

August 3, 2021

NVR MS Cavalier Preserve, LLC
11700 Plaza America Drive, Suite 310
Reston, VA 20190



Re: Notification of Planning Board Action on
Comprehensive Design Plan CDP-9306-04
Preserves At Piscataway (Glassford Village
North)

Dear Applicant:

This is to advise you that, on **July 29, 2021** the above-referenced Comprehensive Design Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-523, the Planning Board's decision will become final 30 calendar days after the date of this final notice of the Planning Board's decision, unless:

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

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

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

By:

Capers, William
Digitally signed by Capers, William
Date: 2021.08.02 09:45:15 -04'00'

Reviewer

Attachment: PGCPB Resolution No. **2021-90**

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

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on July 8, 2021, regarding Comprehensive Design Plan CDP-9306-04 for Preserve at Piscataway (Glassford Village North), the Planning Board finds:

1. **Request:** This amendment to a comprehensive design plan (CDP) is a request to amend Conditions 1.a.(1) and (2) of PGCPB Resolution No. 94-98(C)(A) approving CDP-9306, for Villages of Piscataway, as it relates to the architectural and design standards governing 14 lots only in the northern section of Glassford Village, which is one of the villages of the Preserve at Piscataway project. These conditions, with the requested amendments in underlined and strikethrough text, read as follows:

1. **Prior to signature approval of the Comprehensive Design Plan, the following revisions shall be made, or information supplied:**

- a. **The architectural and design standards for Glassford Village (northern section) shall be as specified in the Piscataway Village Rural Conservation Study (M-NCPPC, July 1991), primarily as shown on pp. 39-44, and shall also include the following:**

- (1) **All new housing shall have facades constructed of natural materials such as brick, ~~stone,~~ smooth finish hardiplank or other cementitious siding, wood clapboard, or board and batten, ~~or stucco~~. No vinyl or aluminum siding shall be permitted.**
- (2) **All units shall have detached or side-loaded garages.**

The remaining conditions attached to the prior approval of CDP-9306, as amended with CDP-9306-01 through -03, remain unchanged, valid, and will govern development of the Preserve at Piscataway project.

2. Development Data Summary:

	PREVIOUSLY APPROVED	APPROVED
Zone(s)	R-L and L-A-C	R-L and L-A-C
Use(s)	Residential, Commercial/Retail	Residential, Commercial/Retail
Acreage	878.9	878.9
Of which Floodplain	79.8	79.8
Area of Bailey Village (Zoned L-A-C)	19.98	19.98
Commercial Space (sq. ft.)	20,000-30,000	20,000-30,000
Retail Space	10,000-15,000	10,000-15,000
Dwelling units (max.)	140	140
Area of Glassford Village, Edelen Village, Lusby Village, and Danville Estates (Zoned R-L)	858.92	858.92
Single-family Detached (80 percent)	800	800
Single-family Attached (20 percent)	200	200
Dwelling units (max.)	1,000	1,000

3. **Location:** The Preserve at Piscataway (formerly Villages of Piscataway) project is located south of Danville Road and Floral Park Road, near its intersection with Piscataway Road. The Glassford Village North section, which will be impacted by the revised conditions, is located north of the intersection of Piscataway Road and Floral Park Road, in Planning Area 84 and Council District 9.
4. **Surrounding Uses:** The northern section of Glassford Village is a triangular site that is located at the intersection of Floral Park Road and Piscataway Road. The site is bounded to the north and south by the rights-of-way of Floral Park Road and Piscataway Road respectively, and to the east by large-lot residential homes in the Residential Low Development (R-L) Zone.
5. **Previous Approvals:** On September 14, 1993, the Prince George’s County Council, sitting as the District Council for the part of the Maryland-Washington Regional District in Prince George’s County, adopted Prince George’s County Council Resolution CR-60-1993 approving the *Master Plan and the Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B*, in Prince George’s County. Zoning Map Amendments A-9869 and A-9870 rezoned 858.7 acres in the Residential-Agricultural (R-A) Zone to the R-L Zone (1.0 to 1.5 du/acre) and 19.98 acres to the Local Activity Center (L-A-C, Village Center) Zone, as included in CR-60-1993. The rezoning was approved with 39 conditions and 11 considerations.

Comprehensive Design Plans: On March 31, 1994, the Prince George's County Planning Board approved CDP-9306, for the subject property then known as the Villages of Piscataway, as described in PGCPB Resolution No. 94-98(C)(A), with 36 conditions. The CDP included the entire ±878.9 acres of land zoned R-L and L-A-C proposed to be developed as a golf course community with five distinct villages, one of which was the large-lot component of Glassford Village. A Type I Tree Conservation Plan (TCPI-009-94) was also approved.

On November 18, 2004, the Planning Board approved a request for reconsideration of a condition relating to the timing of the development of the golf course, as stated in PGCPB Resolution No. 94-98(C)(A).

On June 7, 2007, the Planning Board approved CDP-9306-01 (PGCPB Resolution No. 07-116), a revision to increase the maximum permissible height of townhouses within the project to 40 feet.

On October 23, 2008, the Planning Board approved CDP-9306-02 (PGCPB Resolution No. 08-143), a revision to modify the minimum allowable roof pitch of buildings from 8:12 to 7:12, and to allow rear decks on townhouses to extend up to 10 feet beyond the rear building restriction lines.

On March 10, 2016, the Planning Board approved CDP-9306-03 (PGCPB Resolution No. 16-37), a revision to modify the previously approved layout of the development, to consolidate the development pod previously shown on the west side of the Potomac Electric Power Company (PEPCO) right-of-way into the development pod on the east side of the right-of-way, to create a new tree preservation bank as part of the TCP, and to adjust the development standards to allow for smaller lots within the large-lot component (Danville Estates) of the overall project. The overall density of the CDP is proposed to remain unchanged.

There are also two preliminary plans of subdivision and multiple specific design plans approved for the entire project that has over 900 homes built so far. Glassford Village is 73.76 acres in size and was approved for 174 lots, of which all 160 homes in the southern section are built. Only the 14 lots in the northern section will be affected by this amendment.

6. **Design Features:** This amendment to the previously approved CDP-9306 is limited to Conditions 1.a.(1) and (2) of PGCPB Resolution No. 94-98(C)(A), with no impact to the remaining conditions of the prior approvals, which are still valid and governing the development of the entire property.

The two conditions in question were attached to the original approval based on a study of the historic character of Piscataway Village that has been documented in the Maryland-National Capital Park and Planning Commission Planning Department publication entitled "Piscataway Village Rural Conservation Study". This study is cited in the Planning Board approval resolution as the appropriate source of architectural and design standards for Glassford Village and are the main criteria this proposal seeks to amend.

This request is primarily to update architectural and design standards to more current preferences of today's home buyers while still maintaining the historic character intended by the Planning Board when the original CDP was approved in 1993. According to the applicant, home buyers prefer more modern construction materials that require less maintenance and last longer than older types of building materials. In addition, home buyers have not desired the detached garage design condition mandated by the current CDP conditions. The applicant (and prior owner/developer) has attempted to market the 14 lots since 2004 with no success. The northern section of Glassford Village is the lone remaining single-family detached section with no market interest for the detached garage design, despite the applicant's renewed aggressive marketing in the past five years.

In addition, the applicant requests specific features be permitted in the northern section of Glassford Village. These features are commonly used in current residential development, but slightly different from those in the Piscataway Village Rural Conservation Study, including single-hung sash windows, treatment of exterior gas fireplace sheds, asphalt shingles and driveways, and fences and hedges defining the front yards. Given that these changes are minor and are standard residential development practices, the Planning Board approved the proposed inclusion of these features, as permitted, and conditioned herein.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendments (Basic Plans) A-9869 and A-9870:** On September 14, 1993, the District Council adopted CR-60-1993 approving the *Master Plan and the Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B*, in Prince George's County. Zoning Map Amendments A-9869 and A-9870 rezoned 858.7 acres in the R-A Zone to the R-L Zone (1.0 to 1.5 du/acre) and 19.98 acres to the L-A-C Zone (Village Center), as were approved with CR-60-1993, with 39 conditions and 11 considerations. This application is a revision to two specific conditions attached to the previously approved CDP and does not impact the previous findings for conformance with both A-9869 and A-9870.
8. **Prince George's County Zoning Ordinance:** The requirements of the Zoning Ordinance governing development in the R-L and the L-A-C Zones are discussed as follows:
 - a. **Density Increments:** This application does not propose any revision to the previously approved density for the project.
 - b. **Development Standards:** A comprehensive set of development standards has been approved with CDP-9306 for the entire Preserve at Piscataway development. This application proposes to revise Conditions 1.a (1) and (2) of the Planning Board resolution only. The remaining development standards, as approved in CDP-9306 and its three amendments, remain valid and will govern the development.
 - c. Section 27-521, Required Findings for Approval in Comprehensive Design Zones, of the Zoning Ordinance, requires the Planning Board to find conformance with the following:

- (1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**
- (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;**
- (4) The proposed development will be compatible with existing land uses, zoning, and facilities in the immediate surroundings;**
- (5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**
 - (A) Amounts of building coverage and open space;**
 - (B) Building setbacks from streets and abutting land uses; and**
 - (C) Circulation access points;**
- (6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**
- (7) The staging of development will not be an unreasonable burden on available public facilities;**
- (8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**
 - (A) The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
 - (B) Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**

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

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

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

The Planning Board made the above findings at the time of CDP-9306, for Villages of Piscataway, as stated in PGCPB Resolution No. 94-98(C)(A), which were affirmed by the District Council. This amendment is limited to two conditions attached to the approval and does not alter any prior findings. Therefore, the subject application is in conformance with all the above required findings for approval.

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

This application does not change the previous findings regarding this requirement.

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

Section 27-226(f)(4) of the Zoning Ordinance is the District Council procedure for approving a comprehensive design zone application as part of a sectional map amendment (SMA). This provision is not applicable to the subject application because the property was rezoned through two basic plan applications, not through a SMA.

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

This provision is not applicable to the subject application because Preserve at Piscataway is not a regional urban community.

9. **Comprehensive Design Plan CDP-9306 and its amendments:** The Planning Board approved the original CDP-9306 with 37 conditions. Two are proposed to be revised by this application and none of the others warrant discussion.

On June 7, 2007, the Planning Board approved CDP-9306-01, for the purpose of revising the maximum height allowed for the development of single-family attached dwellings (townhouses) within the development, with one condition, which is not relevant to the review of this application.

On October 8, 2008, the Planning Board approved CDP-9306-02, to modify the approved development regulations established for the Villages of Piscataway. Specifically, the applicant proposed to modify the minimum allowable roof pitch of buildings from 8:12 to 7:12, and to allow rear decks on townhouses to extend up to 10 feet beyond rear building restriction lines, with one condition that is not relevant to the review of this amendment, but will govern the future development of these lots.

On March 10, 2016, the Planning Board approved CDP-9306-03, to consolidate the development pod previously shown on the west side of the PEPCO right-of-way into the development pod on the east side of the right-of-way, to create a new tree preservation bank as part of the TCP, and to adjust the development standards to allow for smaller lots within the large-lot component (Danville Estates) of the overall project, with three conditions that are not relevant to the review of this application.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George's County Tree Canopy Coverage Ordinance:** Since this application is limited to the revision of conditions relative to the architectural and design standards, there is no impact on previous findings regarding the site's conformance with the requirements of the Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance.

11. **Further Planning Board Findings and Comments from Other Entities:** Given the limited scope of the request, the subject application was referred to only a few offices and agencies. The referral comments and major findings are summarized as follows:

a. **Historic Preservation**—The Planning Board adopted a memorandum dated June 7, 2021 (Stabler and Smith to Zhang), included herein by reference, which noted that the subject property is adjacent to the Piscataway Village National Register Historic District (84-023-00) but does not contain, and is not adjacent to any Prince George's County historic sites, resources, or known archeological sites. According to the applicant, the proposed amendments to conditions are the result of changing market forces and buyer preferences. The proposed changes were discussed in detail with Historic Preservation Section (HPS) staff. HPS staff concurs that if approved, these changes to conditions will have a *de minimis* impact on the adjacent historic village of Piscataway.

b. **Accokeek Development Review District Commission (ADRDC)**—As of the preparation of this resolution, ADRDC did not respond to the referral request.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Comprehensive Design Plan CDP-9306-04 for the above-described land, subject to the following condition:

1. Prior to certification of the comprehensive design plan, the following revisions shall be made, or information supplied:
 - a. The architectural and design standards for Glassford Village (northern section) shall be specified in the *Piscataway Village Rural Conservation Study* (M-NCPPC, July 1991) primarily, as shown on pages 39-44, and shall also include the following:
 - (1) All new housing shall have façades constructed of natural materials such as brick, smooth finish hardiplank or other cementitious siding, wood clapboard, or board and batten. No vinyl or aluminum siding shall be permitted.
 - (2) All units shall have detached or side-loaded garages.
 - (6) The following shall also be allowed:
 - (a) Single-hung sash windows
 - (b) Exterior gas fireplace sheds, which extend to the ground (not cantilevered) if not located within the interior walls of the house.
 - (c) Asphalt shingles
 - (d) Asphalt driveways
 - (e) Fences and hedges that define front lot lines.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 8, 2021, in Upper Marlboro, Maryland.

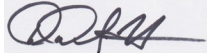
Adopted by the Prince George's County Planning Board this 29th day of July 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:HZ:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: July 12, 2021