AGENDA ITEM: 5
AGENDA DATE: 2/9/2023

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.iqm2.com/Citizens/Default.aspx

Specific Design Plan SDP-0318-H2
The Preserve at Piscataway, Lot 75 Block B

REQUEST	STAFF RECOMMENDATION
To construct a 12-foot by 20-foot elevated deck, with a landing and steps at the rear of an existing single-family detached dwelling within the rear yard setback.	With the conditions recommended herein: •Approval of Specific Design Plan SDP-0318-H2

Location: In the Edelen Village of the Preserve at Piscataway development, on the north side of Doctor Edelen Drive, approximately 180 feet from its intersection with Brentland Court.

Gross Acreage:	0.15
Zone:	LCD
Prior Zone:	R-L
Reviewed per prior Zoning Ordinance:	Sections 27-1704(b) and (h)
Dwelling Units:	1
Gross Floor Area:	6,402 sq. ft.
Planning Area:	84
Council District:	09
Municipality:	0

Applicant/Address:
Edva Sanchez - Contractor
1914 Aliceanna Street
Baltimore, MD 21231

Staff Reviewer: Angele L. Bynum
Phone Number: 301-952-3087
Email: Angele.Bynum@ppd.mncppc.org

Planning Board Date:	02/09/2023
Planning Board Action Limit:	02/09/2023
Staff Report Date:	01/25/2023
Date Accepted:	11/16/2022
Informational Mailing:	11/10/2022
Acceptance Mailing:	11/15/2022
Sign Posting Deadline:	01/10/2022

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Homeowner's Minor Amendment to Specific Design Plan SDP-0318-H2
Preserve at Piscataway, Edelen Village, Lot 75 Block B

The Urban Design staff has reviewed the homeowner's minor amendment to a specific design plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION

The property is within the Legacy Comprehensive Design (LCD) Zone, formerly the Residential Low Development (R-L) Zone. However, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Sections 27-1704(b) and (h) of the Zoning Ordinance, which allows development applications for property in an LCD Zone to be reviewed under the prior Zoning Ordinance.

This amendment to a specific design plan was reviewed and evaluated for compliance with the following criteria:

a. The requirements of the following sections of the prior Prince George's County Zoning Ordinance:

   (1) Sections 27-501 and 27-515, regarding uses permitted in the Residential Low Development (R-L) Zone.

   (2) Section 27-528, regarding required findings in specific design plan applications; and

   (3) Section 27-530, regarding amendments to approved specific design plan applications.

b. The requirements of Zoning Map Amendment (Basic Plan) A-9869-C;

c. The requirements of Comprehensive Design Plan CDP-9306;

d. The requirements of The Preserve at Piscataway Edelen Village North, Plat 14 recorded as Plat Book 37909, Page 35

e. The requirements of Specific Design Plan SDP-0318;

f. The requirements of the 2010 *Prince George's County Landscape Manual*;

g. The requirements of the 2010 Prince George's County Tree Canopy Coverage Ordinance;

h. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance;

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design Section recommends the following findings:

1. **Request:** The subject homeowner's minor amendment to a specific design plan (SDP) is a request to construct a 12-foot by 20-foot elevated deck, with a landing and steps leading to a 5-foot by 20-foot ground level, concrete pad at the rear of an existing single-family detached dwelling within the rear yard setback.

2. **Development Data Summary:**

	EXISTING
Zone	LCD (Prior R-L)
Use	Residential
Lot size	6,402 sq. ft.
Gross Acreage	0.1470
Lot	1
Number of Dwelling Units	1

3. **Location**: The subject property is in the Legacy Comprehensive Design (LCD) Zone, previously the Residential Low Development (R-L) Zone, in the larger development known as The Preserve at Piscataway Edelen Village North, which is on the north side of Doctor Edelen Drive, approximately 180 feet from its intersection with Brentland Court. More specifically, the subject property is located at 13708 Doctor Edelen Drive, Accokeek, Maryland, within Planning Area 84 and Council District 9.

4. **Surrounding Uses**: The subject property is surrounded by similar single-family detached homes within the LCD Zone, in Edelen Village, which is located southeast of Bailey's Village, east of Glassford Village, and north and west of Lusby Village, all of which are other residential villages within the Preserve at Piscataway development.

5. **Previous Approvals**: The subject site was developed as part of the Preserve at Piscataway Edelen Village North Subdivision. On September 14, 1993, the Prince George's County District Council adopted Prince George's County Council Resolution CR-60-1993, which approved the Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A, and 85B. The sectional map amendment, in conjunction with Zoning Map Amendments A-9869 and A-9870, rezoned 858.7acres in the Residential-Agricultural

Zone to the R-L Zone and 19.98 acres to the Local Activity Center (L-A-C) Zone. The rezoning was approved with 39 conditions and 11 considerations.

Comprehensive Design Plan CDP-9306, Villages of Piscataway, was approved by the Prince George's County Planning Board on March 24, 1993 (PGCPB Resolution No. 94-98). On November 18, 2004, the Planning Board adopted an amendment to the CDP resolution (PGCPB Resolution No. 94-98(C)(A)), for the approval of a request for reconsideration of a condition relating to the development of the golf course.

On June 7, 2007, the Planning Board approved CDP-9306-01, a revision to increase the maximum permissible height of townhouses within the project to 40 feet. On October 9, 2008, the Planning Board approved an additional revision, CDP-9306-02, modifying the minimum required roof pitch in all the villages, except Bailey's Village.

On June 17, 2003, the Planning Board approved Preliminary Plan of Subdivision 4-03027, The Preserve at Piscataway, for 836 dwelling units, which includes the area that is the subject of this application. A variation request for impacts to sensitive environmental features and a revised Type I tree conservation plan (TCPI-9-94-02) were included in that approval.

SDPs have been approved for all the lots in the Preserve at Piscataway Subdivision. The layout for Edelen Village was approved in SDP-0318, which was approved by the Planning Board on June 10, 2004 (PGCPB Resolution No. 04-135). This plan approved lots for 148 new single-family detached houses and 108 townhouses, for a total of 256 residential units. SDP-0318-01, approved by the Planning Board on January 19, 2006 (PGCPB Resolution No. 06-14), proposed eight models of townhouse architecture for use on any of the townhouse lots in the village. SDP 0318-02, approved by the Planning Board on May 4, 2006 (PGCPB Resolution No. 06-103), proposed the design for the community building, two swimming pools, and recreation area that are located within the land area of Edelen Village. Departure from Parking and Loading Standards DPLS-310 was approved at the same time, to allow for a reduction in the parking requirement from 108 to 65 spaces. The subsequent "03" and "04" revisions to the SDP were approved by the Planning Director, to add new townhouse architecture, the "Norwood" and "Lafayette" models, respectively.

On July 19, 2012, the Planning Board approved SDP-0318-05 and Type II Tree Conservation Plan TCPII-046-04-02 (PGCPB Resolution No. 12-65), for a revision to lot widths to add 10 single-family detached residential lots, new townhouse architecture for the Waldorf, a front-loaded garage elevation for the previously approved Lafayette, and revisions to the landscaping in Edelen Village North.

A Planning Director amendment, SDP-0318-06, was approved on January 17, 2014, to eliminate the previously proposed golf course, create open space, add a community wide pathway, and substitute a picnic pavilion.

A Planning Director amendment, SDP-0318-07, was approved on September 30, 2014, for a revision to grading and TCPII-046-04-04.

A Planning Director amendment, SDP-0318-08, was approved on October 21, 2014, to substitute the previously approved pavilion with a basketball court.

A Planning Director amendment, SDP-0318-H1, was approved on September 27, 2022, for the addition of a 26-foot by 14-foot sunroom at the rear of the existing single-family home located on Lot 11, Block B.

6. **Design Features**: The subject application includes a proposal for a 12-foot by 20-foot elevated deck, at the rear of an existing single-family detached home. The deck will have a landing and steps leading to a 5-foot by 20-foot ground level, concrete pad with a semi-circle bump-out and sitting wall. The proposed deck will match the existing architecture of the home and will be constructed of wood, with a white vinyl railing system and white vinyl wrap posts and beams. The deck extends into the 25-foot rear yard setback and will be 18 feet, 11 inches from the rear property line. The deck also conforms to all side yard setbacks. The proposed deck has been approved by the design committee of The Preserve at Piscataway Homeowners Association, as stated in a letter which was included with the application.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance**: The subject application has been reviewed for compliance with the requirements of the R-L Zone of the prior Zoning Ordinance, as follows:

   a. The project conforms with the requirements for purposes, uses, and regulations in Sections 27-514.08, 27-514.09, and 27-514.10 of the prior Zoning Ordinance by providing low-density residential use in a planned development.

   b. Per Section 27-515 of the prior Zoning Ordinance, regarding uses permitted in the R-L Zone, a single-family detached dwelling is a permitted use in the zone.

   c. The project also conforms to the requirements of Section 27-528 of the prior Zoning Ordinance, regarding required findings for SDP applications, and Section 27-530 of the prior Zoning Ordinance, regarding amendments to approved SDP applications.

8. **Zoning Map Amendment (Basic Plan) A-9869-C**: The project is in compliance with the requirements of A-9869-C, as the proposed deck addition in the rear yard setback does not alter findings of conformance with the basic plan that was made at the time of approval of the SDP.

9. **Comprehensive Design Plan CDP-9306**: The project complies with the requirements of CDP-9306, except regarding the required rear yard setback. The CDP stipulates that the minimum rear yard setback for single-family detached houses with a lot size below 20,000 square feet is 25 feet. The proposed deck and steps would sit approximately 14 to 18 feet from the rear property line, encroaching into the rear setback.

10. **The Preserve at Piscataway Edelen Village North, Plat 14 recorded as Plat Book 37909, Page 35**: The subject application is in compliance with the requirements contained in the plat notes of The Preserve at Piscataway Edelen Village North, Plat 14 recorded as Plat Book 37909, Page 35.

11. **Specific Design Plan SDP-0318**: SDP-0318, for Edelen Village North and South, was approved by the Planning Board on June 10, 2004 (PGCPB Resolution No. 04-135), with 25 conditions, for 108 single-family attached lots, recreational facilities, and an associated parking facility. The subject application is in compliance with the requirements of SDP-0318, except for the rear yard setback, for lots with a lot size below 20,000 square feet. The proposed deck would extend into the designated 25-foot setback by 7 feet.

12. **2010 Prince George's County Landscape Manual**: The addition of a deck is exempt from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) because the requirements were satisfied at the time of SDP-0318 approval.

13. **Prince George's County Tree Canopy Coverage Ordinance**: The subject application is exempt from the Prince George's County Tree Canopy Coverage Ordinance because the applicant proposes less than 5,000 square feet of gross floor area or disturbance.

14. **Prince George's County Woodland Conservation and Tree Preservation Ordinance**: The subject lot does not contain any woodland conservation; the deck would not alter the previous findings of conformance with the Prince George's County Woodland Conservation and Tree Preservation Ordinance that were made at the time of approval of the CDP and SDP.

15. Section 27-528, Planning Board Action, requires that the Planning Board make the following findings before approving an SDP, unless an application is being processed as a limited minor amendment. Each required finding is listed in BOLD text below, followed by staff comments.

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

(1) The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);

The subject amendment conforms to the requirements of CDP-9306, as outlined in Finding 9, and the applicable standards of the Landscape Manual, as outlined in Finding 12. As the subject amendment does not involve townhouse construction, nor is located in the prior L-A-C Zone, the second portion of this required finding does not apply to the subject application

(2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to

Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;

This finding was made with the approval of the original SDP and will not be affected by the proposed deck addition.

(3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;

The proposed site development is consistent with approved Stormwater Management Concept Plan 8008470-1994-12. Therefore, adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties, in accordance with this required finding.

(4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and

The addition of a deck to an existing single-family detached dwelling and setback modification does not impact the previously approved TCPII.

(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

No regulated environmental features exist on the subject lot. Therefore, this finding is not applicable to the subject SDP.

16. Section 27-530(c)(3) of the prior Zoning Ordinance sets forth the criteria for granting minor amendments to approved SDPs for the purpose of making home improvements requested by a homeowner (or authorized representative) and approved by the Planning Director (or designee), in accordance with specified procedures, including meeting the following criteria:

(A) Are located within the approved Comprehensive Design Plan building lines and setbacks or any approved amendments to the Comprehensive Design Plan;

(B) Are in keeping with the architectural and site design characteristics of the approved Specific Design Plan; and

(C) Will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.

SDP-0318 established the rear yard setback at a minimum of 25 feet. The proposed deck addition extends into this rear yard setback, proposing a setback of approximately 18 feet from the rear property line, and the steps to grade extend further into the yard. The subject application does not meet Criterion (A), and therefore, the subject Homeowner's Minor

Amendment to SDP-0318-H2 is to be heard by the Planning Board, as stated in Section 27-530(d)(3)(A) of the prior Zoning Ordinance.

Regarding Criterion (B) above, the proposed deck addition is consistent with the architectural and site design characteristics of the approved SDP, except regarding the rear yard setback. The proposed deck will be constructed of wood, with a white vinyl railing system and white vinyl wrap posts and beams. The proposed deck will be in keeping with the existing house in materials and design.

Regarding Criterion (C), staff believes that the requested deck addition will not substantially impair the intent, purpose, or integrity of the approved CDP. The modification of the minimum rear yard for the proposed deck will not be detrimental to the community, nor will it negatively impact the visual characteristics of the neighborhood because the addition is at the rear of the home and not visible from the nearest public right-of-way, affording privacy to the occupants of both the subject property and the adjacent homeowners.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Homeowner's Minor Amendment to a Specific Design Plan SDP-0318-H2, The Preserve at Piscataway, Lot 75 Block B, subject to the following condition:

1. Provide detailed and scaled plans showing all components of the proposed deck addition, including dimensions of the proposed deck railings and the lower deck and wall.

THE PRESERVE AT PISCATAWAY – LOT 75 – BLOCK B

Plan

Case Number

AERIAL MAP

Legend

Site Boundary

Property

IMAGERY FROM EARLY 2021

0 150

ft

1 inch = 150 feet

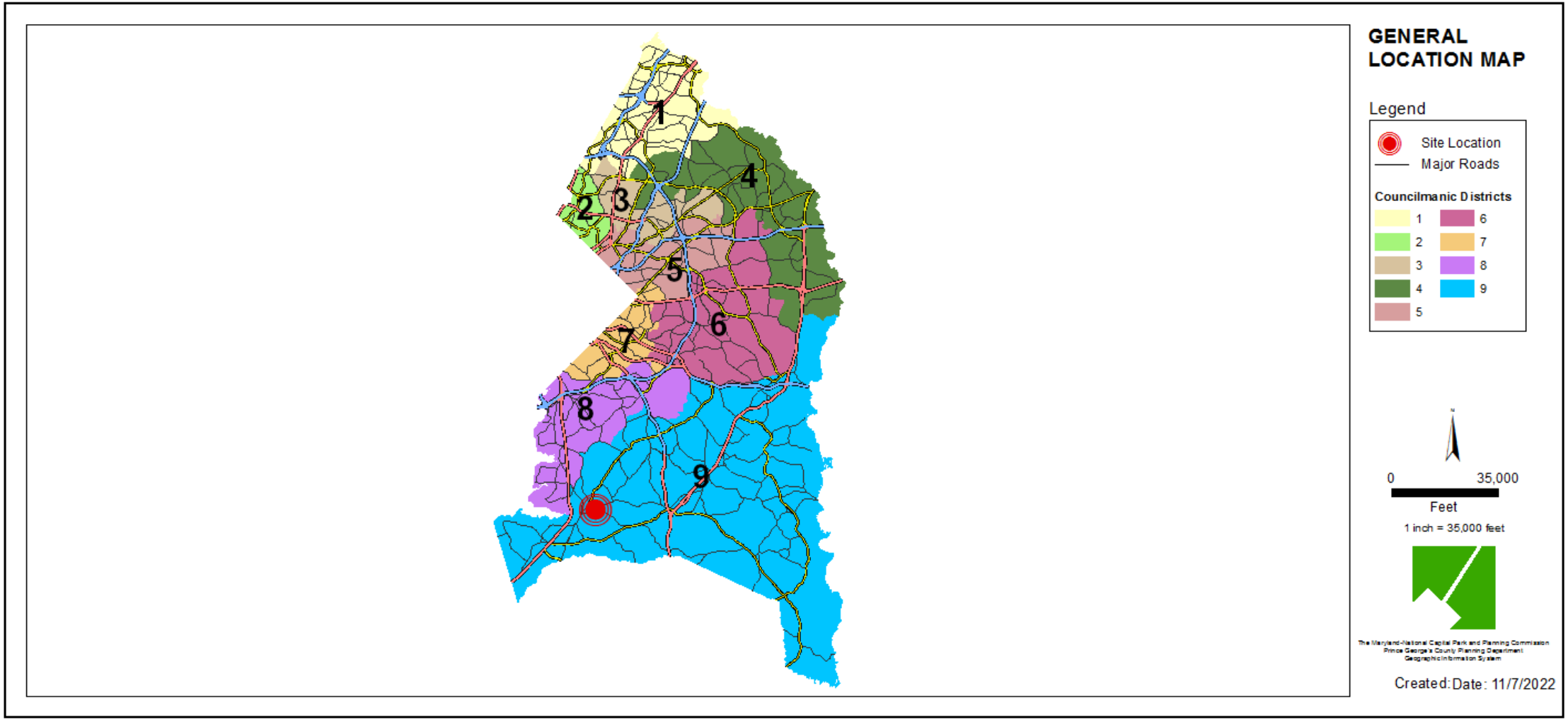
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System

Created: 11/7/2022

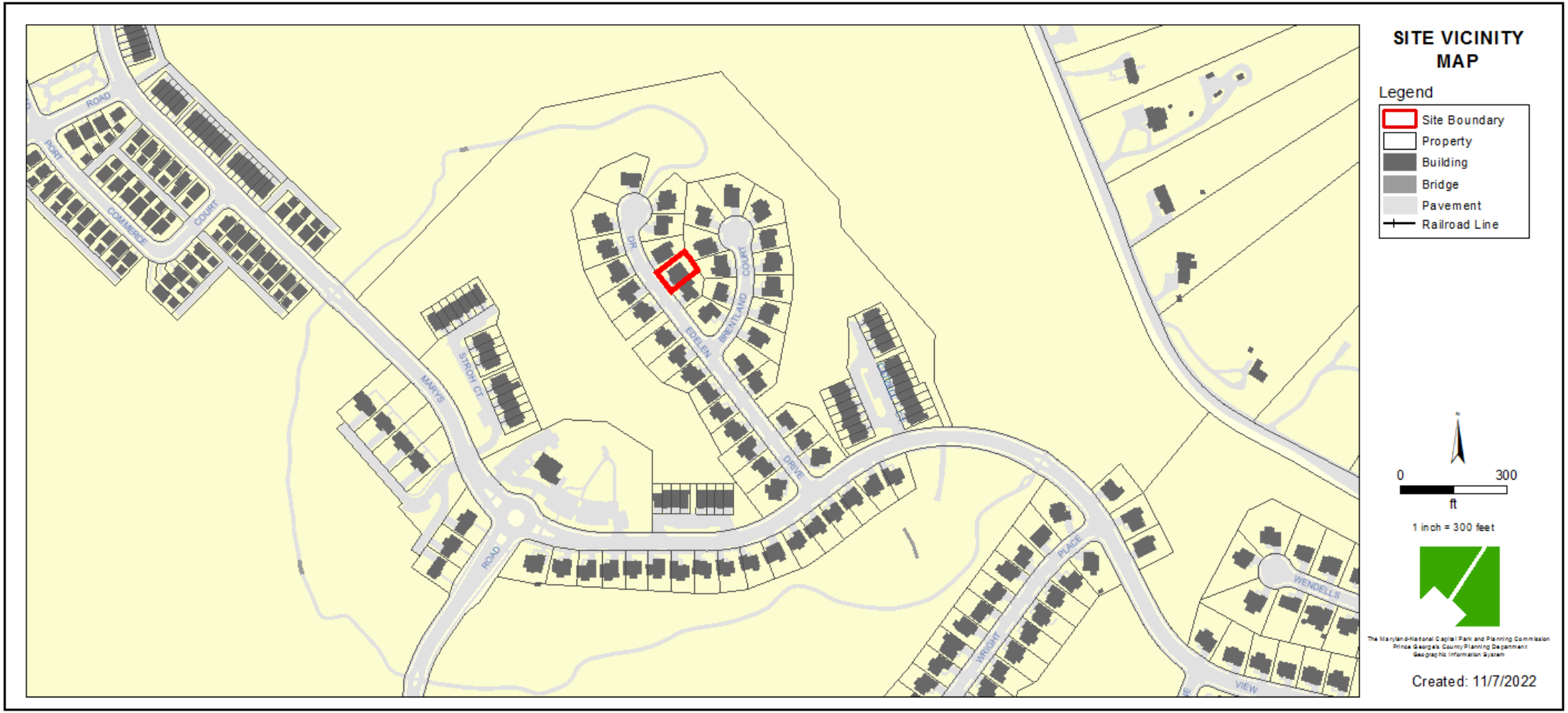
GENERAL LOCATION MAP

Council District: 09

Planning Area: 84



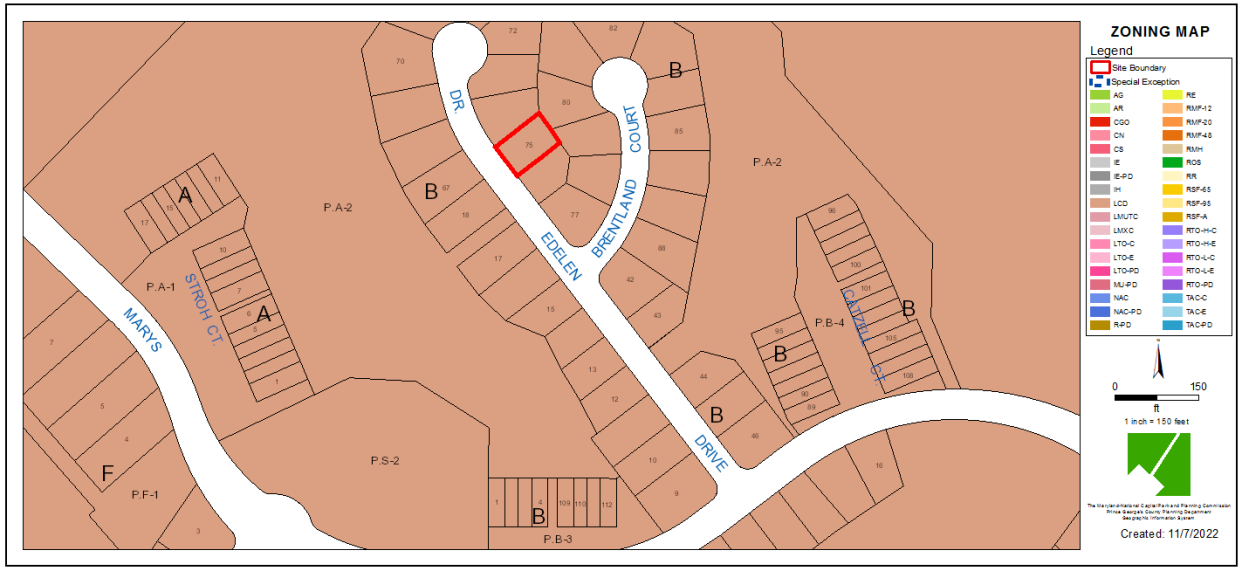
SITE VICINITY MAP



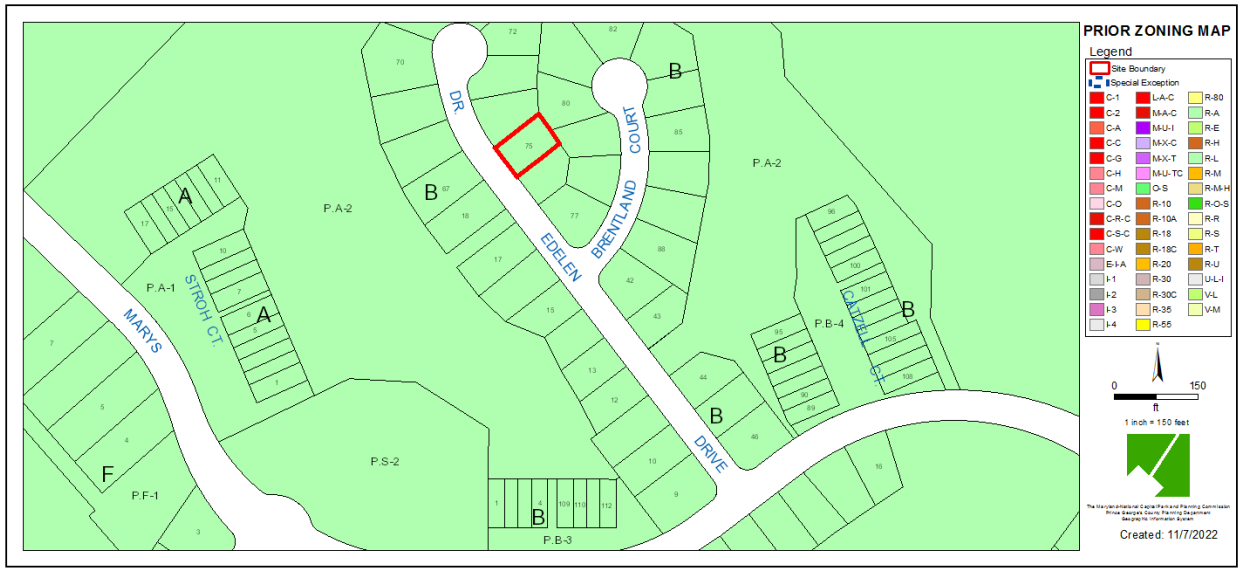
ZONING MAP (CURRENT & PRIOR)

Property Zone: X-#

CURRENT ZONING MAP

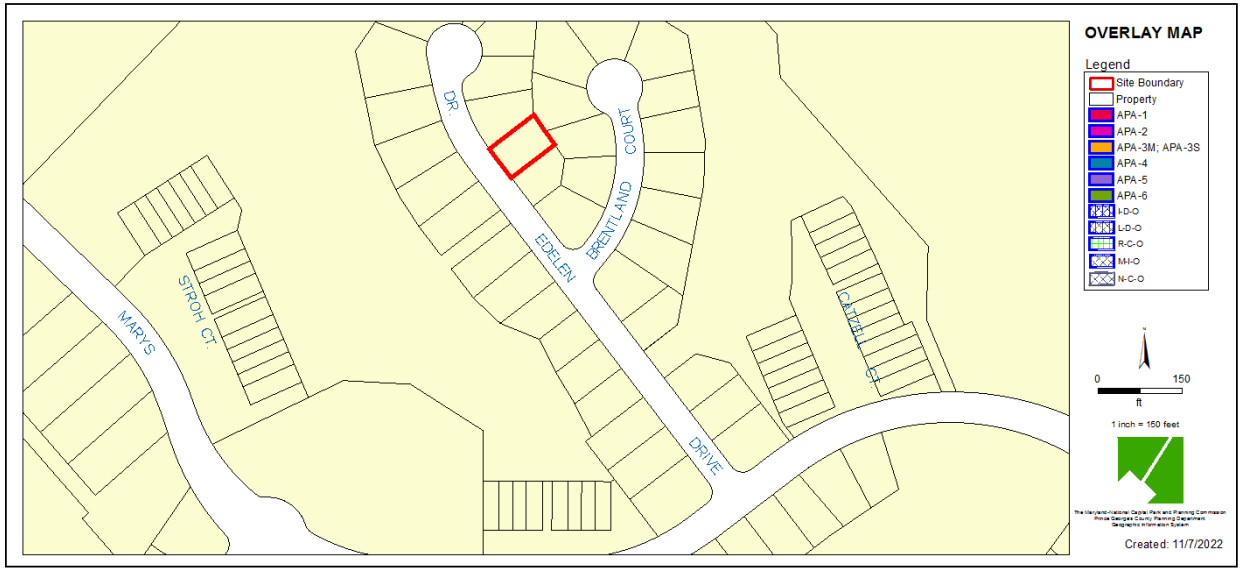


PRIOR ZONING MAP

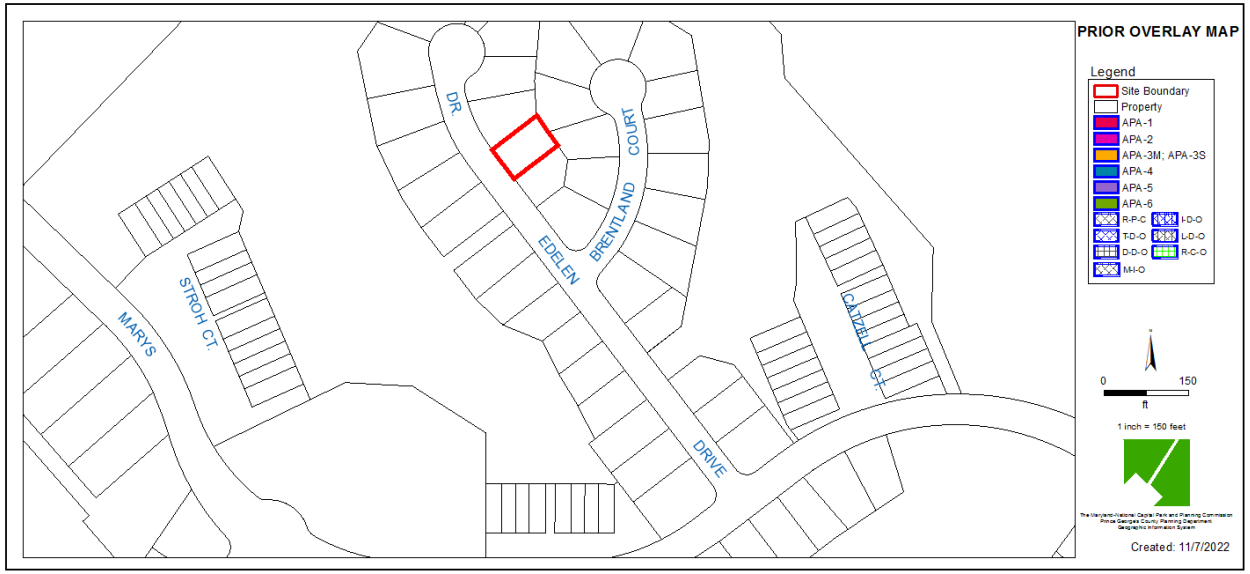


OVERLAY MAP (CURRENT & PRIOR)

CURRENT OVERLAY MAP



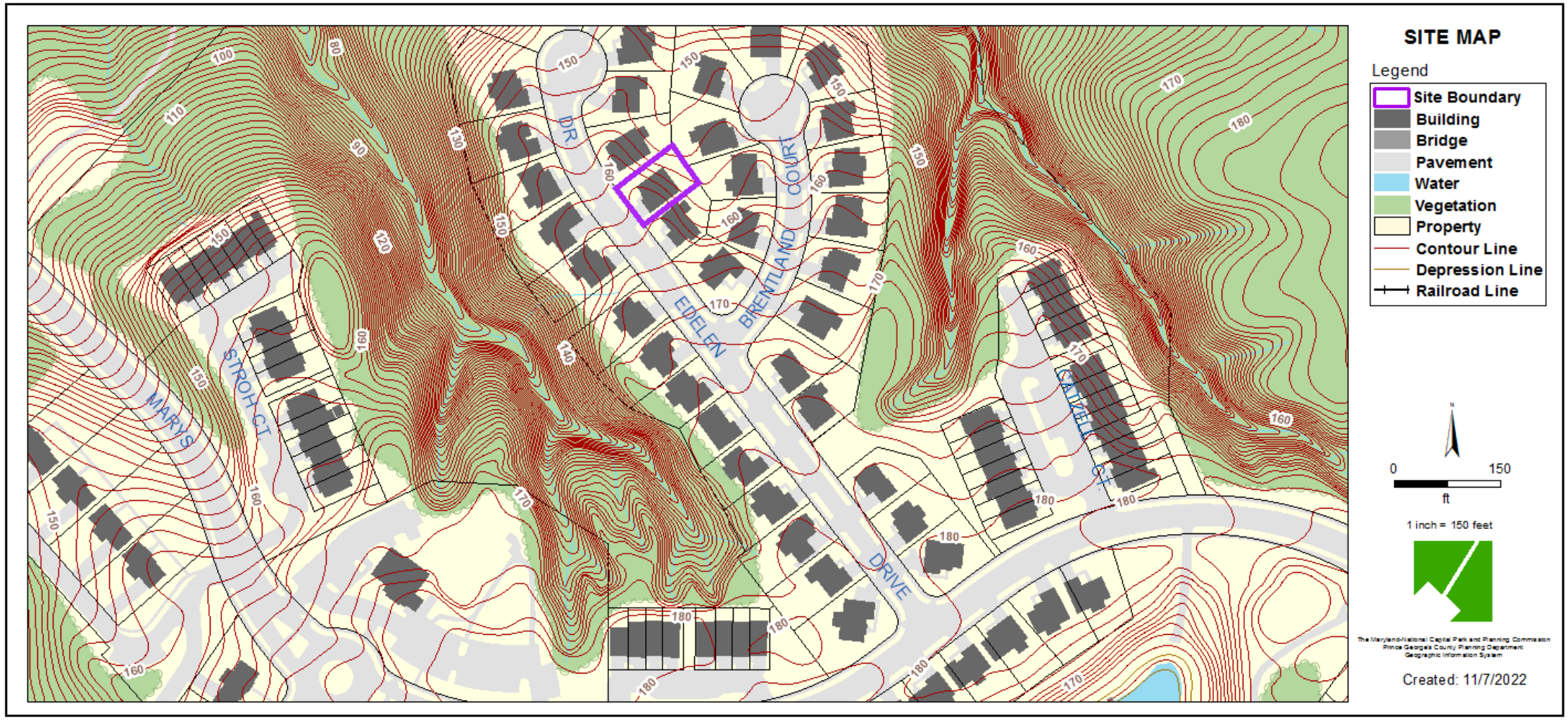
PRIOR OVERLAY MAP



AERIAL MAP


AERIAL MAP
Legend
Site Boundary
Property
IMAGERY FROM EARLY 2021
DR
BRENTLAND COURT
EDELEN
DRIVE
CATZELL CT
STROH CT
MARYS
0
150
ft
1 inch = 150 feet
The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Geographic Information System
Created: 11/7/2022

SITE MAP


SITE MAP
Legend
Site Boundary
Building
Bridge
Pavement
Water
Vegetation
Property
Contour Line
Depression Line
Railroad Line
0
150
ft
1 inch = 150 feet
Created: 11/7/2022
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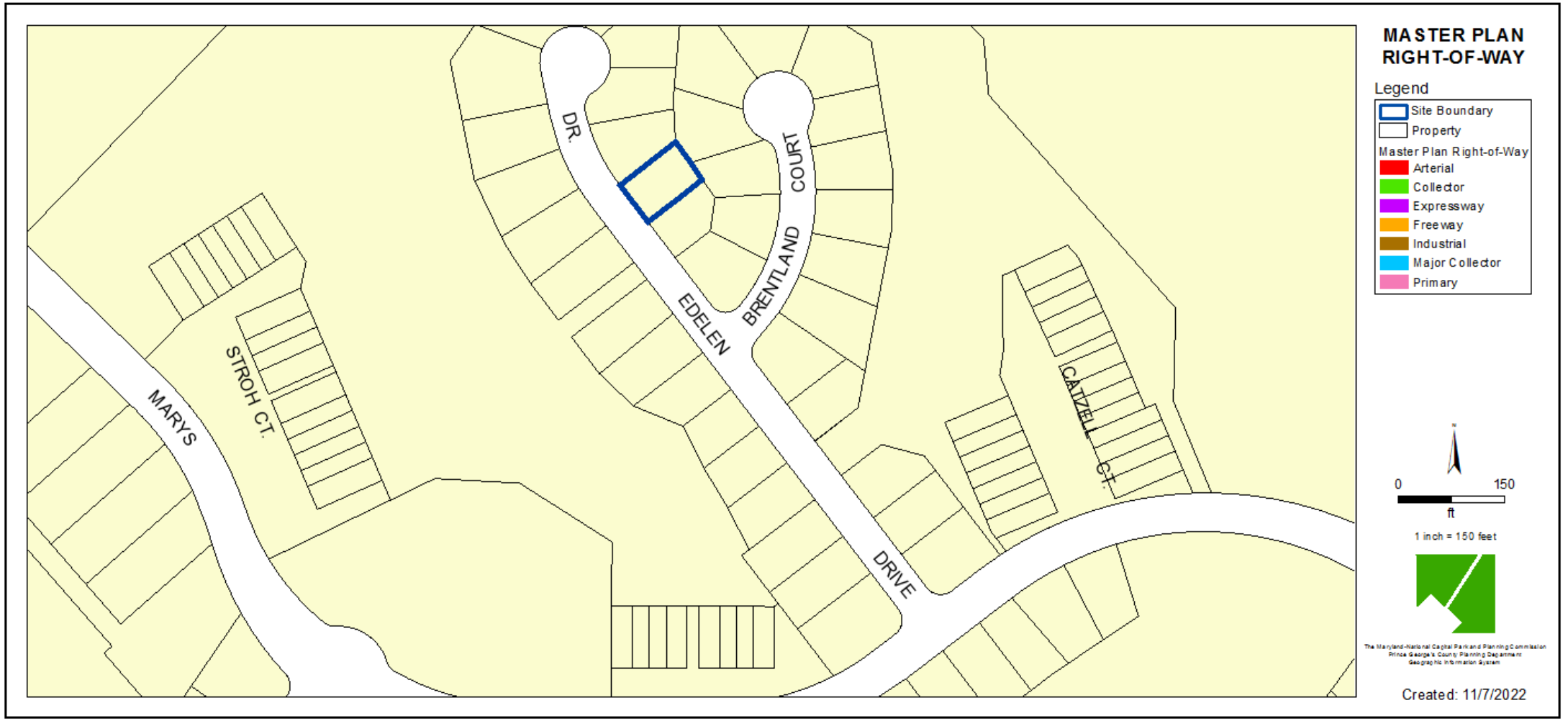
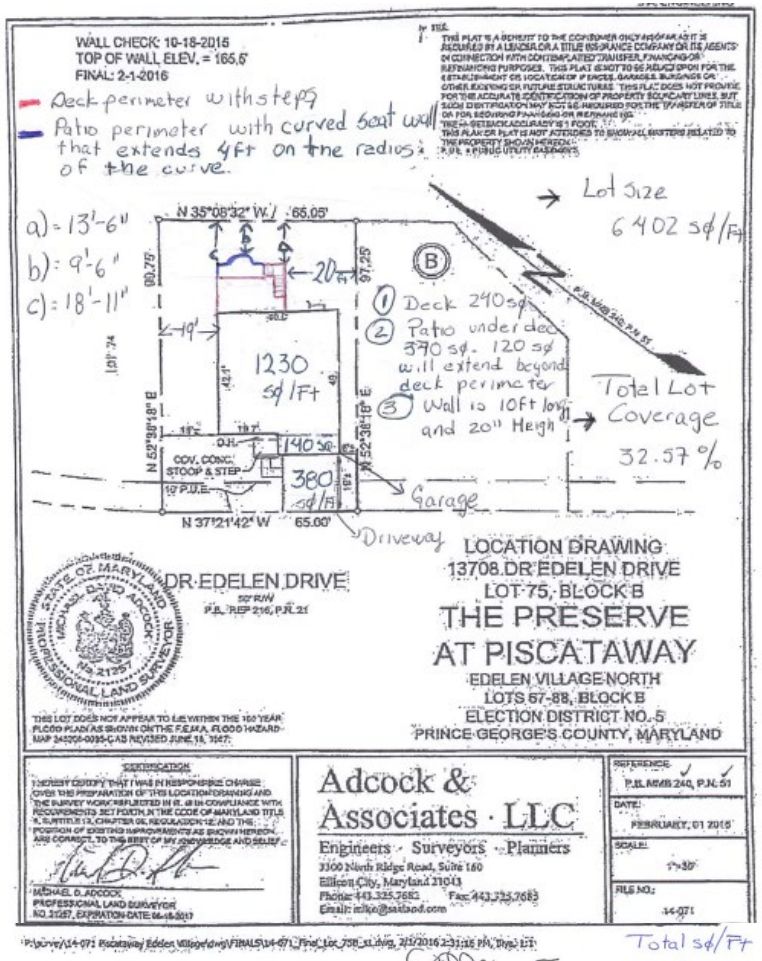
EDELEN
DRIVE
STROH CT
MARYS
CATZELL CT

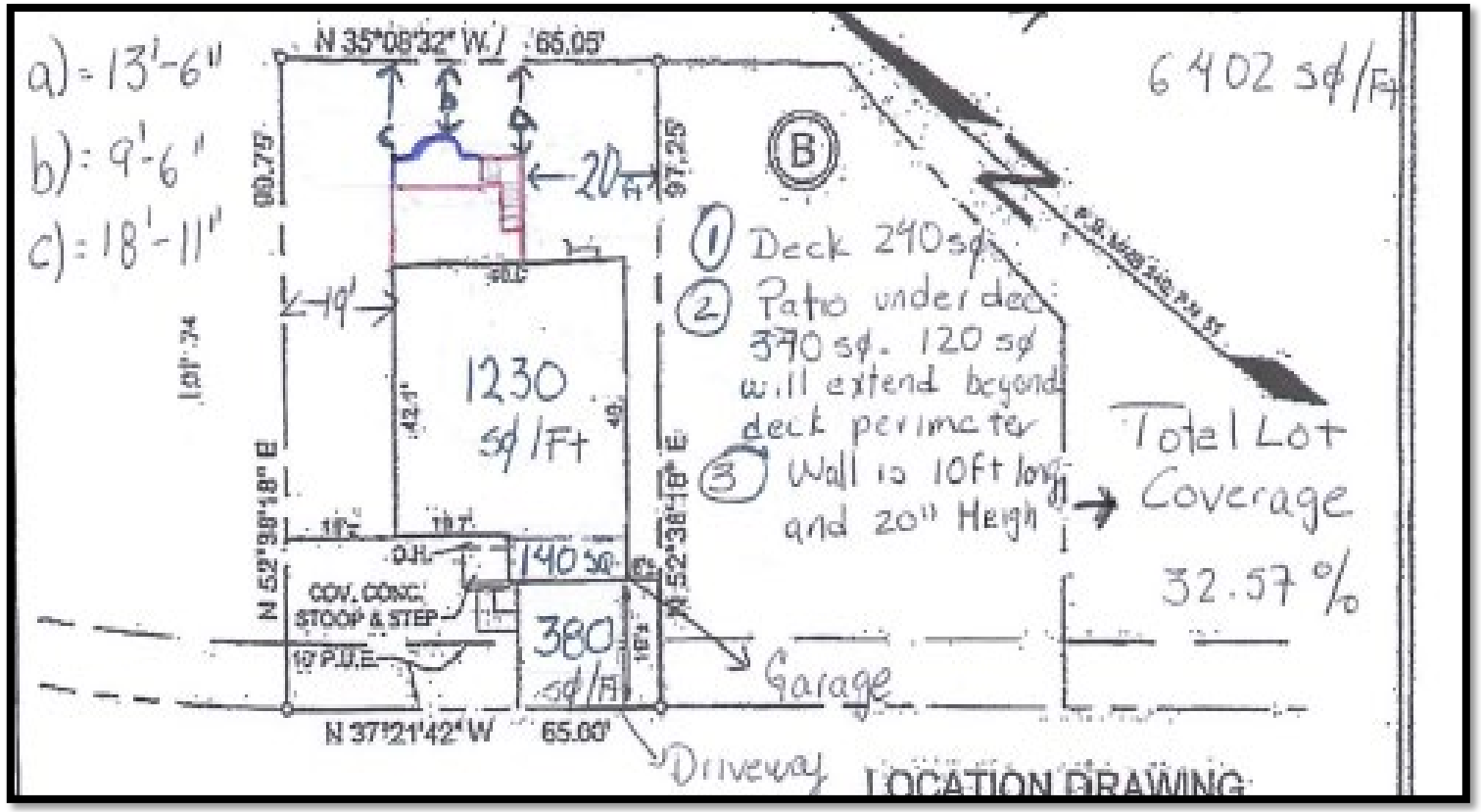
MASTER PLAN RIGHT-OF-WAY MAP



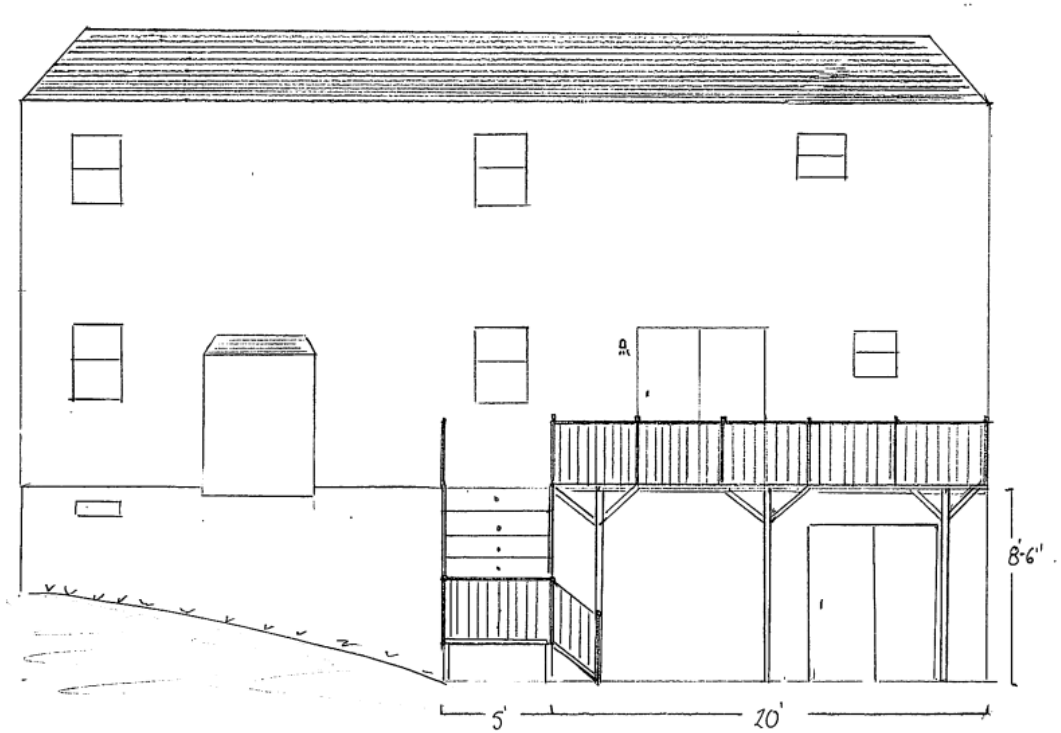
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED

SITE PLAN OF PROPOSED DECK





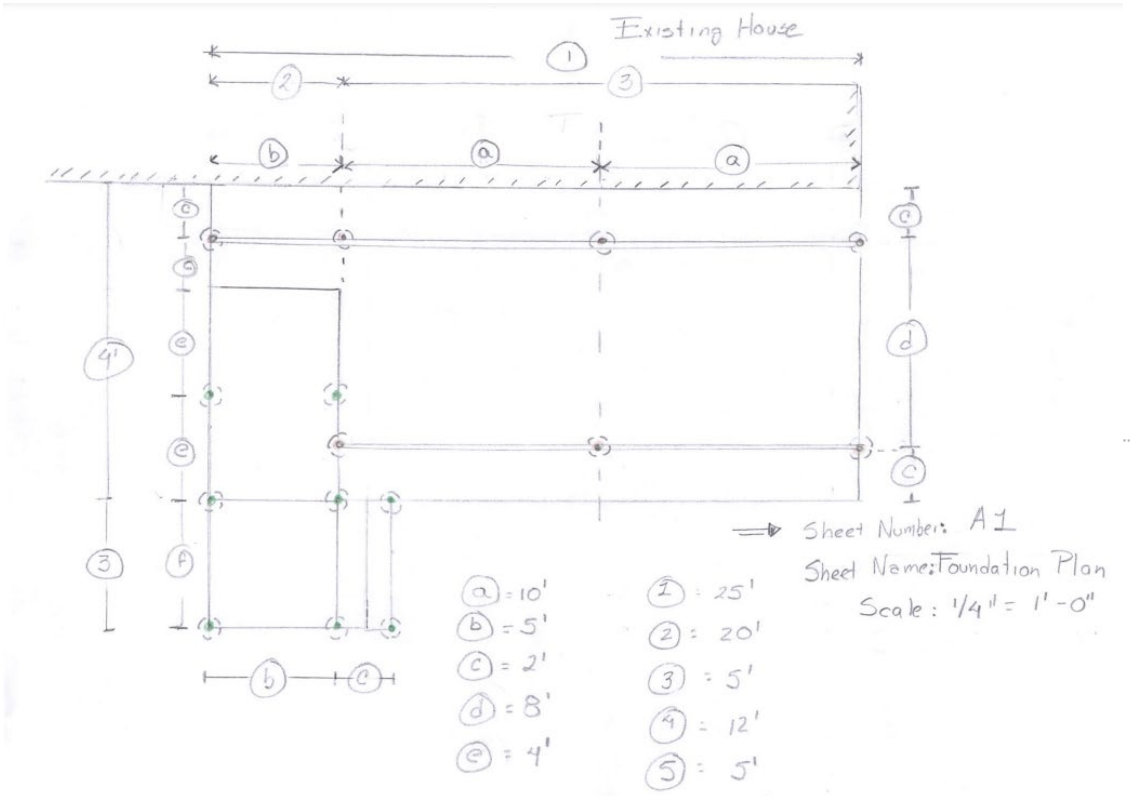
REAR ELEVATION OF PROPOSED DECK



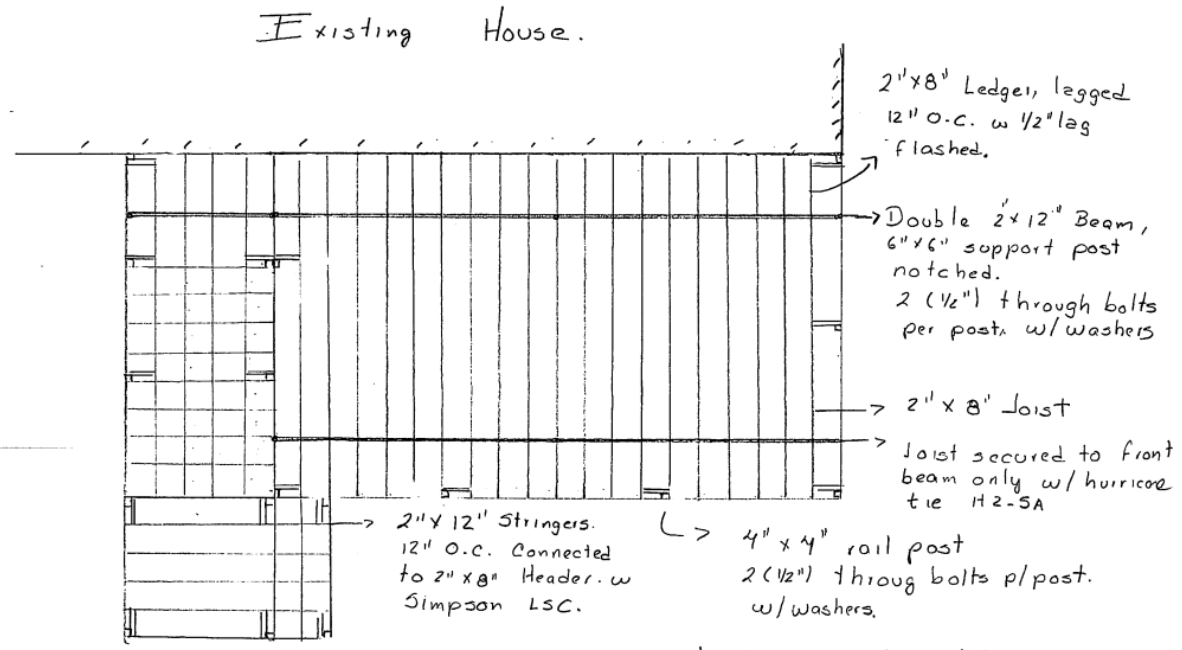
⟹ Rear Elevation
Scale 1" = 6'-0"

13708 Dr. Edelen Dr. Accokeek 20607
32122 - 2022 R Walker Deck

DECK PLANS

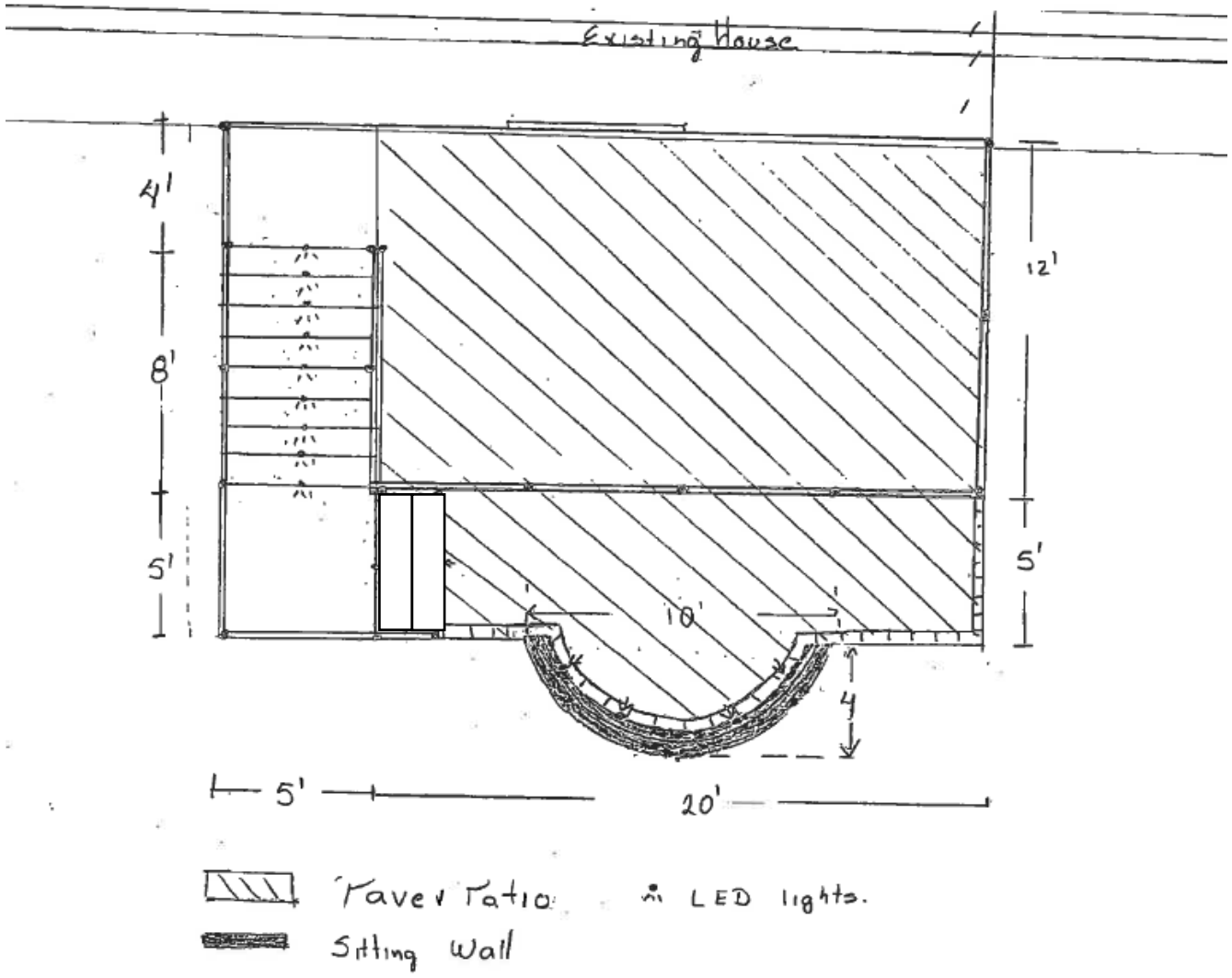


⇒ WALKER RESIDENCE: 13708 Dr Edelen Dr. Accokeek. MD 2060

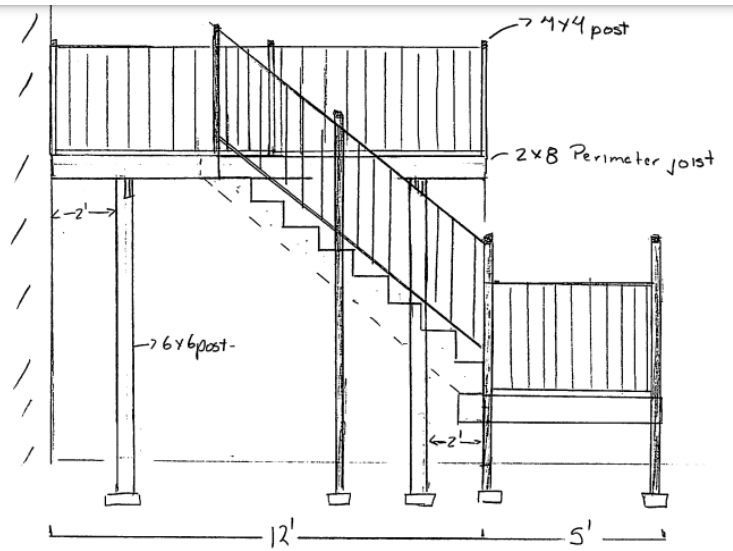


⇒ WALKER RESIDENCE 13708 Dr. Edelen Dr. Accokeek MD 20607

LOWER DECK PLANS -



SLIDE

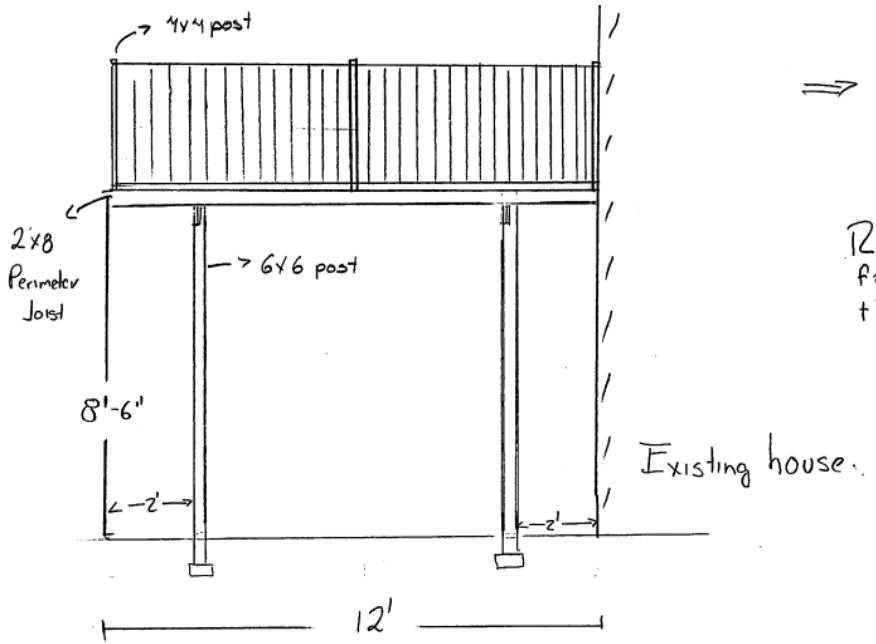


=> Side Elevation
Scale 1" = 3'-0"

Left side of deck facing the back of the house.

13708 Dr Edelen Dr. Accokeek 20607

32122-2022-R Walker Deck



=> Side Elevation
Scale 1" = 3

Right side of deck facing the back of the house.

13708 Dr. Edelen Dr. Accokeek 20607.

32122-2022-R Walker Deck

STAFF RECOMMENDATION

APPROVAL with conditions

[Major/Minor] Issues:

- N/A

Applicant Required Mailings:

- Informational Mailings 11/10/2022
- Acceptance Mailing 11/15/2022

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
PERMIT REVIEW SECTION
14741 Governor Oden Bowie Drive, Upper Marlboro MD 20772.

Permit Reviewer:	Jamie Stepowany	32122-2022-R
Telephone Number:	(301)	September 1, 2022
Fax Number:	(301)	Walker Deck

The following comments were generated from permit review. Any questions or concerns regarding the following should be directed to the reviewer at the phone number provided above. *Further comments may be generated when the appropriate information has been submitted.*

1. Please provide side and rear elevations of the deck. It appears to be a 12 foot by 20 foot, elevated deck, with landing and steps to possibly a 5 foot by 20 foot ground level deck with a semi-circle bump-out.

2. Draw the proposed deck, steps and landing onto the site plan, drawn to scale and label how far the elevated deck is from the side and rear lot line. A deck is an extension of the house and unless exceptions are provided, the deck must comply with the same setbacks as the house. The lot is in the Edelin Village of the Preserves of Piscataway. The lot is zoned Legacy Comprehensive Design (LCD) and the development regulations were determined by the approval of the specific design plan for Preserves of Piscataway, SDP-0318. The rear yard setback is 25 feet and there are no exceptions for the setbacks for the deck, therefore, the deck must be 25 feet from the rear lot line. Using the measuring tools available, the house is only 30 feet from the rear lot line. The deck will only be 18 feet from the rear lot line and will require the approval of a Homeowner Minor Amendment (HMA) to SDP-0318. To submit an HMA:
    a. Fill out the application and checklist for a HMA: http://www.mncppc.org/DocumentCenter/View/8355/Homeowner-Minor-Amendment-Checklist
    b. Check “OTHER” on the request form for the Planning Information Center and request a copy of the cover sheet for SDP-0318, the appropriate sheets showing the lot and the subdivision record plat (240-51): https://www.mncppc.org/DocumentCenter/View/6884/General-Information-Request-Form?bidId=
    c. Email the HMA application, checklist, and documents to DRDApplications@ppd.mncppc.org

3. Upload the approved HMA

Comments emailed to Edva Sanchez at maildpm2020@gmail.co JS

APPLICATION FORM

DO NOT WRITE IN THIS SPACE

Application No.(s): _____ Planning Board Review ☐ Planning Director Review ☐

Acceptance Date: _____ 70-day limit: _____ Limit waived--New limit: _____

Posting Waived ☐ Posting Date: _____ No. of Signs Posted: ___ Agenda Date: _____

Application Fee: _____ Posting Fee: _____ Case Reviewer: _____

Subdivision Development Review Committee Date: _____

Referral Mail-Out Date: _____ Referral Due Date: _____

Date of Informational Mailing: _____ Date of Acceptance Mailing: _____

APPLICATION TYPE: _____ ☐ Revision of Case # _____ Companion Cases: _____

Payment option: ☐ Check (payable to M-NCPPC) ☐ Credit Card General Plan Growth Policy:

PROJECT NAME: 32122-2022-D Walker Deck

Complete address (if applicable) 13708 Doctor Idelen Dr. 20607 Tax Account #: 3817369

Geographic Location (distance related to or near major intersection) Police District #: VII

Total Acreage:	0.1470	Aviation Policy Area:	None	Election District:	05
Tax Map/Grid:	0142	Current Zone(s):	LCD	Council District:	009
WSSC Grid:	20F3	Existing Lots/Blocks/Parcels:	75/B/00	Dev. Review District:	Outside Beltway
Planning Area:	84	In Municipal Boundary:	No	Is development exempt from grading permit pursuant to 32-127(a)(6)(A): ☑ Y ☐ N	

(2002) General Plan Tier: ☐ Developed ☐ Developing ☐ Rural Area of proposed LOD:

Proposed Use of Property and Request of Proposal:
Requesting amendmet for modest size deck tha will allow it to comfortably enjoy the backyard with her family. Current allowed deck's projection is only 5'.

Please list and provide copies of resolutions of previously approved applications affecting the subject property:

Applicant Name, Address & Phone:
Edva Sanchez → Contractor
1914 Aliceanna st. Baltimore 21231
443-414-6359

Owner Name, Address & Phone:
(if same as applicant indicate same/corporation see Disclosure)

Consultant Name, Address & Phone:

Contact Name, Phone & E-mail:

SIGNATURE (Sign where appropriate; include Application Form Disclosure for additional owner's signatures)

Ivory Walker 09/12/22
Owner's Signature typed & signed — Date

Edva Sanchez 9/12/2022
Applicant's Signature typed & signed — Date

Contract Purchaser's Signature typed& signed — Date

Applicant's Signature typed & signed — Date

SUBDIVISION CASES – PRELIMINARY PLAN/CONSERVATION SKETCH PLAN:

Type of Application (Check all that apply)

Conventional ☐	Comprehensive Design ☐	Conservation Sketch Plan ☐	Pre-Preliminary Plan ☐

Variation, Variance or Alternative Compliance Request(s) Yes ☑ No ☐	Applicable Zoning/Subdivision Regulation Section(s):
Total Number of Proposed: Lots 1 Outlots _____ Parcels _____ Outparcels _____	
Number of Dwelling Units: Attached _____ Detached 1 Multifamily _____	Gross Floor Area (Nonresidential portion only):

SUBDIVISION CASES – FINAL PLAT:

Water/Sewer: DER ☐ Health Dept. ☐	Number of Plats:
CSP/DSP/SDP No.:	WSSC Authorization No.:
Preliminary Plan No.:	
Approval Date of Preliminary Plan:	

URBAN DESIGN AND ZONING CASES:

Details of Request: Construction of 12'x20' deck with 2 landings and 10 steps. We request variance to allow it.o. the normal use of a deck. The curret allowed projection is only 5'.	Zoning Ordinance Section(s):
Total Number of Proposed: Lots 1 Outlots _____ Parcels _____ Outparcels _____	
Number of Dwelling Units: Attached _____ Detached 1 Multifamily _____	Gross Floor Area (Nonresidential portion only):
Variance Request Yes ☑ No ☐	Applicable Zoning/Subdivision Regulation Section(s):
Departure Request Yes ☐ No ☒	Application Filed Yes ☐ No ☐
Alternative Compliance Request Yes ☐ No ☒	Application Filed Yes ☐ No ☐

THE PRESERVE AT PISCATAWAY HOMEOWNERS ASSOCIATION, INC.
DESIGN REVIEW APPICATION
301-292-3100

To: Architectural & Environmental Control Committee (AECC)
2800 St. Mary's View Road, Accokeek, Maryland 20607
c/o kisha.williams@preserveatpiscataway.com

Date: 8/12/2022
From: Ivory Walker
Address: 13708 Doctor Edeler Dr Lot: 175 Section: B
Home, Work & Cell #s: 9046102871
Email Address: butterflywalker2013@gmail.com

Directions: The Declaration of Covenants requires that you submit to the AECC for approval of all proposed exterior additions, changes or alterations to your house and lot. In order to be considered by the AECC, your application must include detailed information describing the proposed change (typically, plans and specifications including sketches, photos, catalog illustrations, etc. showing the nature, kind, shape color, dimensions, and materials; and a copy of the survey with location marked). Please make sure your application is complete prior to submission, as incomplete applications cannot be processed in a timely manner. In such case, the AECC's review period will not commence until all required submissions have been provided. Other exhibits may be requested to permit adequate evaluation of the proposed change. If you have any questions regarding the required submission or the application process, please contact Management Office at 301-292-3100.

Description of Proposed Change: (Please print or type) Describe all proposed improvements, alterations, or changes to your lot or home. Please provide required details by attaching sketches, drawings, clippings, pictures, catalog illustrations, and copy of your house location survey (recorded plat) with the location of the modification marked, etc. to fully describe the proposed change(s).

deck & patio instruction on rear of home. High level raised deck w/ patio under & sitting wall bumpout.

Purpose of Improvement: Outdoor entertainment & property value increase

ESTIMATED START DATE OF WORK (After approval by the AECC): 10/3/2022
ESTIMATED COMPLETION DATE: 10/15/2022

Owner's Acknowledgement (initial each item) - I/we understand and agree:

1. BAK That approval by the Committee shall in no way be construed as to pass judgement on the correctness of the location, structural design, suitability of water flow or drainage, location of utilities, or other qualities of the proposed change being reviewed.
2. BAK That approval by the Committee shall in no way be constructed as to pass judgement on whether the proposed change being reviewed is in compliance with the applicable building and zoning codes of the state and/or county in which the property is located.
3. BAK That approval of any particular plans and specifications or design shall not be constructed as a waiver of the right of the Committee to disapprove such plans and specifications, or and elements or features thereof, in the event such plans are subsequently submitted for use in any other instance.
4. BAK That no work on the proposed change shall begin until written approval of the Committee has been received by me; that, if work is begun prior to approval, I may be required to return the property to its former condition at my own expense if this application is disapproved wholly or in part; and I may be required to pay all legal expenses incurred.
5. BAK That there shall be no deviation from the plans and specifications, and location approval by the Committee without prior written consent of the Committee; any variation from the original application must be resubmitted.
6. BAK That I authorize members of the Committee or managing agent to enter upon my Property to make one or more routine inspections.
7. BAK That construction or alterations in accordance with the approved plans and specifications must commence within 6 months of the approved date of this application and be completed within 12 months of the approved date, otherwise the approval shall be deemed conclusively to have lapsed and to have been withdrawn.
8. BAK That it is my responsibility and obligation to obtain all required building permits, to contact *Miss Utility*, and to construct the improvements in a workmanlike manner in conformance with all applicable building and zoning codes.
9. BAK That I am responsible for any damages and all cost to repair green space or community property that results from the proposed modification.
10. BAK That the Committee has up to sixty (60) days to approve or disapprove of the proposed change.

Owner/Applicant Signature: _____

Co-Owner/ Applicant Signature: _____

Acknowledgment of property owners who are most affected by this change because they are adjacent and/or have a view of the change. **To affected property owners:** Your signature indicates that you are aware of and have reviewed the plans for this project (application, drawings, etc.) and are in agreement with the same. Your signature is not approval or disapproval of the proposed change. If you have any concerns, please immediately express these in writing to the AECC.

Name: BRIAN KIMBALL Signature: _____ Address: 13710 DOCTOR EDELEN DR

Name: Aaron Brown Signature: _____ Address: 2906 Brentland Ct

Name: _____ Signature: _____ Address: _____

APPROVED: ____ DISAPPROVED: ____ MORE INFORMATION NEEDED ____ DATE: _____

COMMENTS OR STIPULATIONS: _____

By: _____ Title: _____

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TDD: (301) 952-3796

PGCPB No. 94-98(C) File No. CDP-9306

C O R R E C T E D 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 March 24, 1994, regarding Comprehensive Design Plan CDP-9306 for Villages at Piscataway, the Planning Board finds:

1. On September 14, 1993, the County Council, sitting as the District Council for the part of the Maryland-Washington Regional District in Prince George's County, adopted CR-60-1993 approving the Master Plan and the Sectional Map Amendment for Subregion V in Prince George's County. Comprehensive Design Zone Amendment Three (Zoning Applications A-9869 and A-9870) rezoned 858.7± acres in the R-A Zone to the R-L (Residential-Low Development, 1.0 to 1.5 du/acre) Zone and 19.98± acres to the L-A-C (Local Activity Center - Village Center) Zone. The rezoning was approved with 39 conditions and 11 considerations.

   On December 1, 1993, Bailey's Corporation, on behalf of Bailey's Plantation Joint Venture, filed an application for the total 878.68± acres in accordance with Section 27-518 of the Zoning Ordinance. The application was accepted by the Development Review Division for processing on December 2, 1993.

2. The Villages at Piscataway is located in Planning Area 84 primarily south of Floral Park Road near its intersection with Piscataway Road. The site includes the historic Edelen House located on the south side of Piscataway Road adjacent to the historic Village of Piscataway. Currently, the site consists of cultivated fields with extensive woodlands and a stream valley.

3. The following table lists the land use quantities for the subject property established by CR-60-1993:

   A. Land Use Types

      R-L Zone (A-9869)

      All permitted uses in the R-L Zone.

L-A-C Zone (A-9870)

All permitted uses in the L-A-C Zone.

B. Land Use Quantities

R-L Zone (A-9869)

Gross Acre	858.7 acres
Less One-Half Floodplain	-39.9 acres
Adjusted Gross Acreage	818.8 acres
Base Density of Zone	1.0 du/acre
Base Residential Development	818 du
Approved Basic Plan Density	1.22 du/acre
Maximum Residential Development*	1,000 du

In addition, a maximum of 9,000 square feet of the commercial land uses allowed in the R-L Zone may be developed in accordance with the Basic Plan.

L-A-C Zone (A-9870)

Gross Acreage:	19.98 acres
Commercial Acreage:	6.75 acres
Base Intensity of Zone	0.2 FAR
Base Commercial Development	58,806 square feet
Approved Basic Plan Intensity	0.238 FAR
Maximum Commercial Development*	70,000 square feet
Residential Acreage:	13.23 acres
Base Density of Zone	10 du/acre
Base Residential Development	132 dwelling units
Approved Basic Plan Density	10.6 du/ac
Maximum Residential Development*	140 dwelling units

*The actual number of dwelling units and commercial square footage will be determined during review of the Comprehensive Design Plan (CDP) on the basis of adjusted gross acreage in the CDP application, the approved development density or intensity, and the proposed public benefit features.

4. The following table summarizes the proposed land uses for all of the sections in the Villages at Piscataway:

A. General Site Data:

Gross Area of Site	878.9± acres
Flood Plain Area	79.8 acres
Area of Bailey Village (Zoned L-A-C)	19.98± acres
Residential Area	13.23 acres
Commercial Area	6.75 acres

B. L-A-C and R-L Areas:

Bailey Village (L-A-C Zone)
20,000 to 30,000 square feet commercial
10,000 to 15,000 square feet retail
140 Dwelling Units

*Glassford Village, Edelen Village, Lusby Village and Danville Estates (R-L)

800 Single-Family Detached (80%)
200 Single-Family Attached (20%)
1,000 Dwelling Units

C. General location of dwelling units by Villages and Estate Area, as proposed in CDP-9306:

(1) Bailey Village (L-A-C)

20,000 to 30,000 square feet retail
10,000 to 15,000 square feet office
140 Dwelling Units

Per Section 27-496(e) of the Zoning Ordinance, this figure does not include the required MPDUs.

(2) Glassford Village (R-L)

202 Single-Family Detached
64 Single-Family Attached

*Denotes Correction

(3) Edelen Village - South (R-L)

146 Single-Family Detached
45 Single-Family Attached

(4) Edelen Village - North (R-L)

125 Single-Family Detached
58 Single-Family Attached

(5) Lusby Village (R-L)

201 Single-Family Detached
33 Single-Family Attached

(6) Danville Estates (North and South)(R-L)

126 Single-Family Detached

5. The Comprehensive Design Plan for Villages at Piscataway, as modified by the conditions, will be in conformance with the Basic Plan for Zoning Map Amendments A-9869 and A-9870, and with the 39 conditions and 11 considerations of CR-60-1993. Specific conditions which warrant discussion regarding conformance of the Comprehensive Design Plan with the Basic Plan are considered below:

4. Phase I archeological survey with possible Phase II and Phase III follow-up shall be undertaken prior to any ground breaking activity in the vicinity of the old village including the area of road construction. The boundaries of the area needing archeological survey can be set at the time of CDP approval.

The applicant proposed boundaries for the area proposed for a Phase I archeological survey (CDP Section II H., p. 7) and the Historic Preservation Section accepted the proposed boundaries of the area. Per Condition 4, the archeological survey(s) are to be conducted in accordance with the Basic Plan condition.

6. The architectural design guidelines to be submitted as part of the CDP application shall be subject to review and approval by the Planning Board or its designee prior to CDP approval.

The applicant's proposed architectural design guidelines were the subject of extensive discussions between the applicant and the Urban Design Review Section staff. Agreement was reached on appropriate design guidelines for many aspects of the residential, commercial and civic architecture proposed for the development. Those aspects

of architectural design which require additional refinements are discussed below:

- Additional standards are required for residential structures to be built in Glassford Village (northern section), the new village immediately adjacent to the historic Village of Piscataway, to insure compatibility of new homes with those in the historic village. Architectural and other standards for construction in or near historic Piscataway have already been developed by the Historic Preservation Section and published in the *Piscataway Village Rural Conservation Study* (M-NCPPC, July 1991). Pages 39-44 discuss architectural standards. As stated in Condition 1.a., the staff recommended that the standards in this study be adopted as CDP requirements for any construction in the northern portion of Glassford Village adjacent to historic Piscataway.

- Additional standards are required for civic and institutional buildings, for all structures in Bailey Village, and for residential structures surrounding the village greens in the various villages, particularly those at street corners, to insure that they are of sufficient visual interest and historic character to reinforce the neotraditional style required in the Villages of Piscataway.

  The architectural standards considered necessary by the Urban Design Review Section and the Historic Preservation Section to achieve the necessary visual interest and historic character are shown in Condition 1.b.

- Additional standards are required for the appearance of the rears of residential units which face the golf course or other public spaces. It is imperative that typical residential-style decks constructed of pressure-treated or other wood left to weather naturally not be allowed in such areas as they would dramatically undermine the image of a traditional town sought in the Villages at Piscataway. The standards considered necessary to prevent the appearance of decks from undermining the image of a traditional town are shown in Condition 1.c.

7. As a condition of Basic Plan approval, the applicant should sign an Historic Property Security Agreement which would be an agreement between the applicant and M-NCPPC, to include retention of a tenant in the Edelen House, and routine maintenance to insure the building's occupancy and good repair until it is adaptively reused or transferred to another owner.

The applicant submitted a proposed security agreement to the Historic Preservation Section for review. Discussions continue concerning the final language of the agreement. Condition 3.a. should insure that the security agreement is finalized in a timely fashion.

9. The site shall be developed using the neotraditional concepts as represented by the Basic Plan application.

The Comprehensive Design Plan is generally faithful to the neotraditional concepts approved in the Basic Plan regarding the relationship of the new villages to historic Piscataway and to each other. Neotraditional concepts were also employed in the layout and design of individual villages and of structures in the villages. In order to reinforce the neotraditional concepts mandated by the Basic Plan, staff proposed numerous refinements to design and architectural standards throughout this Resolution. Condition 1.d. should insure that the layout of blocks does not result in a "garage-dominated" streetscape typical of suburban development but antithetical to neotraditional design.

10. The L-A-C portion of the project known as Bailey's Village shall be designed so as to be compatible with the adjacent Historic Bailey's Plantation (Edelen House) and the historic village. Specific details pertaining to the building mass, height, scale, and construction materials and details shall be provided as part of the CDP submission.

The Comprehensive Design Plan contains most of the details and standards necessary to make Bailey's Village compatible with the Edelen House and the historic village. Those additional standards thought necessary by staff to insure compatibility are shown in Conditions 1.b., 1.d. and 1.g.

11. The extension of Piscataway Road shall be carefully designed so as to lessen its impact on the surrounding rural historic setting. This may include the use of brick or stone walls, orchard plantings, etc., designed to enhance the historic context. The use of berms shall be discouraged. Pedestrian crossings shall be provided.

The applicant agreed to submit as part of the first Specific Design Plan (probably for the golf course) a plan for treating the edge of New Piscataway Road to insure that its impact on the surrounding rural historic setting is minimized. This is required by Condition 2. At the same time the location of pedestrian crossings will be evaluated.

12. **A minimum 50-foot buffer shall be established between the golf course and any adjacent roadway to allow for an edge treatment compatible with the existing historic rural character of the area. The edge treatment might include areas of tree preservation, open meadows and/or orchard-type plantings.**

Condition 2 is provided to insure that the required 50-foot buffer is established.

13. **Prior to approval of the CDP, the composition of the Board of Trustees for the Historic Piscataway Preservation Grant and Loan Fund and details on how the Fund will be administered will be determined. One member of the board shall be a member of the Prince George's County Historic Preservation Commission.**

As explained in the memorandum from the Historic Preservation Section (Rivers to Adams, February 16, 1994): "One of the requirements for Basic Plan approval was the establishment of the Historic Piscataway Preservation Fund, which allows for $400.00 to be donated to a preservation fund for every unit built in the development. The applicant proposed that the Piscataway Preservation Corporation, which will administer the fund, be made up of two owners of property within the historic village, two owners of property within the new development, a representative of St. Mary's Church, a member of the HPC, a representative from the County Executive's Office, and eight representatives of the owner/developer. After 60 percent of the project has been completed, the developer representatives would be reduced to two. This is an improvement over the Basic Plan language, which called for the developer to administer the fund without input from other sources until the 60 percent completion point. However, the proposed configuration is still heavily weighted towards the interests of the developer, to the point that all decisions made by the corporation prior to 60 percent completion can essentially be made by the developer. In addition, there is little in the description which ensures that the funding will actually go towards preservation and restoration; a number of possible projects are mentioned, such as street improvements, yet there is nothing which states what the priorities for funding would be.... The fund should be administered with a high priority given to the preservation and restoration of the historic structures in Piscataway. Language should be added to the proposed procedures which achieves this end. Additionally, language should be added which ensures compliance with the Secretary of the Interior's Standards for Rehabilitation and the County Historic Preservation Ordinance.

Finally, language should be added to the procedures which allows for input from all interested parties."

The unanimous recommendation of the Historic Preservation Commission regarding the composition of the Board of Trustees and how the fund will be administered is shown in Condition 5.

14. **Prior to CDP approval, a plan shall be developed and approved by the developer and the Urban Design staff of the Maryland-National Capital Park and Planning Commission that shall grant as a benefit to each purchaser of a home upon the property and all future purchasers some use of the golf course or an equivalent program that grants a direct benefit to all future purchasers of the homes in the Villages of Piscataway, such as preferential membership terms.**

Because a golf course developer has not yet been selected, the applicant is unable to specify the exact provisions of the plan which will grant some benefit relating to the golf course to every homeowner. However, the applicant proposed the outline of a plan, shown in Condition 2.d., the exact provisions of which will be filled in at the time of Specific Design Plan for the golf course.

15. **The applicant shall demonstrate at CDP that the golf balls will not present a danger to the residents or their property. Setbacks from the golf course shall be determined by the most likely direction and distance that the golf ball will travel.**

The applicant adhered to and exceeded in many locations the minimum safety setbacks prescribed by the golf course industry and demonstrated, to the extent feasible at the scale of the Comprehensive Design Plan, that golf balls will not present a danger to residents or their property. However, the golf course layout on the CDP is still somewhat conceptual and will be refined and finalized on the Specific Design Plan for the golf course. Condition 2.e. should insure that the final golf course design will not result in any hazards to residents or their property.

21. **The proposed master plan trail is along Piscataway Creek Stream Valley Park. In anticipation of the Department of Parks and Recreation Parkland Dedication for this stream valley, a trail connection from the R-L parcel to the planned hiker/biker/equestrian trail on the north side of the creek shall be required.**

The Trails Coordinator recommended that this connection be an eight-foot-wide asphalt trail. The applicant's plans, however, provide conflicting information regarding the width and nature of the portion of this trail connection along Floral Park Road (from Piscataway Road east to the entrance road into Bailey Village). Figure 18 describes this trail segment as "Pedestrian Paths (Outside Public Right-of-Way)." Figure 22 describes it as "4'-0" sidewalks." Condition 6 should correct this discrepancy and insure that a continuous eight-foot-wide asphalt trail is constructed from Bailey Village to the master plan trail along Piscataway Creek.

22. The applicant shall provide for and construct the proposed master plan trail on or adjacent to PEPCO's Brandywine transmission line for the entire frontage.

Condition 7 should ensure that this segment of the master plan trail is constructed in a timely fashion.

23. All development pods shall be connected by the internal pedestrian/bike trail networks.

In order to conform to the requirement in Basic Plan Condition 9 that the site be developed in accordance with neotraditional concepts, the Villages at Piscataway is not organized into conventional suburban "development pods." In consists rather of a group of interconnected village-type neighborhoods, all of which have a modified grid street pattern which both eliminates the need for and suggests no appropriate alignments for a system of "inter-village" trails which is separate from the street system.

Pedestrian traffic is accommodated by a complete system of four-foot sidewalks on both sides of most streets. Bicycle traffic is safely accommodated on the public streets, where on-street parking and other measures are employed to slow automobile traffic as much as possible. In his memorandum dated February 3, 1994, the Trails Coordinator stated that "Where roadways are designated as part of the internal trail network, the applicant shall provide four-foot striped bike lanes in the roadway to accommodate bicycle traffic...." However, the addition of four feet of pavement to streets to accommodate an exclusive bicycle lane is both unnecessary and at variance with the narrower streets intrinsic to neotraditional design concepts. Therefore, the alternative to an exclusive bicycle lane expressed verbally by the Trails Coordinator, i.e., a series of "bikeway" signs on the major streets, is considered the most appropriate means of fulfilling the intent of Basic Plan Condi-

tion 23 within the context of a neotraditional development, and is offered in Condition 8.

28. The developer, his successors and/or assigns, shall dedicate to the M-NCPPC for public park use, about 25 acres of land located to the south of Floral Park Road where it intersects with Piscataway Road as shown on the amended Basic Plan.

The applicant agreed to dedicate approximately 36 acres on the south side of Floral Park Road to M-NCPPC for use as a future public park. Combined with the 75 acres to be dedicated on the north side of this road, the developer proposed to convey a grand total of 111 acres to The M-NCPPC for public park use. This dedication is in excess of the amount required under the mandatory dedication provisions of the Subdivision Regulations and recommended by the Preliminary Master Plan.

29. The developer, his successors and/or assigns, shall work with community representatives and M-NCPPC staff to find a suitable organization to accept responsibility for preserving and protecting the Edelen House (Bailey Mansion).

The M-NCPPC declined to accept ownership of the Edelen House. Tentative agreement was reached between the Department of Parks and Recreation, the Historic Preservation Section and the developer to sell a 3.2 acre tract of land containing the historic Edelen House to a private party who intends to preserve the property and restore it for use as a residence and a bed and breakfast.

31. The final golf course envelopes, building envelopes, and access points shall be determined at the CDP stage. The relationship of Glassford Estates and the golf links surrounding it shall be determined at CDP to create a desirable golf course configuration even if it means the deletion of Glassford Estates. In the event that it is determined that the portion of the golf course adjacent to North Danville Estates, an area not to exceed 15 acres, is not needed as golf course, the building area of North Danville Estates may be expanded into this former golf course area.

The CDP reflects the golf course envelopes, building envelopes and access points. The golf course was redesigned causing Glassford Estates to be deleted. A separate SDP will be submitted for the golf course at which time details for its design and construction shall be approved.

34. The applicant shall show a floating symbol for an elementary school site (10 acres) to be located in the general vicinity of

the low-density "North/South Danville Estates" development pod. The exact location of the school site shall be decided upon consultation with the Board of Education at CDP. The applicant shall be permitted to transfer the displaced low-density residential units to the 20+-acre school site currently shown on the amended Basic Plan. The number of dwelling units being transferred shall not exceed the number being displaced.

The applicant agreed to dedicate approximately 12 acres for an elementary school site along Danville Road.

35. **If desired by the Prince George's County Fire Department, the applicant shall dedicate a 2-4 acre site as shown on the amended Basic Plan for the location of a station for an ambulance or medic unit. If the Fire Department has no need for a station for an ambulance or medic unit at this site, it shall be devoted to open space or recreational uses or, if the adjoining 20-acre school site is devoted to residential uses pursuant to Condition 34, to residential uses.**

The applicant intended to dedicate approximately 2 acres to the Fire Department for use as a station for a medic or ambulance unit; however, the Fire Department determined that there is no need for the station. The applicant, in accordance with Condition 35, intends to devote the parcel to residential uses. Because this parcel is within the historic village of Piscataway, the staff recommended specific development and architectural standards to ensure compatibility with the historic village.

38. **The applicant shall be required to identify the specifics of any proposed lighting and netting for the driving range at CDP. Any such lighting or netting shall not detract from the historic character of the Village or the Edelen House.**

The applicant stated that netting will not be necessary at the driving range because of the length and width of the driving range. The applicant intends to use ground mounted lighting which will not detract from the historic character of the Village, and can be shielded so as not to be intrusive into surrounding areas.

39. **At the time of CDP, an environmental setting for the Edelen House shall be defined which retains the existing fields in front of the house. These should be maintained in agricultural plantings or appropriate rural character, and they should be fenced in appropriate materials to be set off from active park uses.**

A 6.6 acre environmental setting was established for the Edelen House and approved by the Historic Preservation Commission. The setting includes the house, the existing fields in front of the house, the approach and circular drive around the house as well as some areas of existing trees. The fields in front of the house which are part of the environmental setting will be dedicated to the Department of Parks and Recreation. The Department of Parks and Recreation is committed to preserving the fields in an agricultural use and may in the future lease the land to the owners of the Edelen House.

BASIC PLAN CONSIDERATIONS

1. **Any structure within the golf course, other than the club house and any associated buildings, shall be designed to resemble a barn or other agricultural building.**

The applicant stated that there will be several such buildings proposed in conjunction with the golf course that will be designed to appear as rural farm outbuildings. At the time of the SDP for the golf course, the staff will review the architectural drawings for these buildings to ensure that this consideration has been addressed.

2. **Design and exact alignment of Piscataway Road extended shall be coordinated with the developer, M-NCPPC staff and the State Highway Administration to ensure that the road itself (e.g., horizontal and vertical curvature, design speed, cross sections, number of travel lanes, and median, if any) blends in with and has the least impact on the existing historic setting to the extent possible.**

The applicant's engineers are currently working on the design of the New Piscataway Road extension. At the time of the first SDP, an overall plan for the new road will be submitted with the required special landscape edge treatment which maintains the open rural image of the site; however Condition 36 was added to ensure that every effort is made in the engineering design of the road to be sensitive to the adjacent historic Edelen House and to the rural setting.

4. **Woodland conservation of 35 percent should be a Phase II design consideration as well as the preservation of a large contiguous wooded area in the southern portion of the site.**

The Natural Resources Division (NRD), recommended approval of TCPI/09/94. NRD stated that much more detail will be needed at the time that the TCPII is reviewed during the SDP stage.

5. **High-intensity artificial lighting should not be permitted at the proposed driving range unless the applicant can show that such lighting can be directed such that it does not intrude upon the surrounding roadway, residences or historic sites.**

The applicant stated that he intends to use ground mounted lighting which can be shielded from the surrounding roadway, residences and historic sites. At the time that the SDP is submitted for the golf course, the staff will review the lighting standards and details to ensure that this consideration is addressed.

6. **A wetlands report shall be approved by the Natural Resources Division prior to approval of the Phase II Comprehensive Design Plan.**

A wetlands report was included as part of the CDP submission and was accepted by the Natural Resources Division. The site contains 92.9 acres of non-tidal wetlands, 6.0 acres of unsurveyed forested lands and 7.2 acres of intermittent streams on the property. These areas will be verified and reviewed by the County Wetlands Unit and the Army Corps of Engineers. A joint State/Federal wetlands permit will be needed for disturbance to the wetlands and the wetland buffer.

6. The proposed plan for the Villages at Piscataway would result in a development with a better environment than could be achieved under other regulations. Approximately 35 percent of the trees presently existing on the site will be preserved. A total of 111 acres of land will be dedicated to M-NCPPC for public park use, which is considerably in excess of the amount required under the mandatory dedication requirements of the Subdivision Regulations and recommended by the Preliminary Master Plan.

7. Approval is warranted by the way in which the Comprehensive Design Plan includes design elements (e.g., the modified grid street layout and centrally located public spaces typical of neotraditional planning), moderately priced dwelling units (required only in the L-A-C portion of the site, MPDUs are proposed to be located above the retail space in Bailey Village), facilities and amenities (such as the 18-hole golf course, swim center and tennis complex), and satisfies the needs of the residents, employees or guests of the project.

8. The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings. The design of the Villages at Piscataway, as modified by conditions, will be as compatible as possible with the adjacent historic Village of Piscataway. Proposed lot sizes along Danville Road are in character

with existing properties located across Danville Road. The long, irregular southern boundary of the site is lined with open space. No lots border the R-A zoned property. Long stretches of Floral Park Road and Danville Road are lined with golf course and most of the community's development has been placed in the interior of the property to preserve the rural character of the surrounding area.

9. Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:

   a. Amounts of building coverage and open space.

      The setback and other standards for residential lots in combination with the large amount of open space provided in the public park area, the golf course and the village greens will create a pleasing rhythm of buildings and open space throughout the development and a compatible relationship among the various land uses and facilities in the development.

   b. Building setbacks from streets and abutting land uses.

      The CDP provides a comprehensive set of standards for building setbacks from streets and abutting land uses.

   c. Circulation access points.

      The circulation system was carefully designed to include modified grid street patterns in accordance with neotraditional design principles and has adequate circulation access points to the surrounding road network.

10. The R-L zoned portion of the property is exempt from the requirements for moderately priced dwelling units. Residential development in the L-A-C Zone is required to include MPDUs based on 10 percent of the base residential density. This translates into a requirement for 14 MPDUs. The applicant proposes to include them within the apartment units to be provided above the retail space in Bailey Village.

11. 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.

12. The Transportation and Public Facilities Planning Division found (see memorandum, Masog to Komes, March 8, 1994) that the staging of the development proposed does not pose an unreasonable burden on available transportation facilities, as determined under the *Guide-*

lines for the Analysis of the Traffic Impact of Development Proposals (April 1989). Facts which support this finding include:

a. A total of 1,140 dwelling units, up to 15,000 sq. ft. of retail space, and up to 30,000 sq. ft. of professional office space is planned for the subject property at buildout.

b. This development would produce an estimated 925 trips (237 in, 688 out) during the AM peak hour and 1,178 trips (721 in, 457 out) during the PM peak hour with the development of the site.

c. The first phase of development would include Parcels A, B, C and G. The uses on these parcels would include a total of 780 dwelling units, up to 15,000 sq. ft. of retail space, up to 30,000 sq. ft. of professional office space and a golf course/driving range. This development would produce an estimated 657 trips (183 in, 474 out) during the AM peak hour and 859 trips (512 in, 347 out) during the PM peak hour under Phase I.

d. The second phase of development would include Parcels D, E and F. The uses on these parcels would include a total of 360 dwelling units, up to 15,000 sq. ft. of retail space, and up to 30,000 sq. ft. of professional office space. This development would produce an estimated 268 trips (54 in, 214 out) during the AM peak hour and 319 trips (209 in, 110 out) during the PM peak hour under Phase II.

e. The following links were programmed for improvement with 100 percent construction funding within the next six years in the Maryland Department of Transportation Consolidated Transportation Program for FY 1994-1999:

   (1) Widen MD 210 to a 6-lane divided highway from the MD 228 connector to Old Fort Road South.

   (2) Construct a new highway connection for MD 228 from MD 210 to MD 228 at Sharperville Road in Charles County

f. The Prince George's County Planning Board, in the *Guidelines* for the *Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system, and has defined a negative reserve capacity as an unacceptable operating condition for unsignalized intersections on the transportation system. The following intersections, when analyzed with the programmed improvements in d. above and future traffic under Phase I as

developed using the *Guidelines*, were not found to be operating acceptably:

- Livingston Road and Farmington/Berry Roads
- Livingston Road and Old Fort Road South
- MD 223 and Floral Park Road
- MD 223 and Livingston Road
- MD 210 and Swan Creek/Livingston Roads

g. The applicant proposed Phase I improvements to the following intersections in consideration of the findings in f. above which would provide an acceptable level of service under Phase I development:

- Livingston Road and Farmington/Berry Roads
- MD 223 and Floral Park Road
- MD 223 and Livingston Road

h. The applicant proposed Phase I improvements to the intersection of MD 210 and Livingston Road/Swan Creek Road in consideration of the findings in f. and in consideration of the Guidelines for Mitigation Action, which would potentially allow the use of mitigation procedures at this location.

i. The staff recommended that the applicant provide additional Phase I improvements to the intersection of Livingston Road and Old Fort Road South in consideration of the findings in f. above.

j. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system, and has defined a negative reserve capacity as an unacceptable operating condition for unsignalized intersections on the transportation system. The following intersections and links, when analyzed with the programmed improvements in d. above and future traffic under Phase II as developed using the *Guidelines*, were not found to be operating acceptably:

- Livingston Road and Farmington/Berry Roads
- Livingston Road and Old Fort Road South
- Livingston Road and Washington Lane
- MD 210 and Farmington Road
- MD 210 and Old Fort Road South
- MD 210 and Swan Creek/Livingston Roads
- MD 223 and Gallahan Road

k. The applicant proposed Phase II improvements to the following intersections in consideration of the findings in j. above which would provide an acceptable level of service under Phase II development:

- Livingston Road and Farmington/Berry Roads
- Livingston Road and Old Fort Road South
- Livingston Road and Washington Lane
- MD 210 and Farmington Road

l. The applicant proposed Phase I improvements to the intersection of MD 210 and Livingston Road/Swan Creek Road in consideration of the findings in f. and j. in consideration of the Guidelines for Mitigation Action, which would potentially allow the use of mitigation procedures at this location.

m. The staff recommended that the applicant provide additional Phase II improvements to the following intersections and links in consideration of the findings in j. above:

- Livingston Road and Old Fort Road South
- Livingston Road and Washington Lane
- MD 210 and Farmington Road
- MD 210 and Old Fort Road South
- MD 223 and Gallahan Road

n. Due to the size of the subject property, many internal streets are very long and straight, and these characteristics may encourage speeding by users of these roads.

13. The Transportation and Public Facilities Planning Division also provided the following comments regarding transportation issues at the Villages at Piscataway:

a. <u>Design Issues</u>

As a part of the package of information which was submitted with the CDP, the applicant provided an alternative set of public street guidelines proposed to be used to establish an environmental setting for the proposed development. The applicant should be aware that the Department of Public Works and Transportation (DPW&T) has final approval on any designs proposed for public rights-of-way, and any deviations from the County road standards should be obtained on an individual basis. Meetings with DPW&T indicate that a blanket set of revised standards for this property is unacceptable. However, individual waivers from the road standards may be identified for due consideration on a case by case basis.

Due to the size of the subject property, many internal streets are very long. In particular, the roadways which extend from Glassford to Edelen North, from Edelen North to Bailey, and from Edelen North through Lusby to Danville are long and straight, and these characteristics may encourage speeding by users of these roads. The applicant should work with DPW&T and planning staff to implement strategies that will maintain lower speeds on these roadways and avoid any use of these streets as cut-through streets prior to Preliminary Plat approval.

b. Mitigation

The applicant recommended capacity improvements at the MD 210/Livingston/Swan Creek intersection as a part of a mitigation package. In 1993, the District Council amended the Subdivision Regulations to allow mitigation in certain areas of the County (CB-62-1993). However, until the District Council also approves the "Guidelines for Mitigation Action", mitigation is not law and cannot be used to demonstrate the adequacy of public facilities at the time of subdivision.

In the case of the subject application, because a set of "Guidelines for Mitigation Action" have been approved by the Planning Board (as of March 3, 1994) and it is expected that the Council will take action on them in the near future, the transportation staff believes that CDP findings based on mitigation are appropriate. The applicant should be aware that, until the Council approves the final guidelines for mitigation, the transportation staff cannot make subdivision findings of adequate public facilities when all facilities do not operate at LOS D or better under total traffic conditions.

c. Conformance With Basic Plan Approval

The approval of the Basic Plan contained several transportation-related conditions of approval. Each of these conditions is discussed briefly below for conformance between the Basic Plan and the CDP:

Condition 3 and 11: These conditions specify the alignment for the A-54 facility. The CDP, from a transportation perspective, appears to meet these conditions.

Condition 16a: This condition provides for signalization and a second southbound left-turn lane at MD 210/Farmington Road. A signal exists at the location; the recommendations include the physical improvement.

Condition 16b: This condition provides for signalization and physical improvements at Livingston/Farmington/Berry Roads. The recommendations include signalization, and they also specify physical improvements for each stage of development.

Condition 16c: This condition provides for signalization and an exclusive southbound left-turn lane at Livingston Road/Old Fort Road South. The traffic study recommendations fully address these conditions.

Condition 16d: This condition provides for signalization at MD 223/Gallahan Road. The staff recommendations address this condition.

Condition 16e: This condition provides for signalization and physical improvements at MD 223/Floral Park Road. The recommendations include signalization, and they also specify physical improvements for each stage of development.

Condition 16f: This condition provides for signalization and physical improvements at MD 223/Livingston Road. The recommendations include signalization, and they also specify physical improvements for each stage of development.

Condition 16g: This condition provides for signalization and physical improvements at MD 223/site entrance. The recommendations specify physical improvements for each stage of development, and the requirement for a signal warrant study will be carried forward.

Condition 16h: This condition provides for additional through lanes along MD 210 and providing an exclusive westbound through lane and a westbound free right-turn lane at MD 210/Livingston Road/Swan Creek Road. The traffic study recommendations fully address these conditions.

Condition 16i: This condition provides for an additional southbound through lane at MD 210/Old Fort Road South. The staff recommendations address this condition.

Condition 17: This condition provides for phasing to construct the full section of A-54 (MD 223 Relocated) through the subject property. The applicant has gotten approval for the design of A-54 from the SHA and this Division, including the connections to existing roads at each end. The staff recommendations address the staging of construction of the facility.

Condition 18: This condition provides for showing appropriate dedication along A-54, Livingston Road, Floral Park Road and Danville Road. The submitted CDP is consistent with this condition.

Condition 19: This condition sets a trip cap for development on the subject property. The CDP shows development levels which are within the trip cap.

d. Supplementary Memorandum (Masog to Komes, March 15, 1994)

"As a consideration in this case, it should be noted that the traffic study was funded cooperatively by the Villages at Piscataway property and the neighboring Clinton Estates property. Both properties have assumed that they would cooperatively fund the needed road improvements in the area to serve the two developments. However, the March 8, 1994 memo did not adequately discuss the improvements which would be required in the event that one of the properties, either the Villages at Piscataway properties or the Clinton Estates property, does not develop at the time that the other does."

"If the Villages at Piscataway property develops first, the improvements required under Conditions 1c, 2c, 2d, and 2g of the March 8, 1994 memo would not be needed until the Clinton Estates property develops. If the Clinton Estates property develops first, the improvements required under Conditions 1d, 1,e, 2a, 2b, and 2f of the March 8, 1994 memo would not be needed until the Villages at Piscataway property develops. This consideration does not preclude other properties in the area from contributing to or fully funding these improvements in accordance with findings of adequate public facilities."

14. The staff of the Transportation and Public Facilities Planning Division also reviewed the Comprehensive Design Plan for adequacy of existing and programmed public facilities other than transportation facilities (see memorandum, Harrell to Adams, March 9, 1994). The following comments were received regarding public facilities:

a. Engine, ambulance, medic and ladder truck services are beyond the recommended travel standards for the proposed residential/commercial land use. In addition, the current Capital Improvement Program does not contain projects which would mitigate these inadequacies. Hence, in order to alleviate the negative impact on fire and rescue services, a sprinkler system should be provided throughout all structures. Therefore, as a condition of approval, all structures should be fully equipped

with an automatic fire suppression system in accordance with National Fire Protection Association (NFPA) Standard 13 and 13D.

b. The subject site is served by the Surratts-Clinton Branch Library, which has a collection capacity of 125,000 volumes. According to the response issued by the Prince George's County Memorial Library System, existing and programmed library facilities can provide adequate services.

c. The Villages at Piscataway tract is projected to yield 278 elementary students, 116 middle school students and 153 high school students. The affected elementary and high school do not have the capacity to support the proposed development. Also, the approved Capital Improvement Program does not provide a solution to the problem.

With regard to the issue of school capacity, staff determined that over capacity does not become an issue (re: Adequate Public Facilities) unless the projected enrollment is over 120 percent of the rated capacity of the affected school. In this regard, the assigned proposed elementary school (Henry Ferguson) is projected to be over this level including the subject yield by 1998.

However, school capacity was based upon the six stages of development proposed by the applicant. Based on this analysis, the deficiency of school seats does not occur until the middle of stage four. The total cumulative deficiency created through stage six (using 1998 school capacity figures) amounts to a total overall shortage of 143 seats. When the deficiency is multiplied by $4,000 (the current fee proposed for mitigation), the grand total is $532,000. Based on the number of units creating the deficiency, a contribution of approximately $905 per dwelling unit would be necessary to mitigate the "unreasonable burden on available public facilities." (Sec. 27-520 (a)(8)).

Secondly, the Approved Basic Plan for Villages at Piscataway recommends that an elementary school site be located in the subject development. This school site has most recently been identified in the newly submitted Preliminary Plat of Subdivision (4-94017). The location identified along Danville Road and proposed Road B1 meets the preliminary requirements of Prince George's County Public Schools staff with regard to location, access, site size (12 acres) and shape (rectangular). However, Public Schools staff reserves final acceptance of the

site upon such criteria as soils analysis, tree conservation plan and State approval.

d. According to the Health Department, the subject use will have a negligible impact on Health Department Services. In addition, the agency has determined that they can house the necessary staff in its existing facilities.

e. According to the Adequate Public Facility Guidelines, the District IV Station will be adequate to accommodate the proposed development. However, it will require allocation of additional officers.

f. In a supplementary memorandum (Harrell to Komes, March 14, 1994), this Division also addresses the proposed fire station site:

> "In this regard, while the site plan identifies a two- to four-acre site for a fire station (east of the intersection of Livingston Road and Piscataway Road) it is staff's understanding that as of today the Fire Department is no longer interested in the site. Furthermore, staff cannot recommend the site because the location is in direct conflict with the recommendation of the *Public Safety Master Plan*."

15. The Comprehensive Design Plan does not contain a formal proposal for an adaptive use of the Edelen House historic site, therefore it is premature to make specific findings concerning the effect any particular use would have on the historic site. The Department of Parks and Recreation and the Historic Preservation Section have expressed support for allowing a private party to acquire the house for use as a residence and a bed and breakfast, but the subject CDP does not include an official request for this adaptive use.

16. The CDP incorporates all applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance.

17. The Natural Resources Division (Metzger and Miller to Adams, February 24, 1994) made the following observations, among others, regarding the environmental features of the site:

a. "From our preliminary research, if Marlboro clays are on the site they would occur in the southwest portion of the property at the top elevation of 55-60 feet, and be about 10-15 feet thick. We request that the presence or absence of Marlboro clay in that area be verified by borings prior to Preliminary Plat approval."

b. "Based on Mount Vernon Viewshed Analysis Study, areas of critical vegetation should be preserved to the extent possible."

c. "The applicant has proposed a surface and groundwater monitoring program for the golf course, for which a baseline will be established soon. They have proposed other measures to reduce the transport of nutrients and pesticides into the watershed, such as 'waste bunkers,' an underground charcoal filtering system around the greens, minimization of sheet flow across the course, large wooded buffers, and an integrated pest management program. It is extremely important that these measures be followed through."

d. "Natural Resources Division ...believes there may be an opportunity to incorporate wildlife habitat enhancement through the HOA or recreational facilities plan for this property."

e. "The current stormwater proposal includes 20 ponds which provide quality and 2-10 attenuation. There is insufficient information on these ponds (computations, grading, access) to determine their ultimate size, and it appears that a number of lots will be lost to accommodate the ponds."

f. "A Type I Tree Conservation Plan (TCPI/09/94) has been received and undergone preliminary review by NRD.... We basically agree with the proposed TCP I, subject to approval by the Department of Parks and Recreation of any WCAs proposed for any acreage to be dedicated to the Department of Parks and Recreation."

18. The Villages at Piscataway development is located south of the Piscataway village (Historic Survey Area No. 84-23), which includes five Historic Sites and four Historic Resources. One of the Historic Sites, the Edelen House (No. 84-23-6), is included in the subject application. The subject site also fronts on Floral Park Road, which is designated as a Scenic and Historic Road. The Historic Preservation Section memorandum (Rivers to Adams, February 16, 1994) recommended several findings and conclusions, including the following:

a. "The Villages at Piscataway development calls for the construction of 1,140 residential units concentrated in four 'villages.' In addition, a small mixed use village will be located at the southeast quadrant of the Piscataway Road/Floral Park Road intersection. The development has been planned according to neotraditional design principles, which imitate traditional methods of town development: a grid street pattern, clustering of houses into villages, surrounding open space, and an emphasis on architectural detail. The plan has several components

which relate specifically to historic preservation issues: an extension of Piscataway Road which diverts traffic away from the historic village; the adaptive reuse of the Edelen House Historic Site, and the maintenance of the rural setting of its Environmental Setting; the establishment of a Piscataway Preservation Fund, which will assist preservation efforts in the historic village; archeology; and the preservation of the rural setting for the historic village through the establishment of a surrounding park."

b. "The application does not specify an adaptive reuse for the Edelen House. However, since the application was submitted, the applicant has been negotiating with a local family regarding the conversion of the house to a bed-and-breakfast. This use would require several minor alterations to the house and its setting, but is a clearly compatible use. It is planned for the applicant to turn over the ownership of the house and an accompanying 3.1 acres of land (Parcel M3), to the family. In accordance with the proposed use, and after negotiations with the Department of Parks and Recreation, the proposed Environmental Setting has been changed slightly. In addition to Parcel M3, the proposed Environmental Setting includes a 3.5 acre parcel immediately north, between the house and Floral Park Road (Parcel M2), for a total acreage of 6.6 acres. This proposed setting includes the house, the approach drive and circular drive, as well as associated vegetation. It should be noted that a requirement of the Basic Plan approval is that the fields in front of the Edelen House, which are included in the Environmental Setting, are to be maintained in agricultural plantings or appropriate rural character."

c. "The County Council approval of the Basic Plan required that the school site, which was formerly located just to the west of the historic village, be relocated to the far eastern side of the development, along Floral Park Road. In the old location, the applicant was permitted to provide additional housing. In addition, the applicant is permitted to provide housing on the site dedicated for a fire station (west of the former school site), should the County decide that a fire station is not needed there. For both sites, the applicant has proposed that design guidelines prepared for the four residential villages be utilized. These guidelines do not address the historic context which would be impacted by the construction of housing in these areas."

d. "The applicant has proposed a mixed-use village, Bailey Village, to be located at the southeast quadrant of the Piscataway Road/Floral Park Road intersection. This village will feature

a combination of retail uses, as well as apartment units, townhouses and single-family detached houses, centered on a village green. This site is a particularly sensitive location, because it is not only the focal point and main entrance feature of the development, but it is also situated between the historic village and a designated Scenic Road - Floral Park Road." (The Urban Design Review Section staff proposes Condition 29 in response to this concern.)

e. "As the link between the historic village and Floral Park Road (a designated Scenic Road) to the east, the design of Bailey Village - especially its frontage along Floral Park Road - should provide an appropriate transition. Specifically, the design of the village (massing, materials, landscaping, siting, etc.) should not detract from the rural context of the historic village and the Scenic Road. Staff will work with the Urban Design Review Section in recommending appropriate language to address the need for Bailey Village to be designed in a way that is complementary to the area's rural character."

The Historic Preservation Section memorandum also reported the following actions and recommendations made by the Historic Preservation Commission at its meeting on February 15, 1994:

a. "Approval of the proposed 6.6-acre Environmental Setting for the Edelen House Historic Site as submitted."

b. "Recommendation that the Planning Board incorporate the following as conditions of approval:

(1) The design guidelines for Glassford Village shall apply to the houses permitted in Conditions 34 and 35 of the Basic Plan approval. These guidelines shall be applied so that the new houses are compatible with the existing historic structures in Piscataway in terms of scale, setback, massing, detail, use of materials, and variety. The new houses shall be reviewed by the Historic Preservation Commission, in accordance with Condition 37 of the Basic Plan approval." (Condition 1.a. addresses the concern about the design of the new houses in the northern portion of Glassford Village.)

c. "The Environmental Setting for the Edelen House Historic Site (#84-23-6) shall be 6.6 acres, as approved by the Historic Preservation Commission. All improvements within this setting shall be reviewed by the Historic Preservation Commission in accordance with the County Historic Preservation Ordinance."

19. The Department of Parks and Recreation memorandum (Anderson to Komes, February 16, 1994) made the following statements regarding the subject application:

    a. "County Council approval of Basic Plan A-9869/9870 as reflected in CR-60-1993 calls for the developer to dedicate to The M-NCPPC for public park use, 75± acre and 25± acre tracts of land on the north and south sides of Floral Park Road respectively as shown on the Amended Basic Plan. Regarding the Edelen House (Bailey Mansion) which is located on the 25-acre tract, the developer is required to find a suitable organization to accept responsibility for preserving and protecting the historic house."

    b. "In compliance with zoning conditions of the approved Basic Plan, the submitted CDP shows two tracts of land on the north and south sides of Floral Park Road to be dedicated for public park use. The southern tract borders the historic village of Piscataway and includes the historic Edelen House (Bailey Mansion). Staff representatives of the Department of Parks and Recreation have informed the developer and the HPS that The M-NCPPC was not prepared to accept ownership of the Edelen House. This Department is supportive of the private party (Rod and Beth Parker) who has expressed an interest in acquiring the house for use as a residence and a bed and breakfast. The developer, the Parkers and the staff of the Park Planning and Development Division have reached agreement on the boundaries of a parcel to be created for the Edelen House site. This 3.2 acre parcel (M3) will be bordered on the east by New Piscataway Road and to the south by an access road to be shared with the future park. This access road will be an extension of Road BB from the point where it intersects with New Piscataway Road. The residual land in this tract to be dedicated for public park use is 22.52 acres. Although the Parkers expressed an interest in a larger site that included the 3.5 acres of fields in front of the house extending to Floral Park Road, the Parks Department is intent on keeping this land (parcel M3) in public park ownership. A lease arrangement between the Parkers and the Parks Department will be entertained at an appropriate time in the future."

    c. "In compliance with zoning condition number 39 which calls for these front fields to remain in a rural character as part of a defined environmental setting, the Parks Department intends that this portion of the site would not be developed in active park uses. It was further noted during discussions with the developer that recreational development on the remaining por-

tion of the site would not involve any active uses that were visually uncomplimentary to the historic house setting."

d. "Based on information from the developer that the proposed stormwater management facility shown on the future public parkland located north of Floral Park Road will be a dry pond, this feature should be deleted from the dedication area. This request is based on the Parks Department's current policy of not allowing dry ponds on parkland. The developer has also indicated the possibility that the existing pond on the proposed 36-acre park dedication may be needed as a stormwater management (wet) pond for the development. Should this need arise, the pond shall be designed as an amenity feature with recreational accents such as trails and benches. The design and construction of the pond shall meet the Parks Department's technical and aesthetic guidelines for these amenities and be reviewed and approved by this agency."

e. "With the exception of tree conservation plan impacts on proposed public parkland, the submitted CDP and subsequent revisions committed to by the developer are in conformance with relevant planning guidelines and zoning and subdivision requirements pertaining to public parks, recreation and open space. The developer proposes to dedicate a total of about 111 acres for public parkland. This exceeds the requirements for mandatory dedication and will make a valuable contribution towards implementing Master Plan goals for acquiring parkland in the Piscataway/Accokeek community and the Piscataway Stream Valley."

In a supplementary memorandum (Anderson to Komes and Adams, March 9, 1994), the Department of Parks and Recreation provided revised comments regarding proposed tree conservation areas on land to be dedicated for public park use:

"Representatives of the applicant and this Department met recently to discuss the potential conflicts with the future development of active and passive public recreation amenities posed by the submitted Tree Conservation Plan (TCP) I. Based on these discussions, the DPR has agreed to support the TCP I subject to the following revisions to the Plan to be made by the applicant prior to CDP approval:

(1) Revise forest conservation areas north of Piscataway Road to show tree save areas only on steep slopes. This would provide additional unrestricted developable land area for future active recreation improvements.

(2) Remove finger of forest preservation area shown along swale extending between Historic Piscataway and New Piscataway Road, immediately east of its intersection with Livingston Road. This will create additional unrestricted developable land for future active recreation improvements."

"The DPR's support for the TCP I is also subject to approval by the Natural Resources Division (NRD) of management criteria to guide the potential development of passive recreation improvements (like trails) within tree save areas. These criteria will be developed in conjunction with the applicant at the time of TCP II submission. Should these management criteria not be approved by NRD, these areas may not be counted toward required tree preservation for this application. The Department of Parks and Recreation would therefore be allowed to develop passive recreation amenities in these locations."

20. The Trails Coordinator's memorandum (Hancock to Adams, February 3, 1994), made recommendations regarding an internal pedestrian/bike trail network which are evaluated in Finding 5 under discussion of Basic Plan Condition 23. The Trails Coordinator also stated that the *Subregion V Master Plan* recommends that Floral Park Road and Danville Road be designated as rural collectors and Class III bikeways, and recommended that where the applicant is required to make any roadway improvements along these roads, the applicant shall construct an open road cross-section including 7- to 10-foot-wide hard-surface shoulders.

21. The Information Management Division (Valenza to Adams, March 8, 1994), stated that "While ...the projected population can support the total amount of [retail] space that is being proposed in the plan, the distribution of this space among four different sites may not lend itself to a viable operation." This Division concluded its comments with the remark that "...the portion [of retail space] in the L-A-C Zone seems too large and that in the three R-L Zones too small. Three or four centers, each no larger than 10,000 square feet, may be more viable."

22. The Community Planning Division (Rovelstad to Adams, February 3, 1994), made extensive comments concerning the Village at Piscataway proposal, among which appear the following points:

a. "The Master Plan recommends a neighborhood level activity center for the 'Villages at Piscataway' property to emphasize the limited scope of commercial development appropriate for this area. While the village level L-A-C Zone was approved in the SMA, approved development conditions tend to limit it to

the neighborhood level function. According to the description on page 16 of the CDP submittal, the amount of commercial development actually proposed is even less than that allowed by zoning restrictions and corresponds closely to that described for a neighborhood center on page 54 of the Plan text."

"More important, however, is the design of the proposed activity center. It is a uniquely designed focal point for the surrounding community, both new and old. This kind of design concept, sensitive to relationships between public and private space, conforms to objectives of the master plan for development of new commercial centers and helps to establish community identity."

b. ".... Development policies for the Suburban Estate/Low Density Planned Neighborhood Development category encourage use of traditional village development themes to achieve distinctive, well designed neighborhoods and even more effectively preserve the open, rural character of the landscape. Thus, the 'village' design theme of this proposal, which is achieved by utilizing the flexibility of comprehensive design zone techniques, is fully supported by Plan concepts for this area. The proposed use of public spaces and community facilities as a focal point for each village is especially interesting and should help to foster neighborhood identity."

c. The Community Planning Division also expresses reservations in their memorandum concerning the design of the Danville Estates portion of the plan in light of the Master Plan recommendation that this area remain in Semi-Rural land use. Subsequent discussions with the applicant resulted in refinement of design standards which should result in a more rural character for Danville Estates.

23. The following tables have been taken from the CDP text and represent the applicant's density calculations based on the provision of public benefit features in accordance with Section 27-496 for development in the L-A-C Zone, and Section 27-514.10 for development in the R-L Zone.

L-A-C Zone Density Calculations/
Public Benefit Features

Total Acreage: 19.98 acres		
Density	Residential	Commercial
Base	10 DU/Gross Acre	0.20 FAR/Gross Acre
Maximum Allowable	15 DU/Gross Acre	0.31 FAR/Gross Acre
Base Number of Units/ Base Commercial sq. ft.	132.3 Dus	47,044 sq. ft.
The Villages at Piscataway Proposal (140 DUs and 30,000-45,000 commercial sq. ft.)		
* Per Section 27-496(e) of the Prince George's County Zoning Ordinance this figure does not include MPDUs.		

Density Increment Factors				
PUBLIC BENEFIT FEATURES	MAXIMUM ALLOWABLE INCREMENT FACTOR	EARNED INCREMENT FACTOR	INCREASE ALLOWED IN BASE DENSITY	INCREASE ALLOWED IN DWELLING UNITS
2. For improved common recreational space/private open space	10%	10%	1.0 DUs/acre	13.23
3. For pedestrian system separated from public right-of-way	10%	10%	1.0 DUs/acre	13.23
4. For public facilities	20%	20%	2.0 DUs/acre	26.46
5. For distinctive streetscape design	5%	5%	.5 DUs/acre	6.61
6. For preserving irreplaceable features	5%	5%	.5 DUs/acre	6.61 66.14

R-L Zone Density Calculations/
Public Benefit Features

Total Acreage: 818.8 acres (including 50% of 100-year floodplain)		
Density	Residential R-L 1.0	Total Dwelling Units
Base	1.0 DUs/Gross Acre	818 DUs
Maximum Allowable in R-L Zone	1.5 Dus/Gross Acre	1,228 DUs
The Villages at Piscataway Proposal (1,000 Dwelling Units)	1.22 DUs/Gross Acre	1,000 DUs

Density Increment Factors

PUBLIC BENEFIT FEATURES	MAXIMUM ALLOWABLE INCREMENT FACTOR	EARNED INCREMENT FACTOR	INCREASE ALLOWED IN BASE DENSITY	INCREASE ALLOWED IN DWELLING UNITS
1. For open space land at ratio of 3.5 acres/100 DUs	25%	25%	.25 DUs/Acre	204.5
2. For enhancing existing physical features	2.5%	2.5%	.025 DUs/Acre	20.4
3. For pedestrian system separated from public right-of-way	5%	5%	.05 DUs/Acre	40.9
4. For recreational development of open space	10%	10%	.10 DUs/Acre	81.8
5. For creating activity centers with space provided for quasi-public services	10%	5%	.05 DUs/Acre	40.9 388.5

In the L-A-C zone area of the site known as Bailey Village, the base residential density is 132 units. The applicant proposed 140 residential units plus 14 required moderately priced dwelling units. The additional 8 units over the base density are easily

justified by the public benefit features proposed by the applicant; however the staff disagreed with the total increase (66.14 units) which the applicant felt would be allowed based on the public benefit features proposed.

The applicant should be given full credit for the open space provided in the village squares in Bailey Village, approximately 21,600 square feet, but not for the open space at the corner of New Piscataway Road and Floral Park Road as it will not meet the requirement for recreational use. This modification would permit an increase of 10.21 units.

There is no pedestrian system separated from the public right-of-way in Bailey Village and therefore there is no justification for a density increase included in the applicant's proposal.

Under the current proposal the Edelen House will be sold to a private party and therefore no longer meets the criteria or definition of a public facility. The staff does agree with the density increase obtained by providing a distinctive streetscape design and for the willingness to ensure that the Edelen House will be preserved in its historic environmental setting. The total increase in density based on the provision of these public benefit features would be a total of 23.43 units. Several conditions have been included to ensure that these public benefit features will be provided.

The current proposal for commercial space within Bailey Village is under the base .20 floor area ratio per gross acre allowed in the L-A-C zone and therefore does not require further justification. The applicant proposed 30,000-45,000 square feet which is .10-.15 F.A.R. per gross acre.

In the R-L portion of the site, the base residential density permits 818 dwelling units. The application proposed a maximum of 1,000 dwelling units and up to 9,000 square feet of commercial space. The applicant provided the justification for an additional 388.5 units over the base residential density. The staff disagreed with this justification and included several conditions of approval which address these discrepancies.

In the R-L and in the L-A-C portions of the development, the sidewalks within the right-of-way form the basis for the pedestrian system. There are, however, several short segments of trail separate from the sidewalk system that the developer will be responsible for constructing. This includes the hiker/biker trail in the Pepco right-of-way, a trail along the west side of old Piscataway Road from the bridge to the intersection with

Floral Park Road, and a section of trail along the south side of Floral Park Road across the Bailey Village frontage. The applicant should receive an increase in the base density of 3 percent or 24.54 units.

The applicant should receive full credit for open space land provided at a ratio of 3.5 acres/100 DU's. The proposal included an 18-hole championship golf course, a swim center/community building, a tennis complex and five neighborhood parks, several of which will have play areas. This recreational development of open space justifies the requested increase in density. The applicant stated that the swim center will be developed as a community center with a meeting room for civic activities. The staff agrees with the applicant that the five percent density increase is justified through the provision of this facility.

The total density increase in the R-L portion of the development based on the provision of these public benefit features is 372.14 dwelling units, and therefore the applicant's proposal for 182 units over the base density is clearly justified.

A letter dated January 17, 1994, was received from Mary Forsht-Tucker, a county resident involved with the Subregion V Coalition, which evaluates the Public Benefits and Density Determinations contained in the CDP. The letter contained some important points which the staff incorporated into its Conditions.

24. The Comprehensive Design Plan does not propose standards for tree-planting requirements on individual lots with detached houses. In order to insure that trees in addition to those in the public right-of-way are planted to improve the appearance and air quality of residential areas, the requirements of the *Landscape Manual* should be applied for plantings on lots with detached houses. Because of space restrictions in areas of attached housing, the on-lot plantings in those areas should be determined at the time of Specific Design Plan.

25. At the intersection of Livingston Road, New Piscataway Road and Floral Park Road, Parcel M-4 (as identified on the master Preliminary Plat of Subdivision) in the northeast quadrant will be a highly visible "gateway" from the south and west into both historic Piscataway Village and the new Villages at Piscataway. The applicant's proposal to dedicate land for a fire station at this location recognized the need for a significant civic building or other "statement" there. As reported in Finding 14.f., a fire station will not be built in this location, and in accordance with Basic Plan Condition 35 it will be lotted for residential uses instead, but the need for a physical acknowledgement of the

"entrance" character of this intersection remains. Accordingly, the applicant should be required to provide an entryway "landmark" at this location on a separate parcel to be dedicated to the homeowners' association. This "landmark" should consist of a statue, monument, obelisk or other architectural or artistic statement, combined with complementary earthwork and landscaping if appropriate.

26. The applicants provided the following private recreational facilities in addition to the golf course:

- A Village Green in Bailey Village.
- A Tennis Complex in Glassford Village South (four tennis courts and a multipurpose court).
- A Village Green in Edelen Village South.
- A Swimming Center in Edelen Village North.
- A Village Green in Lusby Village.

Each of the Village Greens will contain a focal point, as described in the revised CDP text: "Focal points may be buildings (i.e., the swim center), pavilions, flag poles, statues, fountains or similar elements." Insufficient information is provided in the application regarding the nature of the Swimming Center, the timing of construction of this and the other facilities, and the character of certain other facilities such as children's play areas. Therefore, Conditions 32, 33 and 34 are provided.

27. The plan does not provide sufficient guarantees that the required porches and fences will be constructed in phase with the development as a whole. Therefore, Conditions 30 and 31 are provided.

28. An important character-lending feature of traditional and neotraditional towns is the regular planting of street trees. Street trees define the pedestrian space and provide visual separation between the public right-of-way and private lots. The application includes numerous illustrative drawings which acknowledge the importance of street trees in neotraditional town planning. It is the applicant's intention to build the development in phases with potentially numerous builders involved in different phases. Therefore it is critical that a master landscape plan be established which identifies the recommended street tree spacing and tree species for all of the streets within the villages and in Danville Estates.

29. The original landscape concept for Danville Estates was for a "rural image." Although the lots in Danville Estates will be generally larger and wider than the lots in the villages, the staff was informed that a rural open ditch section type road will

probably not be possible because of the extremely level nature of this portion of the site. Therefore even if it will be possible to save trees in many of the front yards, a regular street tree planting may still be preferable in order to provide continuity with the villages and to reinforce the desired image for this portion of the site.

30. The applicant's proposal for Bailey Village (the L-A-C portion of the site), includes a prominent building "for a major institutional or civic building, such as a church". At this time, the responsibility to build, operate and maintain this important building is uncertain. The developer stated that he may donate the property to an individual or entity who will agree to build the building, using the approved architectural standards, and maintain and operate it. Because the L-A-C portion of the project will probably be the last phase to be built, and because the disposition of this critical element in this portion of the site will most likely be uncertain for some time, it is imperative that some general standards for the building be established at this time. (See Condition 35).

31. The proposed 18-hole championship golf course is a unique feature of the development proposal. The applicant stated that the golf course clubhouse is intended to be an important building within the community and will be "placed to create a focus for sight line vistas." The applicant also stated that the golf course will be sold to a golf course developer and will most likely be the first part of the project to be developed. To ensure that the vision for the clubhouse as held by the developer, the staff, and the community is realized, it is important at this time to create some general standards for the clubhouse architecture and site grading and development, including landscaping and parking lot screening.

32. A fundamental aspect of neotraditional town planning is the creation of a pedestrian-friendly environment with all destinations located within comfortable walking distance. The applicant proposed sidewalks on both sides of all roads within the development, except in Danville Estates, where a rural image is proposed. The use of a special paving material, characteristic of traditional towns, such as concrete unit pavers or brick, should be used in highly visible areas with intense pedestrian use such as along the spine road, throughout Bailey Village, and around the inside and outside of the village greens, if acceptable to the Department of Public Works and Transportation.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The

Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/9/94) and further APPROVED the Comprehensive Design Plan for the above-described land, subject to the following conditions:

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, wood clapboard or board and batten, or stucco. No vinyl or aluminum siding shall be permitted.

      (2) All units shall have detached garages.

      (3) No decks or fences constructed of pressure treated or other wood left to weather naturally shall be permitted.

      (4) All units shall have their front yards fenced with a decorative fence.

      (5) The lots in Glassford Village (northern section) shall not be of uniform size and shape, and shall have street frontages that are similar to those in the historic village (except for flag lots, which shall be allowed if determined to be appropriate at the time of the detailed Preliminary Plat for Glassford Village).

   b. The following architectural standards for civic and institutional buildings, for structures in Bailey Village, and for all residential and commercial structures surrounding village greens shall be added to the text:

      (1) All commercial structures in Bailey Village and all structures on lots adjoining Piscataway Road and Floral Park Road or on lots facing Piscataway Road and Floral Park Road with no intervening structures shall have facades constructed of natural materials (wood, brick, stone, stucco, split-face block, etc.). No vinyl or aluminum siding shall be permitted.

(2) All civic and institutional buildings and all structures facing a village green in any village and those structures in Bailey Village not covered by (1) above shall have facades constructed of the natural materials mentioned in (1) above, or may have facades constructed of Restoration Series vinyl siding, or equal, provided that at the time of Specific Design Plan the applicant submits for approval a special package of architectural details for use on all vinyl-sided buildings. The architectural details in this package shall exceed in number, detail and visual interest the details used on other houses in the Villages and shall include items such as brick foundation walls, bracketed cornices, decorative window caps, brick porch foundations and/or lead walks, and cupolas or belfries.

(3) All buildings shall be designed with special attention to architectural details which evoke the image of a traditional town. At least half of the structures located facing a village green in any village which are also located at the intersection of two streets shall include special architectural details or special treatment of the corners which will distinguish them visually from adjacent houses, such as round turrets, bay windows or wrap-around porches.

(4) All buildings within Bailey Village shall be designed so as to be compatible with Historic Piscataway Village.

(5) Screening of off-street parking areas within Bailey Village from public and private streets (except alleys) and from the play areas of the golf course shall be accomplished through the use of masonry or stone walls, or, where appropriate, existing vegetation, landscaping or painted fences.

(6) Significant architectural elements such as cupolas, towers, bays etc., shall be provided on the facades of buildings which act as focal points to terminate vistas in conformance with sheet 19, Illustrative Bailey Village Plan, and Sheet 16, Potential Public Space and View Corridors.

c. The following standard shall be added to the text:

No typical residential-style decks constructed of pressure-treated pine or other wood left to weather naturally shall be attached to a house, if the deck would be visible from the street, the golf course or any other public space. (This restriction does not apply to Danville Estates.)

Open decks shall only be permitted on rears of units.

Any deck visible from the street, the golf course, or any other public space shall be stained or painted to complement the color of the house.

Any deck visible from these areas shall incorporate design features and details which are evocative of traditional town architecture.

Any deck built above ground level shall have the undercroft screened from view by decorative lattice or other screening of similar durability and visual interest, if the undercroft is four feet or less in height.

d. No fences constructed of pressure-treated or other wood left to weather naturally shall be permitted in North Glassford Village, Bailey Village or where visible from public streets, parkland or the golf course. Chain-link fences generally used to enclose recreation facilities shall be black vinyl-coated. All fences shall be painted or stained.

e. The following standard shall be added to the text: All detached residential lots 50 feet wide or less at the street line shall be provided with one of the following: (1) an alley (if allowed by the Subtitle 24, Subdivisions, and other applicable provisions of the County Code) providing access to a garage (one- or two-car, detached or attached) to prevent garage doors from becoming an overly dominant element of the streetscape; or (2) a one-car garage accessed from the front street, with the front edge of the garage set back a minimum of 10 feet from the most recessed front facade plane of the house.

f. The provision of alleys with access to detached garages shall be encouraged (if allowed by Subtitle 24, Subdivisions, and other applicable provisions of the County Code) for single-family attached units. If alleys are allowed, the use of front-loaded garage townhouse units shall be

prohibited on the main spine roads, the village greens, and in Bailey Village. If alleys are not allowed, the use of front-loaded garages shall be prohibited on the village greens and within Bailey Village.

g. The following revisions shall be incorporated into the Architectural Guidelines Section of the CDP text:

1. Residential Architectural Guidelines for the Villages and Danville Estates

(The following are revisions to various Sections on pp. 33-37 of the CDP text.)

Architectural Elements

Facade Modulation/Articulation: Facade Modulation/Articulation shall reference the historic scale, facades and details in the historic architecture of the region. Architectural details or elements such as reverse gables, offsets, front, rear and side porches, both screened and unscreened, sunrooms, bay windows, and multiple wall planes should be combined and utilized to provide architectural character within the community.

Front and side facades of any one building on a corner lot shall be made of the same materials, similarly detailed. Corner lots are those at the intersection of streets with alleys, the golf course and parkland.

Gables atop brick facade walls shall be finished in brick, wood, stucco or a dryvit type material.

Architectural Materials

Building walls may be built of:

1. Smooth cut cedar shingles (4"-6" exposed to the weather)

2. Wood Clapboard (4"-6" inches exposed to the weather)

3. Wood beaded siding (7" exposed to the weather)

4. Wood board and batten siding

5. Masonite Superside hardboard siding, or equal, with smooth or textured pine finish, (not more than 7" exposed to the weather)

6. Brick in a horizontal running band pattern with no more than ½" raked joints

7. Fieldstone set in an uncoursed ledgerstone pattern.

8. Dryvit or equal

9. Restoration Series vinyl siding, or equal (4"-6" exposed to the weather)

10. Alcoa Aluminum siding, or equal (4"-6" exposed to the weather)

Rooflines: Roofs shall be simple and symmetrically pitched (except in the case of a true salt box). The roof pitch on the main structure shall be between 8:12 and 14:12. Intermixing of gable and hipped roofs is required to promote a visually exciting and animated streetscape. Roofs shall overhang a gable end a minimum of 8"; however, larger overhangs shall be provided on larger houses in the development. Skylights, solar panels, vent stacks, and other roof protrusions shall not be placed on a roof facing a street nor shall they be visually obtrusive from nearby streets.

Roofs may be built of cedar shakes, standing seam, slate, copper, artificial slate or asphalt composition shingle in black, dark brown, dark grey or grey/green colors.

Architectural Material Detail
(item numbers below refer to Sections on page 35 of CDP text).

3. Retaining walls shall be brick or stone in all yards which face a street or public area (excluding the golf course, except the area near the clubhouse). All other retaining walls not within view of a public area may be built of brick, stone, new timbers or finished concrete modular units.

5. Chimney enclosures which protrude from a facade shall be brick, stone or stucco.

6. A consistent vocabulary of window types shall be used for each house or building. For the most part, windows will be square or vertical in proportion. No more than one semi-circular, circular, octagonal, or hexagonal shall be used in any one facade. Bay windows on facades which face a street shall not be permitted on the second floor.

9. House foundation walls may be built of brick, fieldstone, parged block, or painted brick-form poured concrete. House foundation walls built of parged block, or painted brick-form poured concrete that are within public view from a street, or within view of the golf clubhouse, may be exposed up to 2 feet above the ground.

Porches

Location: Porches may be located on the front, side and rear of units.

Scale and Style: Porches should be of a scale and style that is compatible with the house. All sitting porches shall be functional and be a minimum of six feet deep. The undercroft of porches shall be skirted with wood or vinyl lattice.

Material: Porches shall be made of wood, concrete faced on three sides with stone or brick or be a combination of brick or stone piers and wood.

Color: Porches should utilize simple color schemes which are compatible with the colors of the house.

Garages and Outbuildings

All single-family detached lots shall have garages. Garage doors shall not exceed 9 feet in width if accessed from a street or 18 feet if accessed from an

alley. Garage openings onto an alley shall be provided with a light fixture and a photocell.

Patios, Fences, Walls and Walks

Fences may be built of wood pickets, wood lattice, wood board, steel or wrought iron. The use of chain-link fencing on any lots other than those with community recreational facilities shall be prohibited. Fences shall be constructed so that the right side faces outward. All terminal posts in fences (corners, openings, ends, etc.) shall be more substantial in height and width than typical posts.

All fences shall be painted or stained when facing streets, the golf course, parks or other public open spaces. Fences built of steel or wrought iron shall be painted black. No board on board or stockade type fences, or unpainted fences built of pressure treated or other wood left to weather naturally shall be permitted.

Fences along streets on neighboring lots are encouraged to be of different designs.

Patios on single-family detached lots may only be located in side and rear yards not facing a public street.

The use of hedges to define lot lines shall be encouraged.

Lead walks shall be brick when connecting to a public brick sidewalk. Other walks and paths (other than those on park land or golf cart paths which may be asphalt) shall be brick, stone or concrete.

2. a. As part of the first Specific Design Plan for the Villages of Piscataway, the applicant, his heirs, successors and/or assigns, shall include the entire length of the New Piscataway Road within the boundaries of the Comprehensive Design Plan, and shall show how the road edge will be treated with elements such as walls, orchard plantings, other plantings of trees, native shrubs, grasses, and wildflowers, and preservation of existing trees or of unplanted open vistas.

b. In those areas where New Piscataway Road is adjacent to the golf course, the full width of the required 50-foot golf course buffer shall be shown and full details shall be provided for landscape treatment of the buffer.

c. When the Specific Design Plan for the golf course is submitted, the required 50-foot buffer shall also be shown along Danville Road and Floral Park Road, and shall be treated as described above for New Piscataway Road.

d. The Specific Design Plan for the golf course shall also include information on the exact provisions of the plan which shall grant to each purchaser of a home and all future purchasers in the Villages at Piscataway some preferential membership terms at the golf course. This plan shall include one or more of the following or items similar to the following:

(1) Discount on initiation fees
(2) Discount on green fees
(3) Preferential right to become member
(4) Preferential starting times
(5) Discount on yearly membership
(6) Discount on lockers and/or other services

The plan shall be set forth in recorded covenants that run with the land and are noted on all record plats for the Villages at Piscataway.

e. The Specific Design Plan for the golf course shall show the location of proposed streets and of all residential lots (as approved on the Comprehensive Design Plan) which are located adjacent to or in close proximity to the golf course. The Specific Design Plan shall show overlaid on the golf course and adjacent streets and lots a graphic study, prepared by a certified golf course architect, of the most likely direction and distance of the errant golf shots expected from all tee locations of all holes except Numbers 12, 13 and 14, and from all other locations on these holes from which errant shots may be expected.

If, in the judgment of the Planning Board, the layout of the golf course presents too great a hazard to residents or their property, the golf course layout shall be revised or, if this is not possible, the affected areas of residential lots shall be prohibited for residential use and shall become homeowners' open space or part of the golf course.

f. The Specific Design Plan for the golf course shall set forth the detailed design of the proposed surface and groundwater monitoring program for the golf course, all measures proposed to reduce the transport of nutrients and pesticides into the watershed, exact operational details of the integrated pest management system, and proposed measures for incorporating wildlife habitat enhancement into the golf course design.

g. The Specific Design Plan for the golf course shall illustrate the entire network of golf cart paths and demonstrate that they are completely separate from all other proposed trails.

3. Prior to approval of any Final Plat for the Villages of Piscataway, the following shall be accomplished:

The Historic Property Security Agreement between the applicant and M-NCPPC shall be executed and recorded, and a note referencing the agreement shall be placed on the Final Plat.

4. Prior to approval of any grading permit for the golf course, for the construction of New Piscataway Road, or for any development north and west of New Piscataway Road within the boundaries of the Comprehensive Design Plan, the following shall be accomplished:

a. The applicant, his heirs, successors and/or assigns, shall complete the Phase I archeological survey for the entire archeological survey area.

b. The Phase I archeological survey shall be reviewed and accepted by staff of the Historic Preservation Section.

c. The exact boundaries of any areas where Phase II and Phase III surveys will be required will be mapped and agreed upon by the applicant and the Historic Preservation Section.

Prior to any grading permits for any area where a Phase II or Phase III archeological survey is agreed upon, that survey shall be completed by the applicant, his heirs, successors and/or assigns, and shall be reviewed and accepted by staff of the Historic Preservation Section.

5. The Historic Piscataway Preservation Fund shall be administered according to the following:

a. Funds shall only be given for projects associated with the historic village, which shall be defined as those parcels located on Floral Park Road, between Livingston Road and Piscataway Road, and not included in this application. Significant consideration shall be given in the administration of the fund to preserving historic structures.

b. Projects requiring a Historic Area Work Permit in accordance with the County Historic Preservation Ordinance (Subtitle 29) shall receive approval by the Historic Preservation Commission prior to disbursement of any funds, and shall comply with the Secretary of the Interior's Standards for Rehabilitation and the County's Historic Preservation Ordinance.

c. All meetings of the Piscataway Preservation Corporation shall be open to the public; input from interested parties shall be encouraged.

d. The membership of the Piscataway Preservation Corporation shall be changed to delete a representative of the Prince George's County Executive and to add a representative of Prince George's Heritage, Inc.

e. The Articles of Incorporation, Bylaws, or any other documents which formally establish the rules of procedure for the Piscataway Preservation Corporation shall be reviewed by the Planning Board, or its designee, prior to the disbursement of any funds.

6. An eight-foot-wide asphalt trail connection shall be shown (instead of a 4'-0" sidewalk) on CDP Figure 22 along Floral Park Road from Piscataway Road east to the entrance road into Bailey Village. This trail segment and the connecting segment extending north along Piscataway Road to the master plan trail along Piscataway Creek shall be bonded prior to release of any permits for Bailey Village, and shall be constructed prior to release of 50 percent of the residential building permits in Bailey Village, or permits for the first 20,000 square feet of retail or office in Bailey Village, whichever comes first. The Recreational Facilities Agreement encompassing Bailey Village shall reflect these requirements.

If the applicant, his heirs, successors and/or assigns, is unable to obtain easements necessary to construct this trail, the trail or alternative arrangements approved by the Trails Coordinator and the Department of Public Works and Transportation (DPW&T) shall be built in the public right-of-way.

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

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

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

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

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

12. The master Preliminary Plat shall include a conceptual layout of water and sewerage services including off-site connections and evaluation of alternations.

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

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

15. The applicant, his heirs, successors and/or assigns, shall dedicate 72± acres of land located on the north side of Floral Park Road, to the M-NCPPC for future park use as shown on DPR staff Exhibit B.

16. The applicant, his heirs, successors and/or assigns, shall dedicate 36± acres of land located in the southwest quadrant of Floral Park Road and New Piscataway Road, to the M-NCPPC for future park use as shown on DPR Staff Exhibit B. This dedication excludes the 3.1± acre parcel created around the Edelen House which will be acquired by a private interest.

17. In the event that the developer determines a need to use the existing pond on the land to the south of the Edelen House as a stormwater management facility for the development, the design and construction of the pond shall conform with the Department of Parks and Recreation's technical and aesthetic guidelines for these features. The Department of Parks and Recreation shall review and give final approval of the pond.

18. The land to be dedicated to the M-NCPPC shall be subject to the conditions of DPR Staff Exhibit A.

19. The applicant, his heirs, successors and/or assigns, shall work with the DPR to develop management criteria to guide the possible future development of passive recreation facilities within required tree conservation areas designated on land to be dedicated to The M-NCPPC for public park use. These criteria will be subject to the approval of the DPR and the NRD of the Planning Department at the time of TCP II submission. Should these criteria not receive final approval by the NRD, the applicant, his heirs, successors and/or assigns, shall not be allowed to count these areas as tree conservation and the Department of Parks and Recreation shall be allowed to develop passive recreation facilities in these locations. The precise location of these areas will be determined by the DPR at the time of TCP II submission.

20. Prior to the issuance of any building permit for Stage I (780 dwelling units, up to 30,000 square feet of office, and up to 15,000 square feet of retail, but not including Parcel G and the Edelen House for the staging of transportation improvements), the

following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with the SHA or the DPW&T:

a. MD 210 and Livingston/Swan Creek Road:

- Provide a 200-foot westbound channelized right-turn lane along Livingston Road.

- Provide a fourth northbound shared through/right-turn lane along MD 210 beginning 500 feet south of Livingston Road and extending approximately 2,800 feet north of Livingston Road.

- Provide a fourth southbound through lane along MD 210 beginning 500 feet north of Swan Creek Road and extending approximately 2,800 feet south of Swan Creek Road.

- Provide exclusive through and a shared through/left-turn lane on the westbound approach of Livingston Road

b. MD 223 and Livingston Road/site access

- Provide, at least, exclusive through, right-turn, and left-turn lanes on all approaches to the intersection.

- Install a signal, provided it is deemed warranted by SHA.

c. Livingston Road and Farmington/Berry Road

- Provide an exclusive 250 foot left-turn lane along eastbound Farmington Road.

- Provide an exclusive 450-foot left-turn lane along southbound Livingston Road.

- Install a signal, provided it is deemed warranted by DPW&T.

d. MD 223 and Floral Park Road

- Provide an exclusive 110-foot left-turn lane along westbound Floral Park Road.

- Provide an exclusive 150-foot left-turn lane along southbound MD 223.

- Install a signal, provided it is deemed warranted by SHA.

e. Livingston Road and Old Fort Road South

- Install a traffic signal, provided said signal is deemed warranted by DPW&T.

All improvements shall be constructed in accordance with the design standards of the responsible highway agency. The applicant, his heirs, successors and/or assigns, shall submit acceptable signal warrant studies for all proposed signals prior to the approval of Specific Design Plans for any portion of Phase I (except for Parcel G), with the signals to be installed by the applicant, the applicant, his heirs, successors and/or assigns, at any time during Phase I or II of this project that the responsible highway agency deems the signal to be warranted.

f. The applicant, his heirs, successors and/or assigns, shall construct the initial half section of the relocation of MD 223 (A-54) through the subject property along the right-of-way shown on the CDP in accordance with SHA design standards.

21. Prior to the issuance of any building permit for Stage II (360 dwelling units, up to an additional 15,000 square feet of retail, up to an additional 30,000 square feet of office), the following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA or DPW&T:

a. Livingston Road and Old Fort Road:

- Provide an exclusive 225-foot left-turn lane along southbound Livingston Road.

- Provide an exclusive 225-foot right-turn lane along northbound Livingston Road, if a traffic signal is installed at this location.

b. Livingston Road and Washington Lane:

- Provide a southbound through lane along Livingston Road beginning 300 ft. north of Washington Lane and extending approximately 800 feet south of Washington Lane.

- Widen the northbound approach to provide a left-turn bypass lane along Livingston Road, if a traffic signal is installed at this location.

- Install a signal, provided it is deemed warranted

c. MD 210 and Farmington Road:

- Provide a free-right lane along westbound Farmington Road with a 700-foot acceleration lane along northbound MD 210.

- Provide an exclusive 160-foot left-turn lane along eastbound Farmington Road.

- Provide a second left-turn lane on southbound MD 210.

d. Livingston Road and Farmington/Berry Road

- Provide an exclusive 225-foot left-turn lane and a 225-foot right-turn lane along northbound Livingston Road.

- Provide an exclusive 250-foot right-turn lane along southbound Livingston Road.

- Provide an exclusive 315-foot right-turn lane along eastbound Farmington Road.

- Provide an exclusive 350-foot right-turn lane along westbound Berry Road.

e. MD 223 and Gallahan Road

- Install a traffic signal, provided said signal is deemed warranted by the SHA.

f. MD 223 and the site entrance

- Install a traffic signal, provided said signal is deemed warranted by the SHA.

g. MD 210/Old Fort Road South

- Provide a fourth southbound through lane shared with the right-turn lane on MD 210, and extend this lane 800 feet south of Old Fort Road South.

All improvements shall be constructed in accordance with the design standards of the responsible highway agency. The applicant, his heirs, successors and/or assigns, shall submit signal warrant studies for all proposed signals prior to the approval of Specific Design Plans for any portion of Phase II, with the signals to be installed by the applicant, his heirs, successors and/or assigns, at any time during Phase II of this project that the responsible highway agency deems the signal to be warranted.

22. The applicant, his heirs, successors and/or assigns, shall dedicate the following facilities in accordance with DPW&T or SHA requirements:

    a. MD 223 (A-54)--arterial--120-foot right-of-way.

    b. Floral Park Road (east of A-54)--collector--80-foot right-of-way.

    c. Livingston Road--collector--80-foot right-of-way.

    d. Danville Road--rural collector--80-foot right-of-way.

23. The applicant, his heirs, successors and/or assigns, shall, in cooperation with DPW&T and Planning Department staff, implement strategies that will maintain lower speeds on certain internal streets within the subject property. These include:

    a. The roadway which connects Parcels B, C, and D.

    b. The roadway which connects Parcels D and A.

    c. The roadway which connects Parcels D, E, and F.

24. All structures shall be fully equipped with an automatic fire suppression system in accordance with National Fire Protection Association (NFPA) Standard 13 and 13D.

25.a. Prior to the approval of Final Plats that contain individual residential lots except for the Edelen House lot, a developer contribution not to exceed the amounts calculated below shall be paid. This developer contribution shall be calculated as follows:

    (1) At the time of approval of Final Plats for the first 508 residential units, there shall be no contribution.

(2) Prior to the approval of Final Plats for the 509th residential unit and all remaining residential units, a developer contribution of $905.07 (adjusted to 1994 dollars using the consumer price index) per unit shall be paid.

(3) At the time of approval of Final Plats for the MPDUs, there shall be no contribution required.

The $905.07 per unit developer contribution is based upon current Prince George's County Public Schools student projections. If this development becomes subject to a school facility surcharge or other exaction (monetary or otherwise) in whole or in part for the benefit of schools, the developer contribution required by this condition shall be reduced by the amount of the surcharge or exaction.

b. With regard to the proposed elementary school site, the 12 acre site as shown on the Comprehensive Design Plan shall be dedicated at such time as the Board of Education requests. Such dedication shall occur no later than the time when the residential lots are approved for Final Plat for North/South Danville Estates. Such dedication is subject to State approval. If in the event, the State wished to adjust the exact configuration or location, such adjustments shall be made during review of the Preliminary Plat for the individual lots in the North/South Danville Estates area.

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

a. On all single-family detached lots, on-lot tree planting requirements shall be based on the size of the lot as stated in Section 4.1 of the *Landscape Manual*. Planting requirements for attached housing shall be determined at the time of Specific Design Plan.

b. The applicant, his heirs, successors and/or assigns, shall deed to the homeowners' association a minimum 10,000-square-foot-parcel in the southwest corner of Parcel M4 (in the northeast corner of the intersection of New Piscataway Road and Livingston Road). On this parcel the applicant, his heirs, successors and/or assigns, shall construct a "gateway feature" which shall consist of a statue, marker, monument, obelisk or other architectural or artistic statement (combined with complementary earthwork and landscaping, if appropriate) which commemorates some person, group, event or activity which is significant in the history of the Piscataway area or Prince George's County. The Specific Design Plan for Glassford Village North shall include

plans and renderings for the proposed gateway feature, which shall be subject to review and recommendation by the Historic Preservation Commission as well as the Planning Board. This gateway feature shall be constructed prior to release of 50 percent of the building permits for Glassford Village North.

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

d. Architectural standards shall be provided for the golf course clubhouse as well as general standards for site grading and development including landscape planting and parking lot screening. This will also include standards for how the tunnel under new Piscataway Road will be constructed and the proposed treatment of the tunnel endwalls.

e. A note shall be added to the plans which states that if acceptable to the Department of Public Works and Transportation, special sidewalk paving, characteristic of traditional towns, such as concrete unit pavers or brick, shall be used along the main spine roads (Road A, AA, AAA, B1, BB,BBB and DD), throughout Bailey Village and around the interior and exterior of the village greens. At the time of the first SDP which contains any one of these areas, the paving material shall be selected and approved for the rest of these areas.

f. A section shall be added to the text which includes general standards for special decorative lighting (if acceptable to DPW&T), and street furnishings which shall be used throughout Bailey Village, around the village greens and at the tennis and swim centers.

g. The density increment tables shall be revised in accordance with Finding 23.

27. Prior to submission of the first SDP for the Danville Estates section, a plan with the proposed grading shall be submitted to Urban Design for review which identifies the tree save areas, the proposed units, and the street network in order to determine whether a street tree planting scheme and sidewalks would be desirable.

28. The design of Bailey Village should be compatible with the height, scale, building mass, directional expression, roof shapes, building materials and architectural details found in the

historic village of Piscataway. Particular attention should be given to the view of Bailey Village from Floral Park Road and Piscataway Road. The view from this area shall not be exclusively the view of large blocks of townhouse units, either fronts or backs.

29. A minimum of 25 percent of the single-family detached houses in each village shall have a front porch. By the time 50 percent of the permits for detached houses in any village have been released, at least one-half of the required number of porches shall have been built.

30. A minimum of 50 percent of the single-family detached lots in each village that are 50 feet or less in width shall have a hedge, fence or wall (as specified on page 25 of the CDP text) in the front yard. (This condition does not apply to Glassford Village North.) A significant percentage of all three optional treatments shall be required; however, fences are the preferred option. By the time 50 percent of the permits for the affected lots in any village have been released, at least one-half of the required hedges, fences or walls shall have been installed.

31. The Swimming Center shall be equipped with a meeting room that will accommodate a minimum of 100 people, and a kitchen, as well as the normal bathhouse facilities. The swimming pool itself should include the following features:

    a. Zero depth entrance: wide ramps and/or recessed stairs to provide easy access for young children, the disabled and seniors.

    b. Adequate shallow water: an area of water depths from two to three feet for children learning to swim.

    c. Lap swimming lanes: a noncompetitive pool should have at least three lap lanes with a minimum 20-meter length and minimum depth of 3.5 feet.

32. The private recreational facilities shall have bonding and construction requirements as follows, all of which shall be incorporated in recreational facilities agreements (as specified in the *Parks and Recreation Facilities Guidelines*) prior to Final Plat of Subdivision.

Facility	Bond Posted (or other suitable financial guarantee, suitability to be judged by the General Counsel's Office of M-NCPPC)	Construction Completed
Village Green in Bailey Village (including "focal point" and any children's play area).	Prior to release of any building permits in Bailey Village.	Prior to release of 50% of the residential building permits in Bailey Village, or permits for the first 20,000 square feet of office or retail, whichever comes first.
Tennis Complex in Glassford Village South	Prior to release of any building permits in any village.	Prior to release of the 500th residential building permit for the development as a whole.
Village Green in Edelen Village South (including "focal point" and any children's play areas)	Prior to release of any building permits in Edelen Village South	Prior to release of 50% of the building permits in Edelen Village South
Swimming Center in Edelen Village North	Prior to release of the 250th building permit in any village.	Prior to release of the 500th residential building permit for the development as a whole.
Village Green in Lusby Village (including "focal point" and any children's play areas).	Prior to release of any building permits in Lusby Village.	Prior to release of 50% of the building permits for Lusby Village.

33. At the time of Specific Design Plan, the applicant, his heirs, successors and/or assigns, shall demonstrate that the proposed pre-school and school-age play areas comply with the following:

    a. The play areas shall be designed to be as harmonious as possible with the neotraditional design theme in terms of design, details, color and other characteristics.

    b. A minimum of one-third of the features in each play area shall be usable by handicapped children and shall be accessible to the handicapped by means of smooth resilient

surfacing which is flush with the edges of the play area. (Prior to submission of any affected Specific Design Plan, the applicant shall confer with the Urban Design Review Section on means for fulfilling this condition.)

34. All stormwater management (SWM) ponds shall be designed to fit harmoniously into the site by means of naturalistic and irregular contours and grading in keeping with the general topography of the area. All SWM ponds shall be designed as an amenity with special attention to appearance of inlet and outlet structures, to pond edge treatment, landscaping, location of trails, elimination of rip rap channels where possible, and other aesthetic considerations.

35. The developer will provide free of charge a parcel of land within the Bailey Village to a religious group or other non-profit organization. The land shall be conveyed subject to covenants requiring that the building contain a sanctuary or meeting room large enough to accommodate a minimum of 200 persons seated and that the building have the following characteristics:

    a. The building shall not exceed thirty-six (36) feet in height. The building shall contain a spire, clocktower, bell tower or similar architectural feature, which may exceed the thirty-six (36) foot height limit.

    b. The exterior of the building shall be constructed entirely of natural materials and shall be of a scale, color and architectural style which is compatible with the structures in the Bailey Village and the existing village of Piscataway.

    c. Any parking for the institutional/civic use, located along new Piscataway Road, shall be carefully and thoroughly screened from new Piscataway Road with walls and landscaping and shall also be screened per the standards for any other parking lot located in Bailey Village.

    The applicant, his heirs, successors and/or assigns, shall diligently search for a group, organization or entity that will be willing and able to construct a civic/institutional building in Bailey's Village in accordance with the CDP conditions. Efforts to find such a group to construct and own the civic/institutional building in Bailey's Village shall be documented as follows:

At the time of SDP submittal for the Bailey's Village, at the time of application for first building permit in Bailey's Village, and again at the time of application for the 70th building permit in Bailey's Village, or 20,000 square feet of retail or office, whichever comes first, the applicant shall provide evidence of:

(1) Its efforts to find a group, organization or entity to construct and own the civic/institutional building, or

(2) The efforts of the group, organization or entity to raise money, get permits and complete construction.

36. Prior to approval of the master Preliminary Plat for the Villages of Piscataway, the applicant, his heirs, successors and/or assigns, shall submit the conceptual plans for the design and alignment of Piscataway Road extended which show the road and its relationship with the Edelen house and the historic setting. Information including the horizontal and vertical curvature, design speed, number of travel lanes, median width (if any), and typical cross-sections shall be submitted in order to ensure that the road design is sensitive to, blends in with and has the least impact on the historic setting.

* * * * * *

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 Brown, seconded by Commissioner Dabney, with Commissioners Brown, Dabney, Boone and Rhoads voting in favor of the motion, and with Commissioner McNeill absent, at its regular meeting held on Thursday, March 24, 1994, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of March 1994.

APPROVED AS TO LEGAL SUFFICIENCY
LAND M. STILLWELL
CPPC LEGAL DEPT.
3/25/94

LeRoy J. Hedgepeth
Executive Director

By Frances J. Guertin
Planning Board Administrator

LJH:FJG:SA/LK:aj

Entire doc.
Res #03-122.
(from CDP-9306)

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (310) 952-3796

June 29, 2004

Baileys Associates, L P
C/O Greenvest, L C
8614 Westwood Center Drive
Suite 900
Vienna, Va 22182

Re: Notification of Planning Board Action on
Specific Design Plan SDP-0318

Dear Applicant:

This is to advise you that the above-referenced Specific Design Plan was acted upon by the Prince George's County Planning Board **(June 24, 2004)** in accordance with the attached Resolution.

The Planning Board's decision is final as of the date of adoption of the attached resolution **(June 24, 2004)**. In accordance with CB-6-1997, this Specific Design Plan may not be appealed to the District Council by any Person of Record and the District Council may not review the Planning Board's decision in this case on its own motion because the Comprehensive Design Plan governing the proposed development was approved prior to September 2, 1997.

This Specific Design Plan may be appealed to the Circuit Court.

Please direct any future communications or inquires regarding this matter to **Development Review Division at 301-952-3472.**

Very truly yours,
Faroll Hamer
Development Review Division

By: _____
Reviewer

cc: Persons of Record

PGCPB NO. **04-135**
I:\forms\resol\sdp

RECEIVED
JUN 29 2004
OFFICE OF THE CLERK OF THE COUNCIL
PRINCE GEORGE'S COUNTY, MARYLAND

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (310) 952-3796

PGCPB No. 04-135 File No. SDP-0318

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on June 10, 2004, regarding Specific Design Plan SDP-0318 for The Preserve, Edelen Village, North and South, the Planning Board finds:

1. **Request:** This Specific Design Plan, SDP-0318, for Edelen Village North and South is for 148 single-family detached lots, 108 single-family attached lots, and recreational facilities including a central recreational area and associated parking facility. The specific design plan includes a site plan, a tree conservation plan, a landscape plan, and detail sheets. Architecture is not being reviewed with this application, as Specific Design Plan SDP-0202, the umbrella application for architectural elevations for the single-family detached units, has already been approved for the overall development known as the Preserve. The plans will be revised to add architectural elevations for the single-family attached units and to incorporate the architecture for the community building in the future.

2. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone(s)	R-L	R-L
Use(s)	Single-family	Single-family
Acreage	480.09	480.09
Lots	0	256
Square Footage/GFA	0	N/A
Dwelling Units:		
Attached	0	108
Detached	0	148
Multifamily	0	0
Total Dwelling Units	0	256

Other Development Data

Parking Required for Townhouses	
108 units x 2.04 spaces	221 spaces
Parking Provided for Townhouses	242 spaces

Estimated Parking Required for Recreational uses:	
Outdoor swimming pool (422 occupancy @ 1 sp/7 persons)	61 spaces
Meeting room (100 seats @ 1 sp/4 seats)	25 spaces
Exercise room (1,140 sq. ft @ 1 sp/80 sq. ft.)	16 spaces
Total:	102 spaces*
Parking Provided	79 spaces*

*The parking calculations above are based on an estimate of the size and type of facilities to be provided within the community building and the central recreational area. The applicant has been informed of the calculations of the Parking and Loading Standards and believes that a reduction in the number of parking spaces provided may require a departure from the number of parking and loading facilities. The approval of this specific design plan will allow for the grading of the central recreational area, but a revision to this plan will be required prior to construction of any of the facilities.

3. **Location:** This specific design plan (SDP-0318) for Edelen Village North and South is located in Planning Area 84, north and south of Floral Park Road near and at its intersection with Danville Road. Approximately 75 acres of land located on the north side of Floral Park Road are part of the application, are proposed to be conveyed to M-NCPPC, and are adjacent to the Tinkers Creek Stream Valley Park.

4. **Surroundings and Use:** The subject 480.09 acres are the second phase of the overall development of the project known as the Preserve. To the west is the developing Phase I of the project known as Glassford Village. This portion of the development will provide the initial access to Edelen Villages North and South. This phase of the development has frontage on Floral Park Road and Danville Road.

5. **Previous Approvals:** On September 14, 1993, the County Council, sitting as the District Council for the part of the Maryland-Washington Regional District in Prince George's County, adopted CR-60-1993 approving the master plan and the sectional map amendment for Subregion V in Prince George's County. Comprehensive Design Zone Amendment Three (Zoning Applications A-9869 and A-9870), known as Villages at Piscataway, rezoned 858.7 acres in the R-A Zone to the R-L Zone (Residential-Low Development, 1.0 to 1.5 du/acre) and 19.98 acres to the L-A-C Zone (Local Activity Center—Village Center). The basic plan was approved with 39 conditions and 11 considerations. The base residential density of the R-L Zone was approved as 818 dwelling units; the maximum residential density in the R-L Zone was approved as 1,000 dwelling units.

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

202 single-family detached units and 64 single-family attached units in Glassford Villages, the area of the subject application.

On June 23, 1994, the Prince George's County Planning Board reviewed and approved a master preliminary plan of subdivision (4-94017), Villages at Piscataway, for the entire acreage of the site, as described in PGCPB No. 94-213. The master preliminary plan of subdivision was approved with 20 conditions. That preliminary plan subsequently expired.

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

On February 4, 1999, the Prince George's County Planning Board reviewed and approved a specific design plan for infrastructure, SDP-9804, for Glassford Villages, North and South, based on the previously approved preliminary plan 4-96047. The specific design plan was approved for 176 single-family detached homes. The final plats of subdivision were reviewed and approved for the subject property on January 10, 2002. On January 16, 2003, the Planning Board approved a revision to the specific design plan, SDP-9804/01.

On June 17, 2003, the Planning Board approved preliminary plan 4-03027 for The Preserve for 836 dwelling units, which includes the area that is the subject of this application. Variation requests for impacts to sensitive environmental features and a revised Type I Tree Conservation Plan, TCP-I/9/94-02, were included in that approval.

COMPLIANCE WITH EVALUATION CRITERIA

6. **Basic Plan Conformance**: The specific design plan for Edelen Villages, North and South, as modified by the conditions, will be in conformance with the basic plan for zoning map amendments A-9869 and A-9870 and with the 39 conditions and 11 considerations of CR-60-1993. Specific conditions that warrant discussion regarding conformance of this specific design plan, SDP-0318, with the basic plan are considered below:

4. Phase I archeological survey with possible Phase II and Phase III follow-up shall be undertaken prior to any groundbreaking activity in the vicinity of the old village including the area of road construction. The boundaries of the area needing archeological survey can be set at time of CDP approval.

In the review of the comprehensive design plan by the Planning Board, the following condition was adopted in order to assure that the basic plan condition above was adhered to:

4. Prior to approval of any grading permit for the golf course, for the

construction of New Piscataway Road, or for any development north and west of New Piscataway Road within the boundaries of the Comprehensive Design Plan, the following shall be accomplished:

a. The applicant, his heirs, successors and/or assigns, shall complete the Phase I archeological survey for the entire archeological survey area.

b. The Phase I archeological survey shall be reviewed and accepted by staff of the Historic Preservation Section.

c. The exact boundaries of any areas where Phase II and Phase III surveys will be required will be mapped and agreed upon by the applicant and the Historic Preservation Section.

Prior to any grading permits for any area where a Phase II or Phase III archeological survey is agreed upon, that survey shall be completed by the applicant, his heirs, successors and/or assigns, and shall be reviewed and accepted by staff of the Historic Preservation Section.

Further, on this same subject is the following condition of the preliminary plan of subdivision:

3. Prior to the issuance of grading permits for any area where a Phase III archeological survey is required (sites 470B, 476, 496, 516, 521 and 531 as identified on the preliminary plan), the survey shall be reviewed and accepted by the Historic Preservation Section.

Comment: The subject application includes one archeological site for which a Phase III investigation was required (18PR476) and one site for which Phase III was not required, but has been completed by the applicant (18PR478). These sites, along with other sites not included in the Edelen Village North and South application, are included in the applicant's data recovery plan, April 2003. The data recovery plan described both the methods of site investigation to be used during Phase III and a proposed plan for the coordination of findings between interested agencies, public outreach, and the dissemination of information to the general public. Condition 4 of the recommendation section will protect the archeology site (18PR476).

29. The developer, his successors and/or assignees, shall work with community representatives and M-NCPPC staff to find a suitable organization to accept responsibility for preserving and protecting the Edelen House (Bailey Mansion).

Comment: M-NCPPC declined to accept ownership of the Edelen House. At the time of the CDP, a tentative agreement was reached between the Department of Parks and Recreation, the Historic Preservation Section, and the developer to sell a 3.2-acre tract of land containing the historic Edelen House to a private party who intended to preserve the property and restore it for use as a residence/

bed and breakfast. However, that scenario never came to fruition. There is a clear rational nexus between requiring the applicant to provide a public benefit feature, i.e., the preservation and restoration of a designated Historic Site, relative to the benefit of deriving density from the site. The applicant agreed to provide a report of the structural integrity of the house, including any hazardous materials within the structure, to determine how monies should be spent in making the property an attractive real estate investment for reuse. For further discussion on this same, see Finding 8, Conditions 44 and 45.

36. **A contribution shall be made to the Historic Piscataway Preservation Grant and Loan Fund, which shall be used for the preservation of buildings in the Village. At the time of each residential permit issuance, the applicant shall contribute $400 to the fund.**

Comment: This condition is reiterated in this SDP in order to ensure the collection of the contribution at the time of review of the building permits.

BASIC PLAN CONSIDERATIONS

4. **Woodland conservation of 35 percent should be a Phase II design consideration as well as the preservation of a large contiguous wooded area in the southern portion of the site.**

Comment: The approved Type I Tree Conservation Plan, TCPI/09/94-02, proposes woodland conservation of 272.88 acres. This is the equivalent of 35 percent of the net tract. All required woodland conservation must be met on site. The plan proposes extensive preservation of priority woodland including preservation on large lots. The Type I tree conservation plan does not allow woodland conservation areas on lots less than 20,000 square feet in area, does not allow the use of fee-in-lieu, and does not permit the use of an off-site easement. Woodland conservation is discussed in more detail in the environmental review section below.

6. **A wetlands report shall be approved by the Natural Resources Division prior to approval of the Phase II Comprehensive Design Plan.**

A wetlands report was included as part of the CDP submission and was reviewed and approved by the Environmental Planning Section. Impacts to wetlands and wetland buffers are discussed in more detail in the environmental review section below.

7. **Comprehensive Design Plan Conformance:** This specific design plan was reviewed for conformance with the approved comprehensive design plan, CDP-9306. Specific conditions that warrant discussion regarding conformance (besides those conditions previously discussed relative to the basic plan conditions) are considered below:

9. **A 100-year floodplain study or studies shall be approved by the Flood Management Section of the Department of Environmental Resources (DER) for each drainage area greater than 50 acres in size. Prior to approval of each Specific Design Plan or detailed**

Preliminary Plat of Subdivision, whichever comes first, a floodplain study shall be approved for any floodplain that is adjacent to or affecting the area of the plan.

Comment: A floodplain study (FPS-960029) has been approved by the Prince George's County Department of Environmental Resources. The approved 100-year floodplain is shown on the plans. No further action is required.

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

Comment: A conceptual stormwater management plan has been approved by the Prince George's County Department of Environmental Resources. No further action is required.

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

Comment: A soils report was submitted with 4-96047. That study indicated that Marlboro clay occurs on the site between elevations 40 to 55. A more detailed study was submitted with SDP-9804. Marlboro clay is discussed in more detail in the Environmental Review section below.

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

Comment: All specimen trees are shown on the Type II Tree Conservation Plan. This issue is addressed in more detail in the Environmental Review section below.

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

Comment: A wildlife management plan for the entire Preserve at Piscataway project has been submitted. The plan includes the preservation of wooded stream corridors, retention of woodlots that have a low area-to-edge ratio, and the use of best-management practices for stormwater management to provide for water quality control and avoid excessive water quality flows. Although there is an extensive internal roadway system, green space areas provide for retention of most of the existing wildlife corridors. No further action is required.

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

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

Comment: The master plan of street trees indicates the use of a variety of shade trees within the public right-of-way. This specific design plan correctly reflects the approved master plan of street trees. The sizes are proposed at 2½- to 3-inch caliper. The average distance between street trees is 35 feet on center. The staff recommends that the Planning Board adopt a condition requesting that DPW&T approve street trees in accordance with the master plan of street trees.

8. **Preliminary Plan Conformance:** The property is the subject of Preliminary Plan 4-03027, PGCPB Resolution No. 03-122, adopted by the Planning Board on June 17, 2002. The preliminary plan remains valid for six years from the date of the Planning Board's adoption of the resolution, or until June 17, 2008, in this case. The preliminary plan was approved with 47 conditions. The following conditions that have not been discussed elsewhere in this report apply to the review of this SDP.

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

Comment: The applicant is currently in compliance with this condition. The Edelen House Historic Site (84-23-06) is currently occupied as the applicant's on-site offices for the development. This condition should be included as part of all subsequent applications.

Condition 6. An errant golf ball study shall be submitted at the time the specific design plan review for land adjacent to the golf course.

Comment: This condition requires an errant golf ball study to be submitted with any SDP for land adjacent to the golf course. The applicant has submitted the errant shot study and has provided a worksheet drawing that overlays the evidence provided by the golf course designer, William Love, RLA. This drawing shows a circle representing the radius of where most errant shots will fall. The landscaping has been carefully placed adjacent to the edge of the circle radius along the rear lot lines to provide a buffer in those areas where an errant ball might fall, as shown on the errant shot study. This issue will be further studied at the time of review of the SDP for the golf course.

Condition 8. The following items shall be addressed prior to the approval of the SDP that includes the following:

d. The single-family detached units located along the main spine road through the development should front on the spine road.

Comment: Staff recommends that the houses on corner lots front on the most heavily traveled street, where possible.

14. The applicant, his heirs, successors and/or assignees shall provide the Historic Preservation staff with evidence of items a. through f. below, which may include copies of contracts, work orders, completion orders, and receipts.

a. Maintenance of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.

b. Maintenance of "No Trespassing" signs at the street and around the environmental setting at locations determined by the Historic Preservation staff and the applicant.

c. Provide an updated inspection report by a qualified professional of the current condition of the Historic Site (inclusive of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the environmental setting). The report shall include recommendations for repair if needed in order to preserve the integrity of the physical features.

d. Provide routine maintenance of utilities inclusive of heating, plumbing and electrical systems.

e. The applicant shall provide evidence of maintenance of fire insurance on the house.

f. Provide evidence of good faith efforts made to locate a suitable organization or individual to take responsibility for the Edelen House Historic Site and any plans to find a suitable steward for the property. The developer shall also provide the Historic Preservation Commission with evidence of the current structural integrity and physical condition of the property with cost estimates for significant repair items identified.

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

Comment: The applicant is currently in compliance with Condition 14; required periodic status

reports have been submitted according to the established schedule. This condition should be included as part of all subsequent applications.

15. **Prior to the issuance of each residential building permit, the applicant, his heirs, successors and/or assignees shall provide evidence of contribution of $400.00 to the Piscataway Preservation Grant and Loan Fund.**

Comment: Each building permit within The Preserve is reviewed for compliance with Condition 15. The funds generated by these contributions to the Piscataway Preservation Grant and Loan Fund (Piscataway Preservation Corporation) are collected and managed by an escrow agent retained by the applicant for this purpose. This condition should be carried forward and included as part of all subsequent applications.

17. **The applicant should demonstrate that the Piscataway Preservation Corporation has received approval of provisional nonprofit 501(c)(3) status from the Internal Revenue Service, if it is obtained.**

Comment: This condition was developed to potentially provide for tax-deductible contributions to the Piscataway Preservation Corporation (PPC). Since the permit fee of $400.00 per building is required by a Planning Board condition, it would be considered as a required expense even in the absence of the PPC, and could not be considered a voluntary, charitable, and tax-deductible contribution. Therefore, a Section 501(c)(3) determination under federal tax regulations is not appropriate. The applicant has demonstrated that the Piscataway Preservation Corporation has been incorporated under the Annotated Code of Maryland as a not-for-profit or nonstock equity entity. This condition should no longer be included as part of any subsequent development applications.

19. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to certification. The following note shall be placed on the record 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."

Comment: This condition remains in effect. The expanded stream buffer shown on the SPD is in agreement with the variation requests granted during the approval of the Preliminary Plan.

20. **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.

The applicant has obtained wetlands permits CENAB-OP-RMS (Villages at Piscataway) 95-63445-7 from the US Army Corps of Engineers and 95-NT-0129/199563445 from the Maryland Department of the Environment.

Comment: Impacts to wetlands and wetland buffers are discussed in more detail in the Environmental Review section below.

21. **At the time of review of the specific design plan for the portion of the site containing Bailey Village, a geotechnical report focusing on Marlboro Clay, including soil borings, boring logs, a plan showing borehole locations, an evaluation of potential problems, and recommendations for mitigating potential problems, shall be submitted.**

Comment: Bailey Village is not part of this SDP application. No further action is required.

22. **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/9/94-02), 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/Tree Preservation Policy."

Comment: This condition remains in effect.

28. **Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of $410.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Road A, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.**

29. **Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of $420.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Medinah Ridge Road, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.**

Comment: These conditions will be carried forward to the SDP in order to ensure enforcement.

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

Comment: This trail is reflected on the submitted SDP.

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

Comment: Standard sidewalks are recommended along both sides of all internal roads as reflected on the SDP. This will help to safely accommodate pedestrians on the site. Likewise, staff also recommends the provision of a standard sidewalk along one side of the private road serving Lots 1 through 17 on Parcel A-1 (see EVN-S7 & S8). The majority of the private streets on the subject site function as rear streets or alleys at the backs of lots, where sidewalks are not necessary or appropriate. However, since these lots front directly onto this private road, staff recommends a sidewalk to connect these residents to the sidewalk on St. Mary's View Road. For the same reasons, staff also recommends the provision of a standard sidewalk along one side of the private road serving Lots 1-8 on Parcel B-1 (see EVN-S5).

40. **The applicant, his heirs, successors and/or assignees shall, in cooperation with DPW&T and Planning Department staff, implement strategies that will maintain lower speeds on certain internal streets within the subject property. These include:**

    a. **Medinah Ridge Road, as labeled on the plan**

Comment: Along Medinah Ridge Road, traffic circles and choke points are shown that are consistent with the intent of this condition regarding the roadway connecting Parcels B, C, and D.

    b. **Road A, as labeled on the plan**

Comment: Along St. Mary's View Road, a traffic circle and a choke point are shown which are consistent with the intent of this condition regarding the roadway connecting Parcels D and A. Along St. Mary's View Road, a traffic circle and a choke point are shown which are consistent with the intent of this condition regarding the roadway connecting Parcels D, E, and F.

41. **The Specific Design Plan shall address specific issues of circulation and access raised by the Planning Department staff and DPW&T and shall review for consideration the following:**

a. Revise the right-of-way width to reflect a transition at the 90-degree turns to a 60-foot maximum right-of-way and a 36-foot paved section, subject to approval of the design by DPW&T, at the following locations:

(1) Road D, Road X, and Road Z

Comment: The flared curves identified in this condition are a part of this plan, and are shown correctly. Concurrence of DPW&T is needed prior to construction.

(2) Road B2 (sheet 5 of 4-03027)

Comment: The flared curve identified in this condition is not a part of this plan.

b. Provide designs for the traffic circles to DPW&T for review and design approval, incorporating improved channelization within the current right-of-way or with slight modifications to the right-of-way, at the following locations:

(1) Medinah Ridge Road and Road D (sheet 4 of 4-03027)

Comment: The design of this traffic circle is part of this plan, and must have the concurrence of DPW&T prior to construction.

(2) Road A and Medinah Ridge Road (sheet 6 of 4-03027)

Comment: The design of this traffic circle is part of this plan and must have the concurrence of DPW&T prior to construction.

c. Redesign all substandard curves, with consideration of the three following options: (A) redesign the roadway with a minimum 200-foot roadway centerline radius, with parking to be prohibited along the inside of the curve; (B) redesign the roadway to utilize 90-degree turns, subject to the design requirements discussed in Condition 42a above; (C) redesign the roadway to utilize cul-de-sacs instead of the continuous curving roadway. The final design shall be subject to approval by DPW&T, and is required at the following locations:

(1) Road C (sheet 4 of 4-03027)

Comment: The design of the tightly curved roadway was revised to a 200-foot minimum centerline curvature and must have the concurrence of DPW&T prior to construction.

(2) Road F (sheet 6 of 4-03027)

Comment: Staff has evaluated the revision that now shows (SDP) two cul-de-sacs and finds substantial conformance to the preliminary plan of subdivision with a concurrence from the Environmental Planning Section that no additional impacts to the PMA have occurred, greater than those approved by the Planning Board in the approval of the preliminary plan. The design of the tightly curved roadway was revised to utilize two cul-de-sacs instead of a continuous curving roadway and must have the concurrence of DPW&T prior to construction.

d. All townhouses (except Bailey Village Lots 22-30, Block D) fronting on public streets shall, if a garage is provided, have the garage fronting on and receiving access from a private alley.

Comment: All townhouses either front upon private streets or have garages served by private alleys, in accordance with the requirements of this condition.

e. The plans shall be revised to display horizontal curve alignment data at all needed locations.

Comment: The needed data is displayed on the plan.

44. At the time of submittal of the first SDP for Preliminary Plan 4-03027, the applicant, his heirs, successors and/or assignees shall:

(a) Create an "Edelen House Improvement Disbursement Fund" in the amount of $150,000. The purpose of the fund is to make internal and external improvements (excluding new landscaping) to the Edelen House Historic Site (84-23-06) that enhances the historic and architectural integrity of the structure. These improvements, excluding routine maintenance and those maintenance items outlined in Condition 3 (a-f) of SDP 9804-01 as approved, may include but are not limited to repairs to exterior features such as roofs, doors, windows and wooden and masonry elements, and the installation of upgraded plumbing, heating, electrical, water and sewer services.

(b) Submit to the Historic Preservation Commission for approval, a list of potential improvements to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. All improvements to the Edelen House Historic Site (84-23-06) paid for by the Edelen House Improvement Disbursement Fund shall be approved by the Historic Preservation Commission and, as appropriate, be approved through the Historic Area Work Permit process. The applicant and the Historic Preservation Commission may, by mutual agreement, modify the list of improvements to be paid for through the Edelen House Improvement Disbursement Fund.

Comment: The applicant has developed a list of repairs to be carried out with funds from the

Edelen House Improvement Disbursement Fund and these work items were reviewed and approved by the Historic Preservation Commission on May 18, 2004, through the applicant's Historic Area Work Permit application. This condition has been fulfilled.

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

Comment: The applicant's Historic Area Work Permit application for improvements to be implemented through the Edelen House Improvement Disbursement Fund (HAWP #10-04) was reviewed by the Historic Preservation Commission on May 18, 2004, as stated above. According to Condition 45, the applicant must complete the improvements prior to the issuance of the 177th building permit or June 17, 2004 (12 months from the adoption of the Planning Board's approval of Preliminary Plan 4-03027), whichever occurs first.

At this time, the applicant has stated that completion of the improvements will not be possible according to the stipulated deadline. At the May 18, 2004, meeting of the Historic Preservation Commision (HPC), the applicant requested that the HPC recommend to the Planning Board an extension of the deadline for completion of the work until May 17, 2005. The Historic Preservation Commission's proposed revision to the schedule would allow for the retention of appropriate contractors and the accommodation of weather limitations associated with exterior rehabilitation work.

The Development Review Division has reviewed the proposal of the applicant and the recommendation of the Historic Preservation Commission. The Planning Board's condition provides for either a date-specific or the building permit deadline. If the applicant does not meet the date stated in the condition, then the condition does not specify the consequence of not meeting the date. However, if the applicant does not meet the deadline prior to the issuance of the 177th building permit, then no additional permits will be recommended for approval by MNCPPC to the Department of Environmental Resources. This is the most effective way to monitor and enforce conditions of approval. It has been recognized by the staff that conditions relating to specific dates are not enforceable and allow delinquency on the part of the applicant with no repercussions. As of the writing of this report, the MNCPPC Permit Section has reviewed and approved 107 building permits for the overall development. This allows the applicant to pull an additional 70 building permits before the completion of the work to the historic structure is required. In order to change the Planning Board's condition in regard to the number of building permits allowed to be issued, it would be necessary for the applicant to request a reconsideration of the condition of the preliminary plan. Further, this condition was also applied to Phase I of the project, The Preserve, Glassford Village South Addition, SDP-9804/02 approved by the Planning Board on April 1, 2004, and that action would also have to be reconsidered.

REFERRAL RESPONSES

9. The Environmental Planning Section recommends approval of SDP-0318 and TCPII/46/06 subject to conditions.

a. This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B* indicates that there are substantial areas designated as Natural Reserve on the site. As noted on page 136 of the Subregion V master plan:

> "The Natural Reserve Area is composed of areas having physical features which exhibit severe constraints to development or which are important to sensitive ecological systems. Natural Reserve Areas must be preserved in their natural state."

The Subregion V Master Plan elaborates on page 139:

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

To be in conformance with the Subregion V master plan, new development should preserve to the greatest extent possible the areas shown as natural reserve. For the purposes of this review, the natural reserve includes the expanded stream buffer and any isolated sensitive environmental features.

The specific design plan and Type II tree conservation plan show streams on the site, the required minimum 50-foot stream buffers, wetlands, the required 25-foot wetland buffers, a 100-year floodplain, and all slopes exceeding 25 percent, all slopes between 15 and 25 percent, and an expanded stream buffer.

The SDP proposes impacts to stream buffers and wetland buffers. Impacts to these buffers are prohibited 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. All of the impacts proposed on SDP-0318 were granted variations by the Planning Board during the review and approval of Preliminary Plan 4-03027.

Comment: No further action regarding sensitive environmental features is required in regard to this SDP review.

b. This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size and has more than 10,000 square feet of woodland. A tree conservation plan is required.

A forest stand delineation was reviewed with CDP-9306. A revised forest stand delineation was reviewed with 4-94017. Type I Tree Conservation Plan (TCPI/9/94) was approved with CDP-9306. A revision to Type I Tree Conservation Plan (TCPI/9/94-01) was approved with 4-94017. A revision to Type I Tree Conservation Plan (TCPI/9/94-02) was approved with 4-03027. The Type I tree conservation plan provides for all woodland conservation requirements to be met on site and does not allow woodland conservation areas on lots less than 20,000 square feet in area, the use of fee-in-lieu, or the use of an off-site easement.

A Type II Tree Conservation Plan (TCPII/46/04) was submitted with this application. This TCPII includes only 130.66 acres of the entire 793.2-acre project. This portion contains 67.44 acres of upland woodland and 63.22 acres of floodplain woodland. The plan proposes clearing 35.04 acres of upland woodland, 1.37 acres of floodplain woodland, and 4.39 acres off-site. The plan proposes preservation of 32.40 acres and afforestation of 14.13 acres, for a total of 46.53 acres.

The design of the woodland conservation areas is in complete conformance with TCPI/9/94-02. Except for areas where variation requests were approved during the approval of Preliminary Plan of Subdivision 4-03027, all priority woodland areas are to be preserved. Many areas where grading and clearing of woodland of expanded stream buffers has been approved will be reforested.

The cover sheet for the TCPII shows the location of each previously approved Specific Design Plan and their companion Type II Tree Conservation plans. A tracking chart clearly calculates the overall woodland conservation for the project. The overall project remains in compliance with Consideration #4 of A-9869 & A-9870, CR-60-1999, September 14, 1993, and provides for woodland conservation of 35 percent as well as the preservation of a large contiguous wooded area in the southern portion of the site.

Condition 11(g) of PGCPB. No. 03-122 states:

"No stormwater management facilities or tree conservation in excess of 4.5 acres on the 75 acres on the north side of Floral Park Road or utility easements other than the sewer easements identified by the applicant on the 75 acres north of Floral Park Road shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits."

The TCPII proposes the planting of 10.84 acres in addition to preserving 4.09 acres of woodland on the property referenced above. Although the condition relates to the issuance of a grading permit, the Type II tree conservation plan should not be approved until the terms of this condition have been satisfied.

Recommended Action: The Environmental Planning Section recommends approval of TCPII/46/04 subject to the following condition:

> Prior to certification of the specific design plan, the applicant shall submit a letter of consent from the Department of Parks and Recreation agreeing to afforestation on lands to be dedicated or the Type II Tree Conservation Plan shall be revised to remove afforestation on lands to be dedicated.

c. Marlboro Clay is known to occur on the site. A soils report was submitted with 4-96047. That study indicated that Marlboro clay occurs on the site between elevations 40 to 55. A more detailed study was submitted with SDP-9804. Because of the elevation of the clay and local topography, slope failure is not an issue. Footers for foundations cannot be set in Marlboro clay. Marlboro clay is unsuited as a subbase material for roads. Due to the elevation in this portion of the property, Marlboro clay should not be a factor for foundations or roads.

Comment: No further action regarding Marlboro clay is required with regard to the review of this SDP.

d. Floral Park Road and Piscataway Road are designated historic roads. Proposed applications on or adjacent to scenic and historic roads are reviewed for conformance with *Design Guidelines and Standards for Scenic and Historic Roads* prepared by the Prince George's County Department of Public Works and Transportation.

As noted in Condition 4 of the Comprehensive Design Plan (CDP-9306) for the subject property known as the Villages at Piscataway as described in PGCPB No. 94-98(C), all permits for road construction in this area are subject to review and approval by the Historic Preservation Commission.

Comment: Previous Condition 4 of PGCPB No. 94-98(C) should be carried forward and addressed by the Historic Preservation Commission.

e. The *Prince George's County Soils Survey* indicates that the principal soils on the site are in the Aura, Beltsville, Bibb, Elkton, Galestown, Othello, and Sassafras soils series. Condition 17 of PGCPB No. 94-213, File No. 4-94017, June 24, 1994, was specifically included to require future review of areas where highly erodible soils occur on slopes in excess of 15 percent. Aura, Beltsville, Elkton, and Othello soils are highly erodible.

Comment: This information is provided for the applicant's benefit. No further action is needed as it relates to this preliminary plan of subdivision review. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

f. A Stormwater Management Concept Plan, CSD#8008470-1994-01, has been approved by the Prince George's County Department of Environmental Resources and is valid until June 30, 2004.

Comment: No further action regarding the stormwater management is required with regard to this Specific Design Plan review

10. The Public Facilities Planning Section has reviewed the original specific design plan for adequacy of public facilities and concluded the following:

Residential

- The existing fire engine service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 5.25-minute travel time guideline.

- The existing ambulance service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 6.25-minute travel time guideline.

- The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 7.25-minute travel time guideline.

The above findings are in conformance with the *Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

Commercial

- The existing fire engine service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 3.25-minutes travel time guideline.

- The existing ambulance service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 4.25-minutes travel time guideline.

- The existing paramedic service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 7.25-minutes travel time guideline.

- The existing ladder truck service at Accokeek Fire Station, Company 24 located at 16111 Livingston Road has a service travel time of 6.67 minutes, which is beyond the 7.25-minutes travel time guideline.

The above findings are in conformance with the *Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

The Historic Preservation and Public Facilities Planning Section has concluded that the entire development is beyond the recommended response times from existing facilities that provide ambulance service. This finding is based on using the existing road system and existing stations. The Historic Preservation and Public Facilities Planning Section recommends that the following condition, which was applied to Preliminary Plat of Subdivision 4-03027 be retained on Specific Design Plan 0318:

> The applicant shall provide a fee to Prince George's County, which shall serve as a fair share contribution toward the construction of the Brandywine Special Study Area Station and acquisition of an ambulance and paramedic unit. The fee amount is based upon the construction cost of the station ($1,275,000) and the purchase price of an ambulance ($129,000) and paramedic unit ($129,000) divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (10,024). The fair share fee for residential development, $479 per dwelling unit, shall be paid prior to the approval of each permit and the fair share fee for commercial/historic uses, $7646.50, shall be paid prior to the issuance of the first building permit for nonresidential uses.
>
> Comment: The subject application includes a community building that will ultimately be owned by the homeowners association.

Police

The proposed development is within the service area for District IV, Oxon Hill. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations

relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 1/02/04 the county had 823 sworn staff and a total of 101,303 feet of station space. Based on available space there is capacity for 57 additional officers. The staff concludes that the existing county police facilities will be adequate to serve the proposed mixed-use development.

11. The Transportation Planning Section reviewed the proposed specific design plan for conformance to the basic plan, comprehensive design plan, and the preliminary plan conditions relating to transportation in their memo dated May 18, 2004. The transportation staff finds that the subject application does indeed conform to the approved subdivision plan, the approved comprehensive design plan and the approved basic plan from the standpoint of transportation.

The subject property is required to make roadway improvements pursuant to a finding of adequate public facilities made in 2003 and supported by a traffic studies and analyses done in 1994 and 2002. These conditions are enforceable with the submission of building permits. All required signal warrant studies required for submittal prior to SDP approval have been submitted.

12. The Permit Review Section has reviewed the plans and raised the following issues that remain outstanding:

A. The following is a list of additional development standards that should be included and added to the cover sheet of this SDP:

a. Setbacks for garages and accessory buildings on through lots.

b. Minimum distance between end buildings for the townhouses.

c. Setback requirements for open decks and porches.

d. Amount of encroachment allowed for bay windows, chimneys, vestibules, areaways (above grade), etc...into the building restriction lines.

B. Parking calculations for the community building shall be revised to eliminate the reference to the 20 percent reduction rate, as it does not apply. Revise the parking schedule to include handicap accessible parking spaces including, van accessible spaces as required.

C. The townhouse lots appear to have single-car garages, many of which do not have the minimum setback of 19 feet for a second parking space. Revise the plan to accommodate a second parking space.

D. Revise plans to include driveway aprons and/or the curb cuts for all of the townhouse units.

E. The 25-foot minimum distance between end buildings (see Table 2) has not been met between Lots 6 and 7, Block C; Lots 21 and 22, Block D; Lots 15 and 16, Block D; Lots

27 and 28, Block E; Lots 22 and 23, Block E; and Lots 4 and 5, Block B. Revise the plan accordingly.

Comment: The comments above have been included as conditions of approval for this case.

13. Section 27-528, Additional Findings for Townhouses—The plan conforms to the approved comprehensive design plan and the applicable standards of the *Landscape Manual.* The subject application demonstrates conformance to Section 4-1 of the *Landscape Manual.*

14. As explained in Findings 12 and 13 above, the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

15. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties as demonstrated through the Stormwater Management Concept Plan, CSD#8008470-1994-01, which has been approved by the Prince George's County Department of Environmental Resources and is valid until June 30, 2004.

16. Some of the townhouses proposed on the subject application have been designed to front the units on roadways, surrounding a village green in one instance. The rears of other units are buffered from the public rights-of-way and preservation of existing trees will provide privacy. Further review of the proposed townhouse architecture will occur prior to the issuance of any building permits, in accordance with Condition 8.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/46/04), and further APPROVED Specific Design Plan SDP-0318 for the above-described land, subject to the following conditions:

1. The initial half-section of Piscataway Road extended (otherwise known as A-54, the relocation of MD 223 through the subject property) shall be open to traffic between Livingston Road and existing MD 223 to Floral Park Road prior to the issuance of the 186th residential building permit within the subject property.

2. In order to alleviate the negative impact on fire and rescue services due to inadequate service, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

3. The applicant shall provide a fee to Prince George's County that shall serve as a fair share contribution toward the construction of the Brandywine special study area station and acquisition of an ambulance and paramedic unit. The fee amount is based upon the construction cost of the station ($1,275,000) and the purchase price of an ambulance ($129,000) and paramedic unit

($129,000), divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (10,024). The fair share fee for residential development of $479 per dwelling unit shall be paid prior to the approval of each permit and the fair share fee for commercial/historic uses of $7646.50 shall be paid prior to the issuance of the first building permit for nonresidential uses. The proposed community building, for the purposes of this condition, is considered a residential use.

4. Prior to the issuance of grading permits for any land-disturbing activity within 50 feet of Archeological Site 476 (as identified on the SDP), the Phase III archeological survey shall be reviewed and accepted by the Historic Preservation Section.

5. The applicant, his heirs, successors and/or assignees shall provide for the continuous occupancy of the Edelen House (the "property.") Applicant shall work with the Historic Preservation staff to ascertain methods of informing prospective purchasers and tenants of the availability of the property.

6. The applicant, his heirs, successors and/or assignees shall provide the Historic Preservation staff with evidence of items a. through f. below, which may include copies of contracts, work orders, completion orders, and receipts.

   a. Maintenance of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.

   b. Maintenance of "no trespassing" signs at the street and around the environmental setting at locations determined by the Historic Preservation staff and the applicant.

   c. Provide an updated inspection report by a qualified professional of the current condition of the property (inclusive of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the environmental setting). The report shall include recommendations for repair if needed in order to preserve the integrity of the physical features.

   d. Provide routine maintenance of utilities inclusive of heating, plumbing and electrical systems.

   e. The applicant shall provide evidence of maintenance fire insurance on the house.

   f. Provide evidence of good faith efforts made to locate a suitable organization or individual to take responsibility for the Edelen House Historic Site and any plans to find a suitable steward for the property. The developer shall also provide the Historic Preservation Commission with evidence of the current structural integrity and physical condition of the property with cost estimates for significant repair items identified.

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

7. Prior to the issuance of each residential building permit, the applicant, his heirs, successors and/or assignees shall provide evidence of contribution of $400.00 to the Piscataway Preservation Grant and Loan Fund.

8. Prior to signature approval of the plan, the following modifications shall be made:

   a. The width of all private streets shall be dimensioned as no less than 22 feet and alleys shall be dimensioned as no less than 18 feet wide.

   b. Each sheet of the SDP shall provide reference to all parcels and to whom the parcel is to be dedicated.

   c. At least 50 percent of the single-family detached units in the village that are 65 feet or less in width at the street line shall have a fence in the front yard. At least one-third of the model lots shall include this feature.

   d. The specifications and details for the fences in the front yards shall be agreed upon by the applicant and staff and shown on the plans.

9. Prior to the issuance of any building permits for the construction of single-family attached units, or the community building, the applicant shall file a revision to the plans as follows:

   a. Submit the architecture proposed for the single-family attached units.

   b. Submit the architecture for the community building.

   c. Submit the details and specification for all of the recreational facilities, including the proposed pool, basketball court, and recreational facilities within the village green.

   d. The applicant shall address the parking and loading standards for the proposed central recreational area and file a departure from the parking and loading standards, if determined to be necessary.

10. Prior to the issuance of the first building permit for the subject application, the applicant shall demonstrate approval of the paving plans by the DPW&T and the street trees within the right-of-way shall be in general conformance to the master plan of street trees, particularly in regard to size (2½- to 3-inch caliper) and spacing (approximately 35 feet on center).

11. The applicant, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the specific design plan, tree conservation plan, landscape plan, and plans for recreational facilities.

12. The applicant, his heirs successors and/or assignees shall demonstrate, by means of a tracking chart, that a minimum of 25 percent of the single-family detached units shall have front porches.

13. Prior to the issuance of building permits, plans shall indicate that houses on corner lots shall front on the most heavily traveled street, where possible.

14. Prior to the submittal of the 177th residential building permit for the overall development or June 17, 2004, whichever is earlier, the applicant, his heirs, successors and/or assignees shall complete all agreed-upon improvements to the Edelen House Historic Site (84-23-06) to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. As evidence of the completion of the improvements, the applicant shall provide the Historic Preservation Commission with a description of the work and itemized receipts.

15. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of $410.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along St. Mary's View Road (formerly Road A), designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.

16. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of $420.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Medinah Ridge Road, designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.

17. The applicant, his heirs, successors and/or assignees shall provide sidewalks along both sides of internal public streets.

18. Provide a sidewalk along one side of the private road serving Lots 1–17 on Parcel A-1.

19. Provide a sidewalk along one side of the private road serving Lots 1–8 on Parcel B-1.

20. The following is a list of additional development standards that shall be included and added to the cover sheet of this SDP:

    a. Setbacks for garages and accessory buildings on through lots.

b. Minimum distance between end buildings for the townhouses.

c. Setback requirements for open decks and porches.

d. Amount of encroachment allowed for bay windows, chimneys, vestibules, areaways (above grade), etc...into the building restriction lines.

21. Parking calculations for the community building shall be revised to eliminate the reference to the 20 percent reduction rate, as it does not apply. Revise the parking schedule to include handicap accessible parking spaces including, van accessible spaces as required.

22. The townhouse lots appear to have single-car garages, many of which do not have the minimum setback of 19 feet for a second parking space. Revise the plan to accommodate a second parking space.

23. Revise plans to include driveway aprons and/or the curb cuts for all of the townhouse units.

24. The 25-foot minimum distance between end buildings (see Table 2) has not been met between Lots 6 and 7, Block C; Lots 21 and 22, Block D; Lots 15 and 16, Block D; Lots 27 and 28, Block E; Lots 22 and 23, Block E; and Lots 4 and 5, Block B. Revise the plan accordingly.

25. Prior to certification of the specific design plan, the applicant shall submit a letter of consent from the Department of Parks and Recreation agreeing to afforestation on lands to be dedicated or the Type II tree conservation plan shall be revised to remove afforestation on lands to be dedicated.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit 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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire and Hewlett voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, June 10, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of June 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SHL:meg

APPROVED AS TO LEGAL SUFFICIENCY.
M-NCPPC Legal Department
Date 6/18/04

CERTIFICATE OF APPROVAL

THE PRESERVE, EDELEN VILLAGE NORTH & SOUTH
SDP-0318

The resolution for this Specific Design Plan was approved on June 24, 2004, by the Prince George's County Planning Board in accordance with Subtitle 27, Part 8, Division 4 of the Prince George's County Code. The official decision of this case is embodied in Prince George's County Planning Board Resolution No. 04-135, which contains the conditions listed below:

1. The initial half-section of Piscataway Road extended (otherwise known as A-54, the relocation of MD 223 through the subject property) shall be open to traffic between Livingston Road and existing MD 223 to Floral Park Road prior to the issuance of the 186th residential building permit within the subject property.

2. In order to alleviate the negative impact on fire and rescue services due to inadequate service, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

3. The applicant shall provide a fee to Prince George's County that shall serve as a fair share contribution toward the construction of the Brandywine special study area station and acquisition of an ambulance and paramedic unit. The fee amount is based upon the construction cost of the station ($1,275,000) and the purchase price of an ambulance ($129,000) and paramedic unit ($129,000), divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (10,024). The fair share fee for residential development of $479 per dwelling unit shall be paid prior to the approval of each permit and the fair share fee for commercial/historic uses of $7646.50 shall be paid prior to the issuance of the first building permit for nonresidential uses. The proposed community building, for the purposes of this condition, is considered a residential use.

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This approval includes:

1	Cover Sheet
1	Approval Sheet
21	Site Development Plans
23	Landscape Plans
23	Tree Conservation Plans

Any departure from this plan shall be resubmitted to the Planning Board for approval.

This Specific Design Plan is valid for 6 years, until June 24, 2010, or as provided for in Section 27-528.

CERTIFIED BY AUTHORITY OF:
The Prince George's County Planning Board

Signed: Steven D. Adams by gw
Steven D. Adams, Urban Design Supervisor