update the Zoning Ordinance, Subdivision Ordinance, and other county regulations to ensure they help protect, strengthen, and revitalize the Established Communities.

LU8.5 Continue to coordinate, apply for, and use state and federal programs and resources for neighborhood revitalization and reinvestment of low- and moderate-income communities. Programs and resources include Sustainable Community designations, HUD program funds, and tax incentives.

RESPONSE: Saddle Ridge is not within or near a municipality. A conservation subdivision is not proposed here as the R-S Zone enables superior opportunities to “transition density and to encourage preservation of green infrastructure corridors as defined by the county's Green Infrastructure Plan.” Green Infrastructure Plan Regulated and Evaluation areas are present on the Property, mostly associated with the Burch Branch and its tributaries, and the Basic Plan

and conceptual design show a development that respects the Burch Branch system and preserves it to the fullest extent possible. Only necessary intrusions into the environmental system will occur and will be more fully examined in the next phases of the review process.

POLICY 9: Limit the expansion of new commercial zoning outside of the Regional Transit Districts and Local Centers to encourage reinvestment and growth in designated centers and in existing commercial areas.

Goals

LU9.1 Evaluate rezoning requests to determine if the location, population projections, and market demand justify an increase in commercially-zoned property.

LU9.2 Develop a countywide strategic plan for future retail development and implement its recommendations through the Zoning Ordinance update, master plan process, and public private partnerships with county agencies. As part of this retail plan, inventory older commercial areas and shopping centers to identify candidates for potential (re)development and rezoning to accommodate residential infill or other neighborhood-serving uses.

RESPONSE: Commercial zoning or uses are not proposed.

POLICY 10: Retain Future Water and Sewer Service Areas in water and sewer categories S5 and W5 until additional residential development capacity is needed to meet growth projections.

Goals

LU10.1 Evaluate the Future Water and Sewer Service Areas through annual reviews of the residential pipeline and residential development capacity analysis. Establish criteria to determine when land within the Future Water and Sewer Service Areas should be reclassified.

LU10.2 Review the annual water and sewer amendments to retain the S5 and W5 water and sewer categories until additional residential capacity is required and public facilities are in place to serve projected development.

LU10.3 Evaluate Future Water and Sewer Service Areas as potential woodland conservation banks or stormwater management offset areas to meet the requirements of the Watershed Implementation Plan (see the Natural Environment Element).

RESPONSE: Saddle Ridge is prime for residential development. It is not within the Future Water and Sewer Growth Policy Area; it is in the Established Communities and public water and sewer are available to the Property.

POLICY 11: Preserve and protect the Rural and Agricultural Areas to conserve agricultural and forest resources.

Goals

LU11.1 Continue to implement the Priority Preservation Plan (PPA) to achieve identified agricultural and forestry land preservation goals and coordinate with the Prince George's County Soil Conservation District, University of Maryland Extension Service, the agricultural community, residents, and community groups.

LU11.2 Amend the Zoning Ordinance and Subdivision Ordinance to support agricultural production and forest preservation in the Rural and Agricultural Areas.

LU11.3 Evaluate the impacts of extractive industries, such as sand and gravel mining, on resource lands, rural character, economic development, and post-reclamation requirements in the Rural and Agricultural Areas. Map remaining sand and gravel natural resources to locate potential future sand and gravel operations, update and revise development standards, and identify post-reclamation land uses, including residential development, agriculture, and forestry. Propose comprehensive legislation to revise county codes and identify recommendations for the Zoning Ordinance update.

LU11.4 To preserve environmentally sensitive land and to encourage development in the Regional Transit Districts, evaluate a transfer of development rights program, density exchanges, or purchase of development rights program for the Rural and Agricultural Areas. Explore opportunities to transfer development rights within areas and to coordinate with the Watershed Implementation Plan and Maryland Accounting for Growth Policy.

RESPONSE: Saddle Ridge does not impact the Rural and Agricultural Growth Policy Area.

POLICY 12: Participate in regional planning activities to enhance collaboration, coordination, and implementation. Regional issues include employment, transportation, sustainability, health, air quality, climate change, workforce and affordable housing, food system planning, infrastructure, water quality, and land use.

Goals

LU12.1 Participate in the Washington Metropolitan Council of Governments' regional planning activities to improve coordination on transit and land use planning. Provide periodic briefings to the Planning Board on regional issues to identify potential land use strategies and programs.

LU12.2 Coordinate with the Washington Metropolitan Council of Governments to develop forecasts for residential and employment growth based on the Plan 2035 vision, goals, and policies. The forecast should include an analysis of the remaining development capacity in Prince George's County based on approved zoning, residential and commercial pipeline development, and the Growth Management Goals (see Table 17).

LU12.3 Collaborate with adjacent jurisdictions and county municipalities to ensure coordinated land use patterns, connected transportation networks, and continuous environmental networks, in particular during the preparation of master, sector, and functional plans.

RESPONSE: Policy 12 applies to the County; it does not apply to the subject request.

C. HOUSING AND NEIGHBORHOOD POLICIES

Policy 1: Concentrate medium- to high-density housing development in Regional Transit Districts and Local Centers with convenient access to jobs, schools, child care, shopping, recreation, and other services to meet projected demand and changing consumer preferences.

Goals

HN1.1 - Provide tax credits, financial assistance, zoning, and other tools to promote the development of higher-density housing in transit-oriented, mixed-use communities. A variety of tools and financing options are identified in the 2011 Economic Development Toolbox and the Transit-Oriented Development (TOD) Toolbox.

HN1.2 - Prioritize public investment in critical infrastructure, streetscape improvements that include landscaping and lighting, public facilities, parks, public art, and other amenities in the Regional Transit Districts and the Innovation Corridor.

RESPONSE: Both the Master Plan and Plan 2035 recommend densities up to 3.5 dwellings per acre for the Saddle Ridge Property. Current County policies reserve Regional Transit Districts and Local Centers for residential densities above 3.5 units per acre. Low- to medium-density development is appropriate in the Established Communities Growth Policy Area. Saddle Ridge's proposed Residential Low density (up to 3.5 dwellings per acre) is within the limits established by these plans, leaving higher densities to the regional Transit Districts and Local Centers.

Policy 2: Preserve and expand the range of housing types and ownership opportunities, such as owner/resident of multifamily building and housing cooperatives, at different price points ranging from workforce and affordable units to upper-income housing to reduce housing and transportation cost burdens.

Goals

HN2.1 - Adopt an inclusionary zoning ordinance to require market-rate housing projects set aside a percentage of units for low and moderate income household to create mixed-income communities. Units should be distributed within individual projects and the larger community to maximize their contributions to diversity and quality of life.

HN2.2 - Promote and support public-private partnerships, nonprofit housing providers, expand existing housing programs, and pursue state and federal

funding to rehabilitate and maintain the County's existing affordable housing stock.

HN2.3 - Support tools, such as residents' right-of-first offer, that enable renters to individually purchase their units or collectively purchase their apartment buildings when faced with a condominium conversion.

HN2.4 - Target student housing at locations identified by the University of Maryland, Bowie State University, the City of College Park, and the State of Maryland in order to accommodate future demand and preserve existing neighborhoods.

HN2.5 - Revise and update the Zoning Ordinance to encourage a range of housing types and ownership opportunities.

RESPONSE: Recognizing that the current housing stock does not offer a wide enough range of options and affordability to regional housing consumers, the County in 2019 published its Comprehensive Housing Strategy, *Housing Opportunities for All*. This study recommends that a mix of affordability be provided both across the County and within new developments. Targeted Strategy 1 calls for the development of more mixed-use and mixed-income developments. Within this strategy, Targeted Action 1.1 is to "Support proposed zoning changes that expand and encourage 'missing middle' and other diverse housing types (e.g., duplexes, live/work units, one-level homes)." It explains that the County lost missing middle housing in the years between 2000 and 2015, noting that the number of *townhomes* and other missing middles declined in the county, and that while "the demand for higher-density neighborhoods with amenities is on the rise ... fewer opportunities to develop" missing middle housing exist today. (p. 93)

The Applicant brings this housing to the table in Saddle Ridge, in a low-density development where detached housing and townhouses will enjoy the same amenities. Zoning decisions cannot be made on staff studies; however, the Comprehensive Housing Strategy can be used to implement Master Plan and Plan 2035 goals. Saddle Ridge's range of housing opportunities and price points directly address Plan 2035 Housing and Neighborhood Policy 2, while remaining within the Residential-Low (<3.5 DUs/acre) density range recommended by the Master Plan.

Policy 3: Stabilize existing communities and encourage revitalization and rehabilitation.

Goals

HN3.1 - Prepare revitalization plans for individual neighborhoods under the Transforming Neighborhoods Initiative using the Prince George's County Residential Market Value Analysis that is currently being prepared by the County.

HN3.2 - Biannually inventory foreclosed and neglected properties to ensure effective monitoring and mitigation of housing blight. Continue to work with state and County agencies to provide assistance to areas with high concentrations of foreclosures. The Prince George's County Residential Market Value Analysis will provide additional data on neighborhood stabilization strategies.

HN3.3 - Partner with nonprofits and Department of Housing and Community Development (DHCD) to expand access to foreclosure prevention counseling services and financial literacy.

HN3.4 - Enforce housing maintenance standards and building codes. Particular attention should be directed towards Neighborhood Reinvestment areas and established communities.

HN3.5 - Provide additional funding to purchase and rehabilitate deteriorated rental and single-family properties in Neighborhood Reinvestment Areas. Allocate initial operating and capital funding to a rehabilitation program with the intent of moving to a self-sustaining program by using the proceeds from sold rehabilitated properties to fund further acquisitions. This effort should be coordinated by DHCD and the Redevelopment Authority.

HN3.6 - Partner with private developers, community organizations, and County agencies to construct and repair public facilities, amenities, and services in established communities. Establish an inventory of critical service infrastructure repairs and maintenance.

RESPONSE: The approval of Saddle Ridge does not impact the County's ability to focus on revitalization and rehabilitation efforts elsewhere in the County. The Property is not in need of such efforts.

Policy 4: Expand housing options to meet the needs of the County's seniors who wish to age in place.

Goals

HN4.1 - Encourage new housing development to incorporate universal design features by providing incentives through the zoning ordinance, reduction in permit fees, tax credits, streamlined permit review, and other tools.

HN4.2 - Encourage universal design renovations by providing grants and loans to enable residents to modify existing dwelling units by removing architectural barriers, adapting units, installing handicap accessories, and adding accessory apartments. Potential grant funding could be established through nonprofits or through DHCD with assistance from social service agencies.

HN4.3 - Educate nonprofit organizations and the senior community on the programs and services available to assist those who choose to age in place.

RESPONSE: Saddle Ridge provides an array of housing types and sizes. The Applicant supports the County's efforts to provide grants and loads to residents for any necessary interior renovations, as well as a streamlined review proves to enable quick renovations.

Policy 5: Increase the supply of housing types that are suitable for, and attractive to, the County's growing vulnerable populations. These include the elderly, the homeless, and residents with special needs.

Goals

HN5.1 - Expand housing options by eliminating regulatory barriers to the construction of elderly accessible housing, accessory apartments, and assisted

living facilities. Revise the Zoning Ordinance to encourage a variety of housing types.

HN5.2 - Provide financial incentives, such as low-interest revolving loan funds, to landlords of multifamily housing to retrofit existing dwelling units. This can be used to remove architectural barriers, adapt units, and improve handicap accessibility for the elderly and residents with special needs.

HN5.3 - Pursue state, federal, and private-sector funds to expand programs that deliver down payment and closing cost assistance and loans for rehabilitation and accessibility modifications for low-income, vulnerable populations.

HN5.4 - Build partnerships with, and provide technical support and incentives to, faith-based institutions and nonprofits to undertake housing projects and programs for vulnerable populations, in particular the homeless, the mentally ill, at-risk veterans, residents with special needs, and those living with HIV/AIDS. Projects and programs could include transitional housing, group homes, and shelters with services to help residents transition to stability.

RESPONSE: As with Policy 5 above, approval of this proposal does not preclude the County providing funds to vulnerable communities to acquire or renovate the proposed housing.

Policy 6: Increase funding for county housing projects and programs and leverage state, federal, and nonprofit funding and resources.

Goals

HN6.1 - Establish and capitalize a County Housing Trust Fund with a dedicated source of revenue. This will help construct and rehabilitate low- and moderate-income housing.

HN6.2 - Pursue state, federal, private sector, and foundation support to complement Community Development Block Grants, the HOME Investment Partnership, and other sources of funding.

HN6.3 - DHCD will partner with County agencies, municipalities, neighborhood organizations, private nonprofit organizations, foundations, religious institutions, and for-profit housing developers to leverage County investments in housing projects to create new housing through sharing of resources.

RESPONSE: Saddle Ridge does not include low- and moderate-income housing, specifically, but it does include a range of price points ensuring affordability within the community. It does not preclude the County from pursuing these goals.

Policy 7: Integrate green building practices and achieve LEED® or equivalent certification in housing construction and rehabilitation to enhance indoor air quality, health, energy efficiency, and water quality, among other factors.

RESPONSE: The Applicant will investigate energy efficiency in construction. Specific details will be provided during subsequent review stages.

Policy 8: Strengthen the County's institutional capacity to streamline, administer, and implement the housing programs.

Goals

HN8.1 Increase staffing and funding for DHCD and supporting agencies to effectively manage housing production and rehabilitation and to streamline and administer housing programs and services.

HN8.2 Recruit established national and regional nonprofit housing organizations and

foundations to develop new affordable housing, rehabilitate existing housing, and provide homeowner education, nonprofit mentoring, and job training in the County.

HN8.3 Recruit experienced housing developers to serve as mentors to nonprofit organizations in order to strengthen their financial, project, and construction management, and other skills critical to cost-effective and sustainable housing production.

RESPONSE: This applies specifically to the County and the approval of this application does not hamper the County's pursuit of these goals.

III. ZONING

The Property has been in the R-R and R-E Zones since at least as far back as 1993. The proposed Zoning Map (Countywide Zoning Amendment) retains the property in the R-R and R-E Zones.

IV. THE PROPOSED BASIC PLAN

A. BASIC PLAN FRAMEWORK

Brandywine was at one time rural in nature. As far back as 1965, aerial photos confirm what is well-known: with the exception of Pleasant Springs, this was a farming community with little other residential or commercial activity. Pleasant Springs was approved in 1950s and began developing almost immediately. Over the past couple of decades, the rest of Brandywine has been developing in a suburban pattern, with the developments of McKendree Village, Chaddsford, Calm Retreat M-X-T, and the Branch Avenue M-X-T, all west of Crain Highway in the proximity of the Property. Brandywine Center has been developing with local and regional commercial uses near the US 301 / MD 5 intersection to the east.

Like much of the Brandywine Planning Area, at one time the flatter portions of the subject Property's interior were farmed, but it is mostly wooded now. Gently rolling terrain on the Property gives way to more significant sloping near Burch Branch and its tributaries.

Into this setting, the Basic Plan proposes a development of single-family attached and detached houses in five development pods surrounding a central pool and clubhouse. The Basic Plan presents an opportunity to bring a high quality, diverse, walkable community to the area, complementing the development patterns established in the Brandywine area and supporting the nearby Brandywine Center.

The conceptual construct of the Basic Plan is to provide an array of housing types and architecture, with active and passive recreation (including the pool and clubhouse); many of the lots have premium views into Burch Branch. All of this is accomplished with minimal impacts the environmental system. Slopes within the PMA will be preserved to the greatest extent possible. Stream impacts are minimized by strategically locating road crossings at narrow portions of the stream and are to be designed to convey the 100-year storm meeting freeboard requirements. Access to the Property is provided from two points on Floral Park Road and two points on Accokeek Road. A divided roadway is shown on the Basic Plan from the easternmost entrance off Accokeek and extends through Pod C. The eastern access point off Accokeek Road will be a divided road. Stream crossings will be designed in accordance with DPIE regulations. The conceptual plan shows a neighborhood and

road system that bends with the environmental features, rather than intrude upon them unnecessarily.

B. DEVELOPMENT DATA

Land Use Types and Quantities

737-955 total dwelling units

[Up to 35% may be attached dwellings per Section 27-513(d)(3).]

Open Space

Homeowner Recreation Facilities

Trails

Single-family attached and detached dwellings are based on the following density breakdown:

GROSS TRACT AREA: 289.36 acres

FLOODPLAIN: 32.75 acres

½ FLOODPLAIN: 16.38 acres

NET TRACT AREA: 272.98 acres

R-S Base Density 272.98 acres at 2.7 du/acre: 737 units

R-S Maximum Density 272.98 acres at 3.5 du/acre: 955 units

V. NATURAL RESOURCES

The Saddle Ridge Property is comprised of varying environments that include the perennial channel ravines, upland and lowland woodland and both isolated and connected Palustrine Forested (*PFO*) wetlands. The topography is of rolling terrain, with steeper slopes associated with the Burch Branch, which runs north-south through the Property.

The woodlands observed on site account for over 250 acres of the site's 289+/- acres. The successive stages of the forest vary with exposure to moisture and sunlight. Over 100 (118) specimen trees were observed on site ranging in species from tulip poplars to black oaks and American beech. Seven stands were observed during the development of the Natural Resource Inventory. These stands ranged from Immature Upland Hardwood, Mixed Immature Hardwood to Immature Bottomland Hardwood. Dominant species found with the upland stands ranged from chestnut oak (*Quercus montana*), hickory (*Carya sp.*), and red maple (*Acer rubrum*) to sweet gum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), and blackgum (*Nyssa sylvatica*) in the immature bottomland. Loblolly pine (*Pinus taeda*) and sycamore (*Platanus occidentalis*) were observed in the mixed hardwood stand. Stand characteristics and retention potential ranged from 'low' to 'high to excellent', with excellent being the woodland surrounding the Burch Branch. The highest priority stand equated to nearly 70 acres of the woodland.

The forested floodplain found within the site consists of nearly 33 acres primarily straddling the Burch Branch and contains the most mature of the forest stands on site. The perennial channel tributaries are relegated to the adjacencies of Burch Branch its floodplain. This stream is flanked by dense forest and steep slopes leading to potential erosive conditions.

No historic resources or cemeteries are known to exist on site.

Multiple wetlands were observed through desktop analysis: primarily *PFO* (*palustrine forested*) wetlands within the Burch Branch floodplain with the potential of emergent isolated wetland toward the eastern side of the property. These identified woodlands and water resources are typical of the natural resources found within the Piscataway Creek watershed.

VI. COMPLIANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCE

A. SECTION 27-195: REQUIRED FINDINGS

Sec. 27-195. - Map Amendment approval.

(a) In general.

(1) The District Council may approve or deny the application (including the Basic Plan). Approval shall be an approval of the general land use types; range of dwelling unit densities, including the base, minimum, and maximum densities; and commercial/industrial intensities, general circulation pattern, general location of major access points and land use relationships shown on the Basic Plan. Whenever an applicant designates a limitation of uses within an application, the District Council may approve specific land use types and their general locations within the development, in accordance with the applicant's designation, as part of its approval of the Basic Plan, in order to ensure overall compatibility of land use types within the proposed development and with surrounding land uses. Such an approval by the District Council shall become a part of the approved Basic Plan. The District Council may also specify certain planning and development matters (known as "considerations") for the Planning Board and Technical Staff to consider in later Comprehensive Design Plan, Specific Design Plan, or subdivision plat review. The specifics of the considerations shall be followed, unless there is a clear showing that the requirement is unreasonable under the circumstances.

RESPONSE: The Applicant seeks approval of this Basic Plan with the land use types (single-family attached, single-family detached, open space, trails, recreational facilities), with density ranging from 737 to 955 dwellings, or 2.7 to 3.5 dwellings per acre, in accordance with the provisions of the R-S Zone. Density above 2.7 units per acre will require the provision of Public Benefit Features; some of the proposed features include paths and active and passive recreational facilities—open areas and a pool with clubhouse. Details of these will be examined at the time of

Comprehensive Design Plan and any density increment above 2.7 units per acre will be accompanied by an appropriate Public Benefit Feature.

Ingress and egress is proposed at two points along Floral Park Road, Primary Road with a proposed right-of-way of 70 feet; and two points along Accokeek Road, a Collector with a proposed right-of-way of 80 feet. Floral Park Road includes a planned side path and Accokeek Road is a shared road bike lane.

(2) The finding by the Council of adequate public facilities shall not prevent the Planning Board from changing or modifying this finding during its review of Comprehensive Design Plans, Specific Design Plans, or subdivision plats. The Planning Board shall, at each phase of plan or subdivision review, find that the staging of development will not be an unreasonable burden on available public facilities or violate the planning and development considerations set forth by the District Council in the approval of the Basic Plan.

RESPONSE: The Applicant understands this provision.

(3) Where the property proposed for the Zoning Map Amendment is located within the Resource Conservation Overlay Zone, no Comprehensive Design Zone shall be granted for the subject property.

RESPONSE: The Property is not located in the Resource Conservation Overlay Zone.

(4) In the approval of a Basic Plan in the V-M and V-L Zones, the District Council shall find that a variety of types of dwelling units shall be constructed at each stage of development, and that the storefront, civic, and recreational uses are staged to coincide with the initial stages of development.

RESPONSE: The Property is not in the V-M or V-L Zones.

(b) Criteria for approval.

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

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

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

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

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

RESPONSE:As noted in Section II of this text, the Master Plan recommends Residential Low land use for the Property. There are no design considerations in the Master Plan specific to this Property, except to say that “Much of the future residential development would be in large master-planned subdivisions, particularly in the northern and western portions of the community, such as Saddle Ridge and the Estates at Pleasant Valley.” (p. 42) The Master Plan recognized the existing approved Preliminary Plan on for the Estates of Pleasant Valley on the Property and directs much of the future residential development to occur here. The Master Plan further indicates that Residential Low refers to development of up to 3.5 dwellings per acre. The overall proposed density of 2.7-3.5 dwellings per acre is in keeping with Residential Low designation. The conceptual layout respects the environmental

features on the Property. The Basic Plan conforms to the principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, and the location of land uses.

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

RESPONSE: No commercial uses are proposed.

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

RESPONSE: A Traffic Study has been prepared and submitted to Transportation Planning Staff for the purposes of providing traffic data for MNCPPC's use in analyzing the master plan roads utilizing MNCPPC's TransForm modelling software. It should also be noted that the subject property is located within Planning area 85A and is affected by the Brandywine Road Club. Future entitlement applications will require more detailed Traffic Impact Analyses and the participation in the Brandywine Road Club is an allowable means of addressing 24-124 of the County Zoning Code. Prince George's County Council Resolution CR-9-2017 indicates the following:

- (1) Establishes the use of the Brandywine Road Club for properties within Planning Areas 85A and 85B as a means of addressing significant and persistent transportation deficiencies within these planning areas.

- (2) Establishes a list of projects for which funding from the Brandywine Road Club can be applied.
- (3) Establishes standard fees by development type associated with the Brandywine Road Club to be assessed on approved development.

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

RESPONSE: The Property is in Water and Sewer Category W4 and S4. Category changes from W5 and W4 and S5 to S4 for two small parcels in the northern section were adopted in July 2020 (See Exhibit C).

The nearest Fire/EMS station is Brandywine 840, on Brandywine Road, approximately one mile east.

There are two libraries within 7.5 miles: the Accokeek Branch on Livingston Road to the west; and the Surratts-Clinton Branch on Piscataway Road to the north. The James O. Hall Research Center at the Surratts House provides additional opportunities for Civil War research within 7 miles.

The nearest public schools are:

Elementary School:	Brandywine
Middle School:	Gwynn Park
High School:	Gwynn Park

These schools, all near the T.B. intersection, are between one and two miles east of the Property. These may not be the schools students from Dobson Creek will attend; however, school adequacy is ensured by the surcharge imposed at the time of Preliminary Plan of Subdivision.

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

RESPONSE: Internally, single-family detached and attached dwellings are generally compatible with one another, and recreational facilities are proposed to be convenient to all residents, while separated from individual residences by streets or open space, ensuring internal compatibility. The Basic Plan provides easy access to local shops, a plethora of recreational opportunities and calming views into stunning environmental features, all helping to promote the health, safety, and welfare of future residents.

As noted, the neighborhood—within which the Property sits—is mostly undeveloped and wooded. To the southwest, the Property does abut a long-established residential community (Pleasant Springs) of single-family detached homes. Shown as part of the Basic Plan for conceptual purposes, the area immediately abutting Pleasant Springs is proposed also to be developed with single-family detached homes; still, the two adjacent uses will be separated by a wooded buffer. Townhomes are generally located to be separated from other residential uses on adjoining parcels by the Pepco transmission lines and environmental features. Private recreational facilities have been located internally to minimize impact on outside properties; the health, safety and welfare of neighboring residents are unaffected by this compatible development.

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

development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.

RESPONSE: The Applicant anticipates this project will be completed within six years.

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

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

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

RESPONSE: The Property is not in the L-A-C Zone.

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

RESPONSE: The Property is not in the V-M or V-L Zones.

B. COMPLIANCE WITH THE R-S ZONE AND ITS PURPOSES

Section 27-511 of the Zoning Ordinance lays out the purposes of the R-S Zone. These are:

Sec. 27-511. - Purposes.

(a) The purposes of the R-S Zone are to:

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

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

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

(C) Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.

RESPONSE: The R-S Zone is uniquely suited for this Property. It allows the maximum density recommended by the Master Plan, but conditions it on the provision of Public Benefit Features. The Master Plan and Plan 2035 recognize both the rural history of the area and the changing nature of Brandywine itself, with suburban style developments approved and either under construction or completed throughout the area. Over the years several similar developments have been approved in the area. Plan 2035 identifies the Brandywine Local Town Center just north of the Property. Brandywine, though still somewhat pastoral, has seen an increase in residential and commercial uses, largely due to its great access to transportation routes; it is, after all, just a 15-mile drive to the Nation's Capital. The R-S Zone is in keeping with the Subregion 5 Master Plan and General Plan. (See a deeper dive discussion in Section II of this text.)

With the density range of 2.7 to 3.5 dwellings per acre, the Applicant anticipates Public Benefit Features will be necessary to achieve a density somewhere above

base density of 2.7 units per acre. Therefore, ultimate density will be dependent on the provision of Public Benefit Features.

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

RESPONSE: The R-S Zone establishes the density ranges and regulations. This Basic Plan will establish the specific land use types and quantities outlined in Section IV. B. of this document, within the allowable limits; the Comprehensive Design Plan will establish an exact density and apply the other R-S Zone regulations.

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

RESPONSE: As has been noted in this text, the proposed single-family homes are compatible with the zoning of surrounding undeveloped land and with the single-family homes adjacent to the Property. Where the conceptual layout shows proposed townhouses on the Property periphery, they are either separated from adjoining uses by the Pepco Transmission lines or natural features, such as streams, slopes and their associated. Private recreational facilities are proposed in the interior of the development. Health, safety, and welfare of present and future residents are unimpaired by this proposed development.

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

RESPONSE: The main active recreational area is the proposed centralized outdoor swimming pool and clubhouse. Other amenities, including open play areas, paths and sitting areas are provided throughout the community creating an active environment for residents and easing the impact on the public park system.

(5) Encourage and stimulate balanced land development;

RESPONSE: Balanced land development ensures land is available for all types of uses; this proposal is but one development in the larger, more diverse Brandywine Community. The use is residential, including is supportive private recreational uses; no commercial activity is appropriate here given the nearby existing and planned commercial uses. The addition of housing on this property will provide additional population to help stimulate the growth of new commercial businesses in the area, and promote the viability of existing businesses.

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

RESPONSE: The Property includes part of the pristine Burch Branch. The Applicant proposes a development that largely preserves this stream while providing a high-quality housing environment. These breathtaking environmental features demand high value and this development will demand the high-quality residential environment detailed in this purpose.

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

RESPONSE: All uses proposed are allowed in the R-S Zone; this purposes in not applicable.

VII. CONCLUSION

Saddle Ridge provides a wonderful opportunity to bring a high-quality residential subdivision to this area to. Nestled compatibly in the Floral Park Road / Accokeek Road section of Brandywine, it provides residential units at a Master Plan density with onsite recreational facilities all within a short drive, walk of bike ride to Brandywine Center. It takes into account the significance of Burch Branch, respecting its importance, while creating a community that celebrates its marvel. Onsite recreational facilities ease the impact of this development on the public park system.

Zoning Ordinance Section 27-179(c)(1)(C) requires the Applicant to set forth “the legal basis by which the requested amendment can be approved, and factual reasons showing why approval of the request will not be detrimental to the public health, safety and welfare.” In this Statement of Justification, the Applicant has demonstrated that the proposed Saddle Ridge Basic Plan meets all legal requirements set forth by the Zoning Ordinance, including specific required findings and the recommendations of the Master Plan and Plan 2035; it implements the density recommendations of the Master Plan and the specific *Land Use* and *Housing and Neighborhood* policies of Plan 2035. The Applicant has also demonstrated that the proposal will not be detrimental to public health, safety, and welfare: adequate public facilities exist to serve the proposed development, including water and sewer, schools, fire and emergency services; the proposed plan includes active and passive recreational opportunities for the health and enjoyment of its residents; Burch Branch and its environmental setting are preserved to the fullest extent possible; and impacts to surrounding properties are minimized by placing compatible residential uses along the perimeter or by the use of buffers. Participation in the Brandywine Road Club and subsequent entitlement processes will ensure adequacy of transportation facilities. The proposal promotes health, safety and welfare, and the review of subsequent applications, including a Comprehensive Design Plan, Preliminary Plan of Subdivision and Specific Design Plans, will examine these in greater detail. It is the right development for the Property.

Saddle Ridge
Basic Plan A-10060
Text and Statement of Justification
March 26, 2021
REVISED May 13, 2021

For these reasons, the Applicant respectfully requests approval of the Saddle Ridge Basic Plan and Zoning Map Amendment.

Respectfully Submitted,

A handwritten signature in blue ink, reading "Joseph Del Balzo". The signature is fluid and cursive, with the first name "Joseph" and last name "Del Balzo" clearly legible.

Joseph Del Balzo, AICP

A handwritten signature in blue ink, reading "Matthew C. Tedesco". The signature is highly stylized and cursive, with the first name "Matthew" and last name "Tedesco" clearly legible.

Matthew C. Tedesco, ESQ.

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