



July 16, 2024



D.R. Horton, Inc.  
137 Mitchells Chance Road, Suite 300  
Edgewater, MD 21037

Re: Notification of Planning Board Action on  
**Specific Design Plan - SDP-2304**  
**Saddle Ridge**

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 on **July 11, 2024**, pursuant to the Transitional Provisions of Section 27-1700 of the Prince George's County Zoning Ordinance and in accordance with the attached Resolution.

Pursuant to Section 27-528.01 of the prior Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of the final notice (**July 16, 2024**) of the Planning Board's decision, unless:

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

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-636-2050.)

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

Sincerely,  
Sherri Conner, Acting Chief  
Development Review Division

By: Hyojung Garland  
Reviewer

Attachment: PGCPB Resolution No. **2024-057**

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

PGCPB No. 2024-057

File No. SDP-2304

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Legacy Comprehensive Design Zone (LCD); and

WHEREAS, pursuant to Section 27-1704(h) of the Zoning Ordinance, property in the LCD Zone may proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to April 1, 2024, subject to the terms and conditions of the development approvals which it has received; and

WHEREAS, the subject property was included in Comprehensive Design Plan CDP-22001, which was approved by the Prince George's County Planning Board on October 19, 2023 (PGCPB Resolution No. 2023-108); and

WHEREAS, pursuant to Section 27-1704(a) of the Zoning Ordinance, CDP-22001 remains valid for a period of twenty (20) years from April 1, 2022; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on June 13, 2024, regarding Specific Design Plan SDP-2304 for Saddle Ridge, the Planning Board finds:

1. **Request:** This application requests approval of a specific design plan (SDP) for infrastructure improvements, including public streets, water, sewer, stormdrain utilities, and stormwater management (SWM) facilities.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>EVALUATED</b>
Zones	LCD	Prior R-S
Use	Vacant	Infrastructure
Gross Total Acreage	289.36	289.36
Floodplain Acreage	33.24	33.24
<b>Net Acreage of SDP</b>	<b>256.12</b>	<b>256.12</b>

3. **Location:** This site is located on the south side of Floral Park Road, approximately 268 feet west of its intersection with Old Liberty Lane.
4. **Surrounding Uses:** The subject site is bounded to the north by Floral Park Road, with single-family dwellings in the Residential, Rural (RR) Zone beyond; to the east by undeveloped land in the Residential Estate (RE) Zone; to the south by MD 373 (Accokeek Road), with single-family

dwellings in the RR Zone beyond; and to the west by single-family dwellings in the RE Zone. The property is also divided into two development areas, the northern and southern development areas, which are separated by an existing Potomac Electric Power Company (PEPCO) high tower power line easement.

5. **Previous Approvals:** Portions of the property have been used for surface mining operations permitted by special exceptions which are listed below. The property has been cleared of the mining operation and the majority of the site remains wooded. The following applications were previously approved for the subject property:

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

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

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

The subject property was the subject of Zoning Map Amendment (Basic Plan) A-10060, which was recommended for approval by the Prince George's County Planning Board (PGCPB), pursuant to PGCPB Resolution No. 2021-92, adopted on July 29, 2021. The basic plan requested that the property be rezoned from the prior Rural Residential (R-R) and Residential-Estate (R-E) Zones to the prior Residential Suburban Development (R-S) Zone. The evidential hearing was held before the Prince George's County Zoning Hearing Examiner (ZHE) on October 27, 2021, and the record was closed. Subsequently, ZHE certified the basic plan on November 22, 2022. Pursuant to Section 27-4205(c)(3) of the Prince George's County Zoning Ordinance, the requirements of the prior R-S Zone now apply. The density range permitted with the basic plan was 737 to 955 dwelling units.

On October 19, 2023, the Planning Board approved Comprehensive Design Plan CDP-22001, for Saddle Ridge (PGCPB Resolution No. 2023-108). The CDP approved a residential development, with a mix of housing types consisting of up to 621 single-family detached and up to 333 single-family attached units, for a total of 954 dwelling units.

6. **Design Features:** The 289.36-acre subject property contains mapped regulated environmental features (REF) including streams, wetlands, and 100-year floodplain. The site is characterized by steep slopes associated with the Burch Branch stream and its tributaries.

The subject SDP proposes infrastructure improvement designs for public streets, water, sewer, stormdrain utilities, and SWM facilities, all of which will be essential to further develop the site as a residential community. No development of lots, parcels, or dwelling units is proposed at this time.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-10060:** The District Council approved Basic Plan A-10060 on October 17, 2022, for development of up to 955 single-family detached and attached dwelling units in the prior R-S Zone, with no conditions.
8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the applicable SDP requirements of the prior Zoning Ordinance.
  - a. Section 27-527 of the prior Zoning Ordinance sets forth the following criteria for approval of an SDP:
    - (a) **The applicant shall demonstrate to the Planning Board that, in the preparation of the Specific Design Plan, he has devoted adequate attention to building and landscape design, and engineering factors. The signatures of a qualified design team (including an architect, a landscape architect, and a professional engineer) on the Specific Design Plan shall be prima facie evidence that the respective factors within the scope of the signer's profession have been considered.**

The subject plan conforms to the requirements of this Section by establishing infrastructure improvement designs for public streets, water, sewer, stormdrain utilities, and SWM facilities, to further development of the site, in conformance with CDP-22001. The subject SDP does not include any landscape, building, or architectural components. The site plan was prepared by Rodgers Consulting Inc. and signed by the appropriate civil engineer, in accordance with this requirement. This criterion will be evaluated again with the full SDP.

- (b) **The Specific Design Plan shall include (at least) the following with all plans prepared at the same scale:**
  - (1) **A reproducible site plan showing buildings, functional use areas, circulation, and relationships between them; and in the V-M and V-L Zones, a three-dimensional model and a modified grid plan, which may include only the Village Proper, and any Hamlet, which incorporates plan concepts, spatial and visual relationships, streetscape, and other characteristics of traditional rural villages shall be provided prior to Planning Board and District Council review;**

- (2) Reproducible preliminary architectural plans, including floor plans and exterior elevations;**
- (3) A reproducible landscape plan prepared in accordance with the provisions of the Landscape Manual;**
- (4) A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Standard Letter of Exemption;**
- (5) An approved Natural Resource Inventory; and**
- (6) A statement of justification describing how the proposed design preserves or restores the regulated environmental features to the fullest extent possible.**

This SDP has been prepared to meet all the applicable drawing and plan submission requirements. The subject application is for infrastructure only, to support the ultimate development of the property. Thus, no architectural elevations are included at this time. All development details will be reflected in the full SDP submittal. A Type 2 Tree Conservation Plan, TCP2-011-2024, has been submitted in conjunction with this application and reflects all proposed infrastructure improvements and impacts.

A Natural Resources Inventory Plan, NRI-150-06-01, was submitted with the review package, which was approved on August 19, 2022. The property included in the NRI contains mapped REFs including streams, wetlands, and 100-year floodplain. A statement of justification (SOJ) was submitted that describes how the REFs are preserved to the fullest extent possible.

- (c) An applicant may submit a Specific Design Plan for Infrastructure in order to proceed with limited site improvements. These improvements must include infrastructure which is essential to the future development of the site, including streets, utilities, or stormwater management facilities. Only those regulations, submittal requirements, development standards, and site design guidelines which are applicable shall be considered. The Planning Board may also consider the proposal in light of future requirements, such that the plan cannot propose any improvements which would hinder the achievement of the purposes of the zone, the purposes of this Division, or any conditions of previous approvals, in the future. The Planning Board shall also consider any recommendations by the Department of Permitting, Inspections, and Enforcement and the Prince George's Soil Conservation District. Prior to approval, the Planning Board shall find that the Specific Design Plan is in conformance with an approved Type 2 Tree Conservation Plan and must also approve a Type 2 Tree Conservation Plan in conjunction with approval of the Specific Design Plan for Infrastructure.**

This SDP is for infrastructure only. Specifically, the application proposes infrastructure improvements for public streets, water, sewer, and stormdrain utilities, and SWM facilities for the property. All areas shown to be impacted by this application will ultimately be developed with residential units, in conformance with the approved CDP applicable to the property. A TCP2 has been submitted for review with this application. An approved SWM Concept Plan (24297-2023-00) was also submitted with this application. The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) issued the approval on May 8, 2024.

- b. Section 27-528 of the prior Zoning Ordinance sets forth the following criteria for approval of an SDP for infrastructure:

**(b) Prior to approving a Specific Design Plan for Infrastructure, the Planning Board shall find that the plan conforms to the approved Comprehensive Design Plan, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

This application conforms to the approved CDP-22001, as mentioned herein. Further, the proposed layout and associated infrastructure will not be detrimental to the health, safety, or welfare of any resident or property owner within the County.

This application area contains REFs including steep slopes, floodplain, wetlands, streams, and their associated buffers which comprise the primary management area (PMA). This SDP application is only for impacts needed for on-site infrastructure. The proposed infrastructure is necessary to implement the planned residential development for the property, as reflected in the approved basic plan and CDP. The ultimate development of the residential uses for the property will promote the health, safety, and welfare of the existing residents of the County by providing a variety of new living opportunities, as well as increasing the overall tax base for Prince George's County. In addition, all grading activities will be performed pursuant to a site development permit from DPIE and will respect all approved limits of disturbance established for the property, thereby preventing off-site property damage and environmental degradation. The proposed grading will also incorporate all required sediment control devices to prevent any damaging drainage, erosion, or pollution discharge.

9. **Comprehensive Design Plan CDP-22001:** CDP-22001 for Saddle Ridge was approved by the Planning Board on October 19, 2023 (PGCPB Resolution No. 2023-108), and affirmed by the District Council on January 18, 2024, for a residential development with a mix of housing types consisting of up to 954 dwelling units, subject to nine conditions and two considerations. The conditions that are relevant to the review of this SDP are provided as follows:

3. **At the time of specific design plan, the applicant shall submit a list of sustainable site and green building techniques that will be used in the development and will be included in the design guidelines.**

The subject SDP does not include any landscape, building, or architectural components. This condition will be evaluated with the full SDP.

8. **The timing of construction of the master-planned trails shall be determined with the approval of the specific design plan.**

The current proposal is for infrastructure improvements and includes a conceptual location for the master-planned trail. The current submittal includes areas where the trail will run parallel to internal streets. The applicant has updated the plan to include a 10-foot-wide shared-use path in these areas. The above-referenced condition shall remain in effect and shall be addressed at the time of any SDP for construction.

9. **Upon receipt of the Phase I report by the Prince George's County Planning Department, if it is determined that potentially significant archeological resources exist in the project area, a plan for evaluating the resource at the Phase II level, the Phase III level, or avoiding and preserving the resource in place shall be provided, prior to Prince George's County Planning Board approval of the final plat. If a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.**

A Phase I archeological survey of 11.3 acres, including Parcel 143 (Tax ID 1140235), Parcel 037 (Tax ID 1174572), Parcel 236 (Tax ID 5528410), and Parcel 188 (Tax ID 1189182), was completed in March 2024. One archeological site, 18PR1259, was identified. No further archeological investigation is required.

10. **2010 Prince George's County Landscape Manual:** Per Section 27-528(a)(1) of the prior Zoning Ordinance, an SDP must conform to the applicable standards of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The proposed development of infrastructure only is exempt from conformance with Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips along Streets; Section 4.6, Buffering Development from Streets; and Section 4.7, Buffering Incompatible Uses, of the Landscape Manual because it does not propose a change in intensity of use, or an increase of impervious area for parking or loading spaces or gross floor area on the subject property. Future SDPs that include development of the site will be reevaluated for conformance with the applicable sections of the Landscape Manual.
11. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size

and contains more than 10,000 square feet of existing woodland. TCP2-011-2024 was submitted with the SDP application.

Based on the TCP2, the overall site contains a total of 202.91 acres of net tract woodlands, and 29.24 acres of wooded floodplain. This application uses the prior zoning (R-S) woodland conservation threshold with a requirement of 51.22 acres (20 percent), and the total woodland conservation requirement is 92.07 acres. Currently, the plan and woodland conservation worksheet show 72.16 acres of on-site preservation, 10.84 acres of reforestation, and 9.07 acres of off-site woodland credits for a woodland conservation of 92.07 acres.

A consideration of the basic plan (A-10060) application stated that the applicant shall make every effort to meet the entire woodland conservation requirement on-site. The submitted TCP2 shows off-site woodlands to meet the requirement. At the time of the preliminary plan of subdivision (PPS) submission, the applicant shall demonstrate conformance with this consideration.

12. **Prince George's Country Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties applying the prior R-S Zone are required to provide a minimum of 15 percent of the gross tract area in TCC. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be evaluated when a full-scale SDP is submitted for consideration.
13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows, and are incorporated herein by reference:
  - a. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated February 29, 2024 (Calomese to Lockhart), incorporated herein by reference, in which the Community Planning Division noted that the applicable master plan is the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (master plan). Master plan conformance was determined with the approval of the Basic Plan (A-10060). The residential development was approved for up to 954 dwelling units, with a mix of housing types.
  - b. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated May 16, 2024 (Patrick to Lockhart), incorporated herein by reference, in which Transportation staff provided an analysis of previous conditions of approval that have been incorporated in the findings above. The memorandum noted that the subject property fronts along Floral Park Road to its north. The 2009 *Approved Countywide Master Plan of Transportation* (MPOT) recommends this portion of Floral Park Road as a four-lane, master-planned, primary roadway within 60 feet of right-of-way. In addition, the subject property fronts along Accokeek Road to its south. The MPOT recommends this portion of Accokeek Road as a four-lane collector roadway within 80 feet of right-of-way. At time of PPS, the applicant will be required to demonstrate adequate dedication of 40 feet from centerline along Accokeek Road, and dedication of 30 feet from the centerline along Floral Park Road.



In addition, the following comments were offered:

**Transportation Planning Review**

The applicant's submission displays vehicular and conceptual bicycle and pedestrian movement throughout the site. Two points of vehicle access have been provided along the site's frontage of Accokeek Road. The site is bifurcated by a PEPCO easement that will separate the development into two sections. There will be no vehicular connection provided from the northern section to the southern section, however, the master-planned trail will provide pedestrian connection between the two sections. The current application for infrastructure does not include any indication of traffic calming measures. At subsequent stages of development, staff will make further recommendations related to traffic calming measures, as needed.

Sidewalks are shown along both sides of all roads throughout the subdivision, along with the location of the master-planned trail. At this time, staff do not believe the intent of the area master plan has been met. The details and location of both the shared-use path and marked bicycle lanes can be evaluated at a subsequent SDP submittal. A condition has been included herein for the shared-use path and shared roadway be provided along the entire site's frontage, to satisfy the intent of the master plan, unless modified with written correspondence from the operating agency.

- c. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated May 14, 2024 (Diaz-Campbell to Lockhart), incorporated herein by reference, in which Subdivision staff provided an analysis of previous conditions of approval which are incorporated in the findings of this technical staff report. In addition, the following comments were offered:
- (1) The SDP shows public utility easements provided along both sides of all public streets, as required by Section 24-122(a) of the prior Prince George's County Subdivision Regulations. Conformance with this requirement will be evaluated at the time of PPS.
  - (2) The layout of all proposed streets will be evaluated in accordance with the Subdivision Regulations, at the time of PPS, and may require revisions to the layout shown on this SDP.
  - (3) Final plats for the property will be required following approval of the PPS and SDP before permits may be approved for the subject property.
  - (4) The PPS is necessary to evaluate the location of the infrastructure proposed in this SDP. The PPS will be required before applying for a grading permit.
- d. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated May 14, 2024 (Schneider to Lockhart), incorporated herein by reference, which provided a review of the site's environmental features and prior

conditions of approval was presented. The site has an approved Natural Resources Inventory Plan (NRI-150-06-01) which shows the existing conditions of the property. The TCP2 requires technical corrections with conditions included herein.

### **Specimen Trees**

Section 25-122(b)(1)(G) of the Prince George's County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual." The Code, however, is not inflexible.

The authorizing legislation of the WCO is the Maryland Forest Conservation Act, which is codified under Title 5, Subtitle 16 of the Natural Resources Article of the Maryland Code. Section 5-1611 of the Natural Resources Article requires the local jurisdiction to provide procedures for granting variances to the local forest conservation program. The variance criteria in the WCO are set forth in Section 25-119(d) of the County Code. Section 25-119(d)(4) clarifies that variances granted under Subtitle 25 are not considered zoning variances.

The site contains 275 on-site specimen trees with 151 rated in good condition, 108 rated in fair condition, 10 rated in poor condition, one rated in fair/poor condition, and 5 specimen trees not rated. The subject SDP application for infrastructure proposes to remove 34 specimen trees, leaving 241 specimen trees. These requested 34 specimen trees for removal have condition ratings of good (25 specimen trees) and fair (9 specimen trees). When reviewing the application submittal, the specific location detail areas show only 33 specimen trees. Specimen Tree ST-80 is missing from the submittal. This SDP infrastructure review for specimen tree removal will evaluate 33 specimen trees.

### **Evaluation**

Staff support the removal of 22 of the 33 specimen trees requested by the applicant. The remaining 11 trees will be evaluated for removal with the PPS. After the removal of 22 specimen trees, the remaining specimen trees on-site will be 253, in compliance of Section 25-122(b)(1)(G) of the Prince George's County Code. Furthermore, retaining majority of the specimen trees on-site aligns with one of the policies of the WCO, which is to conserve and protect trees through planning techniques and construction practices, in order to prevent adverse effects on any sensitive environmental features.

Section 25-119(d) contains six required findings [text in **bold** below] to be made before a variance from the WCO can be granted. An evaluation of this variance request for the removal of 22 specimen trees, with respect to the required findings, is provided below.

- (A) **Special conditions peculiar to the property have caused the unwarranted hardship.**

In relation to other properties in the area, special conditions peculiar to the property would cause an unwarranted hardship if the applicant were required to retain these 22 specimen trees identified as ST-2, ST-4, ST-10, ST-24, ST-26, ST-33, ST-34, ST-36, ST-37, ST-74, ST-81, ST-90, ST-125, ST-126, ST-146, ST-176, ST-177, ST-219, ST-221, ST-235, ST-248, and ST-249. Requiring the applicant to retain the 22 specimen trees on the site would further limit the required infrastructure impacts for development to the extent that it would cause the applicant an unwarranted hardship. The application for infrastructure is only for the proposed residential subdivision. The subject specimen trees are located within or adjacent to proposed limit of disturbance areas for proposed SWM structures (basin, outfall, and grading), sediment trap, main entrance road, and sewer extension pipelines. In addition, development cannot occur on the portions of the site containing PMA, which limits the site area available for infrastructure and development.

The large amount of specimen trees (275) located throughout the entire property makes it challenging to develop the site without affecting a single specimen tree. Retaining these 22 specimen trees would make this proposed infrastructure development impossible. The proposed use, for residential development, is a significant and reasonable use for the subject site, and it cannot be accomplished without the infrastructure impacts requested with this variance.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.**

Enforcement of the requirement that all specimen trees be preserved, along with an appropriate percentage of their critical root zone, would deprive the applicant of rights commonly enjoyed by others in similar areas. The site contains 275 specimen trees, and the applicant proposes to remove 22 of these trees. The 22 specimen trees are being removed due to their location within the proposed infrastructure limit of disturbance. The applicant proposes 72.16 acres of their woodland conservation requirements on-site in preservation, and most of the remaining specimen trees are located within the area for preservation.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.**

Not granting the variance would prevent the infrastructure project and the overall Saddle Ridge subdivision from being developed in a functional and efficient manner. This is not a special privilege that would be denied to other applicants. If other similar residential infrastructure developments were mostly wooded with REFs and substantial amounts of specimen trees in similar conditions and locations, it would be given the same considerations during the review of the required variance application.

**(D) The request is not based on conditions or circumstances, which are the result of actions by the applicant.**

The applicant has taken no actions leading to the conditions or circumstances that are the subject of the variance request. The removal of the 22 specimen trees would be the result of their location within the proposed infrastructure limit of disturbance and preserving the woodland conservation requirement on-site to achieve optimal development for the residential subdivision with associated infrastructure.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.**

There are no existing conditions, existing land, or building uses on the site, or on neighboring properties that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

**(F) Granting of the variance will not adversely affect water quality.**

The removal of 22 specimen trees will not adversely affect water quality. Furthermore, the proposed Saddle Ridge development will not adversely affect water quality because the project will be subject to the requirements of the Prince George's County Soil Conservation District, and the approval of a SWM concept plan by DPIE. The plan proposes to use micro-bioretenion ponds, and submerged gravel wetlands. The applicant proposes to meet the woodland conservation requirement with on-site woodland preservation, reforestation, and off-site woodland credits.

The applicant submitted a variance request to remove 33 specimen trees, but staff support the removal of 22 specimen trees (ST-2, ST-4, ST-10, ST-24, ST-26, ST-33, ST-34, ST-36, ST-37, ST-74, ST-81, ST-90, ST-125, ST-126, ST-147, ST-176, ST-177, ST-219, ST-221, ST-235, ST-248, and ST-249) required for infrastructure construction.

Ten of the requested specimen trees for removal (ST-1, ST-3, ST-56, ST-58, ST-59, ST-60, ST-61, ST-62, and ST-64), are located on proposed residential lots and not for infrastructure. The one off-site Specimen Tree, ST-202, will not be reviewed as part of this variance because off-site impacts are not reviewed for environmental conformance.

Environmental staff recommend that the Planning Board grant the variance removal request for 22 specimen trees identified as ST-2, ST-4, ST-10, ST-24, ST-26, ST-33, ST-34, ST-36, ST-37, ST-74, ST-81, ST-90, ST-125, ST-126, ST-147, ST-176, ST-177, ST-219, ST-221, ST-235, ST-248, and ST-249.

A condition has been included herein requiring the applicant to provide a variance request and full evaluation regarding the removal of Specimen Trees ST-1, ST-3, ST-25, ST-56, ST-58, ST-59, ST-60, ST-61, ST-62, and ST-64 within the proposed residential lots, with the acceptance of a PPS, when more detailed information is available.

### **Regulated Environmental Features**

This application area contains REFs including steep slopes, floodplain, wetlands, streams, and their associated buffers which comprise the PMA. This SDP application is only for impacts needed for on-site infrastructure. The applicant proposed 21 PMA impact areas as part of this infrastructure application for SWM outfall structures, one trail connection, one road crossings, and three sewer connections. These proposed impact areas require infrastructure to adequately develop the proposed Saddle Ridge subdivision.

One requested impact area for an interior trail connection (Impact D) does not meet the standard which is being used for this SDP for infrastructure review. This requested trail impact is to improve an existing farm road stream culvert crossing into a pedestrian trail crossing. The trail will connect two of the proposed on-site development areas and continue with a proposed subdivision trail system. This impact is not for infrastructure purposes for this SDP and will be considered with the subsequent PPS.

Staff recommend the approval of 20 impact areas (A, B, C, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, and U) and does not recommend approval of Impact Area D, a trail connection.

A condition has been included herein requiring the applicant to provide a SOJ and full evaluation regarding PMA impacts within the proposed residential lot area and for Impact Area D be required with the acceptance of a PPS when more detailed information is available.

- e. **Historic**—The Planning Board has reviewed and adopts the memorandum dated May 20, 2024 (Smith, Chisholm, and Stabler to Lockhart), incorporated herein by reference, which noted that a Phase I archeological survey was completed in September 2007. Three 20th-century archeological sites were identified—18PR915, 18PR916, and 18PR917. Site 18PR915 is the remains of a farmstead dating to the second and third quarters of the 20th century. Site 18PR916 is a late 19th to 20th-century barn ruin. Site 18PR917 is an extensive mid-20th-century artifact scatter that likely represents contract refuse removal from the Statler Hotel, in the District of Columbia, in the 1940s. These sites were disturbed by their subsequent demolition and no intact archeological deposits or features were noted in the Phase I survey.

Another Phase I archeological survey was completed in March 2024. One archeological site, 18PR1259, was identified. It is a precontact lithic concentration located in the northwest corner of Parcel 188. Archeological Site 18PR917, the extensive mid-20th century artifact scatter identified during the 2007 archeological survey, was expanded to include all of Parcel 236. These sites were highly disturbed, and no intact archeological features were identified. Therefore, no further archeological work was

recommended on Parcels 143, 037, 236, and 188. No further archeological investigation is required.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated May 13, 2024 (Thompson to Lockhart), in which DPR staff provided an analysis of previous conditions and noted that any DPR-related impacts and conditions will be reviewed with subsequent development applications.
- g. **Permit Review**—The Planning Board has reviewed and adopts the memorandum dated March 18, 2024 (Meneely to Lockhart), in which Permits staff noted that they have no comments for the subject application.
- h. **Special Projects**—The Special Projects section had no comments on the subject SDP.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board has reviewed and adopts the memorandum dated June 7, 2024 (DeGuzman to Lockhart), incorporated herein by reference, in which DPIE provided comments relative to road alignment, improvements, and other requirements that will be enforced with future approvals and at the time of permitting.
- j. **Prince George’s County Department of Public Works and Transportation (DPW&T)**—The Planning Board has reviewed and adopts the memorandum dated March 27, 2024 (Quayim to Lockhart), incorporated herein by reference, in which DPW&T provided the following comments regarding the public roadways for the subject site:
  - (1) The development is not located in any of the urban centers where urban design standards (2017) are mandatory. The applicant needs to provide justification for using the urban design standard and needs to adopt/follow the appropriate 2012 DPW&T Specifications and Standards for Roadways and Bridges.
  - (2) All dead-end roadways should have appropriate end-of-road treatments (i.e., hammerhead/cul-de-sac) considered/exhibited.
  - (3) There are a few locations (i.e., Road S, Road V, Road T, and Road W) where the horizontal curves appear to be very stringent, which may prompt limiting sight distance issues for regular traffic. We recommend that the applicant ensures that all of these horizontal curves meet the County standards.
  - (4) There are three access points to the development from Accokeek Road. Based on the available right-of-way, these access points need to accommodate accel/decel lane along Accokeek Road. Considering the relatively higher volume/speed of traffic along Accokeek Road, such provisions would allow safer turning movements in/out of the development, while separating the mainstream Accokeek Road traffic.

14. **Planning Board:** The Planning Board held a public hearing on this application on June 13, 2024. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Planning Board's procedures.

Prior to the hearing, and in accordance with the Planning Board's procedures, the applicant provided an exhibit, known as Applicant Exhibit 1, which provided revised findings and conditions regarding the technical staff report. The exhibit revised the Transportation Planning referral on page 10 of the technical staff report, and edited Conditions 2a, b, and c; 5a, b, and e; and Consideration 1. These revised findings and conditions were agreed upon by staff and the applicant.

In addition to the document submitted by the applicant, two letters of opposition from the Brandywine/TB Southern Region Neighborhood Coalition (BTB Coalition) and one from the Abutting Property Owners and Affected Residents Workgroup were sent to staff, expressing their concerns about the subject development. The letters opposed the overall project and use, the adequacy of public facilities, discharges from nearby power plants, the impacts of ground disturbance on off-site properties, and impacts on equity and inclusion. As detailed above, the project and proposed uses were approved by the District Council (A-10060 rezoning and Basic Plan) and further delineated in CDP-22001. This SDP for infrastructure's conformance with each is addressed in Findings 7 and 9 of this resolution, respectively. The adequacy of public facilities is reviewed at the time of PPS and is not an applicable finding for an SDP for infrastructure. Power plant discharges and issues concerning equity and inclusion, to the extent applicable, were issues before the District Council at the time of rezoning and are not findings applicable to an SDP for infrastructure. In addition, the potential impacts of the infrastructure work proposed in this SDP on nearby properties are required to be addressed at the time of permitting where all regulations governing such issues as erosion, sediment control, and SWM apply.

The hearing began with a technical staff presentation, followed by the applicant's presentation. Ms. Kamita Gray, President of the BTB Coalition, reiterated the concerns outlined in submitted exhibits. Other citizens, including Rodney Taylor, Karleen Powell, and Mark Calhoun discussed concerns relative to specific impacts to their properties from grading, drainage, and traffic generated by this development. The Board agrees with staff that the subject SDP is for infrastructure only. Subsequent applications will further evaluate the issues raised by citizens.

Following this discussion, the Board voted to approve Specific Design Plan SDP-2304 and Type 2 Tree Conservation Plan TCP2-011-2024, subject to the recommended conditions of approval within the technical staff report, as revised by Applicant Exhibit 1.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type 2 Tree Conservation Plan TCP2-011-2024, and further APPROVED Specific Design Plan SDP-2304 for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan, the plan shall be revised to provide the limits of disturbance to match Type 2 Tree Conservation Plan TCP2 011-2024, as revised.
2. Prior to certification of the specific design plan for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
  - a. A 10-foot-wide, shared-use path along the site's frontage of Accokeek Road and Floral Park Road and label shared roadway markings along the frontage of Accokeek Road and Floral Park Road, unless modified with written correspondence from the operating agency.
  - b. The details, location, and timing of construction of the master-planned trail.
3. With the acceptance of the preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
  - a. Provide a variance request and full evaluation regarding the removal of Specimen Trees ST-1, ST-3, ST-25, ST-56, ST-58, ST-59, ST-60, ST-61, ST-62, and ST-64 within the proposed residential lots.
  - b. Provide a statement of justification and full evaluation regarding primary management area impacts within the proposed residential lot area and for Impact Area D.
4. No grading or building permits shall be approved for the subject property prior to the approval of a preliminary plan of subdivision.
5. Prior to signature approval of the specific design plan, the Type 2 tree conservation plan (TCP2) shall be revised as follows:
  - a. Revise the limits of disturbance and specimen tree table on Sheet 2, to show that Specimen Trees ST-1, ST-3, ST-25, ST-56, ST-58, ST-59, ST-60, ST-61, ST-62, and ST-64 are to remain, unless these are approved for removal at the time of preliminary plan of subdivision and Type 1 tree conservation plan.
  - b. Revise the limits of disturbance and primary management area impacts to remove requested Area D from the plan view, unless these impacts are approved at the time of preliminary plan of subdivision and Type 1 tree conservation plan.
  - c. The Liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber \_\_\_\_ Folio \_\_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement.”



- d. Prior to signature approval of the TCP2, have the property owner sign the Owner’s Awareness Certificate on each sheet of the TCP2.
- e. Add the following note to the plan under the specimen tree table, unless additional specimen tree removal is approved at the time of preliminary plan of subdivision and Type 1 tree conservation plan:

“NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of 22 specimen trees (Section 25-122(b)(1)(G)), ST-2 (30-inch Tulip polar), ST-4 (33-inch White oak), ST-10 (33-inch Sweet Gum), ST-24 (32-inch Tulip polar), ST-26 (30-inch Tulip polar), ST-33 (41-inch Tulip polar), ST-34 (35-inch Pin Oak), ST-36 (33-inch Tulip polar), ST-37 (39-inch Tulip polar) , ST-74 (30-inch Tulip poplar), ST-81(39-inch Tulip polar), ST-90 (43-inch Northern Red oak), ST-125 (34-inch White oak), ST-126 (30-inch American Beech), ST-147 (37-inch Tulip polar), ST-176 (33-inch Tulip polar), ST-177 (30-inch Tulip polar), ST-219 (38-inch White oak), ST-221 (33-inch Tulip polar) , ST-235 (32-inch Tulip polar), ST-248 (30-inch Southern Red oak), and ST-249 (32-inch Tulip polar).”

- f. Add a revision note and have the revised plan signed and dated by the qualified professional preparing the plan.
6. Prior to the issuance of any permits which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

**Consideration**

- 1. At the time of the preliminary plan of subdivision submission, the applicant shall make every effort to meet the entire woodland conservation requirement on-site, to include areas that may be conveyed to The Maryland-National Capital Park and Planning Commission and any such areas shall be credited as on-site.

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


\* \* \* \* \*

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, June 13, 2024, in Largo, Maryland.

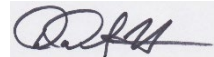
Adopted by the Prince George's County Planning Board this 11th day of July 2024.

Peter A. Shapiro  
Chairman

  
By Jessica Jones  
Planning Board Administrator

PAS:JJ:JK:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: June 27, 2024