

PGCPB No. 2025-060

File No. 4-24013

## R E S O L U T I O N

WHEREAS, Walton Maryland, LLC ETAL are the owners of a 289.36-acre tract of land known as Lots 44 through 47, Lots 61 through 66, and Parcels 37, 66, 86, 110, 143, 157, 188, and 236, said property being in the 11th Election District of Prince George's County, Maryland, and being zoned Legacy Comprehensive Design (LCD); and

WHEREAS, on February 28, 2025, Walton Maryland, LLC filed an application for approval of a Preliminary Plan of Subdivision for 783 lots and 97 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-24013 for Saddle Ridge was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission at a public hearing on July 10, 2025; and

WHEREAS, new Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid comprehensive design plan, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a), may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence at the time of the approval of the comprehensive design plan; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, at the July 10, 2025 public hearing, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitles 24 and 25, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-012-2023-01, APPROVED a Variance to Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-24013 for 783 lots and 97 parcels, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
  - a. Delineate the right-of-way along Floral Park Road and MD 373 (Accokeek Road), to include the center line, and provide dimension lines from centerline of each to the property line in the areas identified for road dedication.

- b. Provide a minimum of 10 feet between Lots 4 and 5, Block B.
  - c. Label all internal roads to indicate that they are private.
  - d. Ensure General Notes 7 through 10 reflect consistency with the Type 1 tree conservation plan or revise the plans for consistency.
  - e. Revise General Note 26 to indicate that mandatory dedication of parkland requirement is met by provision of on-site recreational facilities.
  - f. Revise General Note 28 to show the approved Stormwater Management Concept Plan number as SDC No.24297-2023.
  - g. Revise General Note 30 to remove Type 1 Tree Conservation Plans TCP1-012-2023 and TCP1-044-07 and only leave TCP1-012-2023-01.
2. Prior to approval, the final plat of subdivision shall include:
- a. Right-of-way dedication along Floral Park Road and MD 373 (Accokeek Road), in accordance with Section 24-123(a)(1) of the prior Prince George's County Subdivision Regulations and the approved preliminary plan of subdivision.
  - b. The granting of a minimum 10-foot-wide public utility easement along both sides of all public streets, and along at least one side of all private streets, in accordance with Section 24-122(a) and Section 24-128(b)(12) of the prior Prince George's County Subdivision Regulations, and in accordance with the approved preliminary plan of subdivision.
3. In conformance with the 2009 *Approved Countywide Master Plan of Transportation*, and the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment*, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following improvements and show the following facilities at the time of specific design plan:
- a. A minimum 10-foot-wide shared-use path along the property frontage of Floral Park Road and MD 373 (Accokeek Road), unless modified by the permitting agency with written correspondence. Any modifications shall be in accordance with Prince George's County Department of Public Works and Transportation and Maryland State Highway Administration adopted standards.
  - b. A minimum 10-foot-wide shared-use path along the alignment of the Burch Branch Trail throughout the site.
  - c. A standard bicycle lane, shared road pavement markings, and signage along Floral Park Road and MD 373 (Accokeek Road), in accordance with the American Association of State Highway and Transportation Officials guidelines, as modified by the permitting agency.

- d. A minimum 5-foot-wide sidewalk along both sides of all internal roadways, where the shared-use path is not proposed.
  - e. Perpendicular Americans with Disabilities Act-compliant curb ramps and crosswalks crossing all vehicular access points along the frontages, and throughout the site crossing internal intersections.
  - f. Short-term bicycle parking at any proposed recreational areas.
4. Prior to acceptance of the first specific design plan, other than for infrastructure only, frontage improvement plans at the site access points shall be reflected on the plans. These plans shall include the recommended master-planned bicycle and pedestrian facilities and acceleration/deceleration lanes unless modified with written correspondence from the operating agency.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised as follows:
  - a. Add to the “00” approval line in the Environmental Planning Section approval block:  
C. Schneider, January 26, 2024, Comprehensive Design Plan CDP-22001.
  - b. Add the following note to the plan under the Specimen Tree table:  
  
“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) with 4-24013 for the removal of 54 specimen trees (Section 25-122(b)(1)(G)): ST-1, ST-3, ST-9, ST-18, ST-25, ST-41, ST-45 through ST-70, ST-80, ST-83, ST-89, ST-127 through ST-131, ST-133, ST-135, ST-193 through ST-195, ST-236, ST-240 through ST-247.”
  - c. Add a revision note and have the revised plan signed and dated by the qualified professional preparing the plan.
6. Development of this subdivision shall be in conformance with Stormwater Management Concept Plan SDC No.24297-2023, and any subsequent revisions.
7. At the time of final plat, in accordance with Section 24-121(a)(7) of the prior Prince George’s County Subdivision Regulations and Comprehensive Design Plan CDP-22001, approximately ±102.87 acres of parkland as public benefit, as shown on the preliminary plan of subdivision (Parcels D, E, E1, G, I, J, M, P, R, S, T, U, V,X and Z), shall be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). The land to be conveyed shall be subject to the following conditions:

- a. An original, special warranty deed for the property to be conveyed, signed by the Washington Suburban Sanitary Commission Assessment Supervisor, shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department, along with the application of the first final plat.
- b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to application of the building permit.
- c. The boundaries, lot or parcel identification, and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by M-NCPPC's development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
- e. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled, and underground structures shall be removed. The Prince George's County Department of Parks and Recreation shall inspect the site and verify that the land is in an acceptable condition for conveyance, prior to dedication.
- f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- g. In general, no stormwater management facilities, tree conservation, or utility easements shall be located on land owned by or to be conveyed to M-NCPPC. However, the Prince George's County Department of Parks and Recreation (DPR) recognizes that there may be a need for conservation or utility easements in the dedicated M-NCPPC parkland. Prior to the granting of any easements, the applicant must obtain written consent from DPR, and DPR shall review and approve the location and/or design of any needed easements. Should the easement requests be approved by DPR, a performance bond and maintenance and easement agreements may be required prior to the issuance of any grading permits.

- h. The applicant and the applicant's heirs, successors and/or assignees shall demonstrate any liens, leases, mortgages, or trusts have been released from the land to be conveyed to M-NCPPC.
- 8. The parcels to be conveyed to The Maryland-National Capital Park and Planning Commission shall be reflected on a Type 2 tree conservation plan (TCP2). The TCP2 shall be reviewed and recommended for approval by the Prince George's County Department of Parks and Recreation.
- 9. The applicant shall submit a copy of the letter to be provided by the Prince George's County Department of Parks and Recreation, consenting to the placement of woodland conservation easements on lands to be dedicated to The Maryland-National Capital Park and Planning Commission, with all subsequent development applications, for inclusion in the project record.
- 10. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department, to ensure that the rights of the Prince George's County Planning Board are included. The book/page of the declaration of covenants shall be noted on the final plat, prior to recordation.
- 11. Prior to approval of building permits, in accordance with Section 24-121(a)(7) of the prior Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall convey land to a homeowners association, as identified on the approved preliminary plan of subdivision and site plan. Land to be conveyed shall be subject to the following:
  - a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department.
  - b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
  - c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
  - d. Any disturbance of land to be conveyed to the homeowners association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.

- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.
  - f. Covenants recorded against the conveyed property, ensuring retention and future maintenance of the property by the homeowners association, including the reservation of rights of approval by the Prince George's County Planning Director.
12. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan, TCP1-012-2023-01, in conformance with Section 25-121 of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance. The following note shall be placed on the final plat of subdivision:
- “This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-012-2023-01 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department.”
13. Prior to issuance of permits for this subdivision, in conformance with Section 25-119(a)(3) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:
- “This plat is subject to the recordation of a woodland and wildlife habitat conservation easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved.”
14. At the time of final plat of subdivision, a conservation easement shall be described by bearings and distances, in conformance with Section 24-130(b)(5) of the prior Prince George's County Subdivision Regulations. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section of the Prince George's County Planning Department, prior to approval of the final plat. The following note shall be placed on the 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.”

15. The applicant and the applicant's heirs, successors, and/or assignees shall construct the master-planned trail. The master-planned trail shall be designed in accordance with the standards outlined in the *Park and Recreation Facilities Design Guidelines*. The timing of construction of the master-planned trail shall be determined by the Prince George's County Planning Department, with the approval of a specific design plan (SDP). A public use easement shall be provided over the trail, with the width of the easement determined at the time of SDP.
16. Prior to submission of the final plat of subdivision for any residential lot/parcel, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed public recreational facilities agreements (RFAs) to the Prince George's County Department of Parks and Recreation (DPR) – Park Planning and Environmental Stewardship Division for construction of the master-planned trail, for approval. Upon approval by DPR staff, the RFA shall be recorded among the Prince George's County Land Records, and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation. The public RFA shall establish the timing for construction of the trail, established with the specific design plan.
17. Prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantees to the Prince George's County Department of Parks and Recreation, for the construction of the master-planned trail.
18. The applicant and the applicant's heirs, successors, and/or assignees shall submit construction drawings of the master-planned trail to the Prince George's County Department of Parks and Recreation, with the timing of the trail construction to be determined at the time of the specific design plan for the residential development.
19. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a draft public use access easement and maintenance agreement or covenant for the master-planned trail to the Prince George's County Department of Parks and Recreation, of The Maryland-National Capital Park and Planning Commission (M-NCPPC), for approval. The easement agreement shall contain the rights of M-NCPPC, be recorded in land records, and the Liber/folio shown on the final plat, prior to recordation. The final plat shall reflect the location and extent of the easement, in accordance with the approved specific design plan.
20. In accordance with Section 24-135(b) of the prior Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for, and provide, adequate on-site recreational facilities in accordance with the standards outlined in the Prince George's County *Park and Recreation Facilities Design Guidelines*.
21. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division, of the Prince George's County Planning Department, for sufficiency and proper siting, in accordance with the Prince George's County *Park and Recreation Facilities Design Guidelines*, with the review of the specific design plan (SDP). Timing for construction shall also be determined at the time of SDP.

22. Prior to submission of the final plat of subdivision for any residential lot/parcel, the applicant and the applicant's heirs, successors, and/or assignees shall submit an executed private recreational facilities agreement (RFA) to the Development Review Division (DRD) of the Prince George's County Planning Department, for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records, and the Book and page of the RFA shall be noted on the final plat prior to plat recordation.
23. In accordance with Section 24-135(b)(2) and (3) of the prior Prince George's County Subdivision Regulations, prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.

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

1. The subdivision, as modified with conditions, meets the applicable legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on the north side of MD 373 (Accokeek Road), approximately 0.75 miles west of its intersection with MD 5 (Branch Avenue), and south of Floral Park Road. The property currently consists of 10 lots and 8 parcels. Lots 44 through 47 and Parcels 37, 66, 110, 143, and 236 are recorded by deed in the Land Records of Prince George's County, in Book No. 43670, page 95. Parcels 86, 157, and 188 are recorded by deed, in Book No. 43542 page 409, and Lots 61 through 66 are recorded in Plat Book SDH 2, page 86.

The 289.36-acre property is in the Legacy Comprehensive Design Zone. However, this preliminary plan of subdivision (PPS) was submitted for review in accordance with the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 (the "prior Zoning Ordinance" and "prior Subdivision Regulations"), pursuant to Section 27-1704 of the current Zoning Ordinance. Therefore, this PPS is reviewed pursuant to the standards of the prior Residential Suburban Development (R-S) Zone, which were effective prior to April 1, 2022. The site is subject to the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (master plan) and other applicable plans, as outlined herein.

The subject property was included in Comprehensive Design Plan CDP-22001, which was approved by the Prince George's County Planning Board and adopted by resolution on November 9, 2023 (PGCPB Resolution No. 2023-108). Pursuant to Section 27-1704(b) of the Zoning Ordinance, subdivision applications submitted under a valid CDP, approved under the prior Zoning Ordinance, and still valid pursuant to the time limit specified under Section 27-1704(a) of the Zoning Ordinance, may be reviewed and decided in accordance with the Subdivision Regulations in existence at the time of the approval of the CDP.



In accordance with Section 24-4503(a)(4) of the Subdivision Regulations, this PPS is supported by and subject to approved Certificate of Adequacy ADQ-2024-019.

This PPS allows subdivision of the property into 783 lots and 97 parcels for development of 783 residential dwelling units, specifically 530 single-family detached and 253 single-family attached dwelling units.

The applicant filed a request for a variance to Section 25-122(b)(1)(G) of the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, to allow removal of 54 specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The subject property is located on Tax Map 144, Grids C1–C4, D2–D4, and E4, and is within Planning Area 85A. The subject site is bounded to the north by Floral Park Road, with land in the Residential, Rural (RR) Zone (prior Rural Residential (R-R) Zone) beyond, developed with single-family detached homes. The subject site is bound to the south by MD 373 (Accokeek Road), with land also zoned RR (prior R-R Zone) beyond, developed with the Millville Quarry. The subject site is bisected by an approximate 350-foot-wide strip of land owned by the Potomac Electric Power Company (PEPCO), which contains power transmission lines and structures, separating the site into two development pods. The northern section of the development bisected by this PEPCO-owned tract is located on the south side of Floral Park Road, at its intersection with Whitaker Park Drive. The southern section of the development is located on the north side of MD 373, approximately 0.75 miles west of its intersection with MD 5. To the west of the site lies land in the Residential Estate (RE) Zone (prior Residential-Estate (R-E) Zone) developed with single-family detached homes, with land in the Agricultural-Residential Zone (prior Residential-Agricultural Zone) beyond. To the east of the site lies land in both the RE and RR (prior R-E and R-R) Zones sparsely developed with single-family detached homes, and also abutting The Maryland-National Capital Park and Planning Commission-owned and operated Pleasant Springs Park (Park ID: WO7), with MD 5 beyond.

The site is undeveloped, wooded, and characterized by rolling terrain, with steeper slopes associated with the Burch Branch, which runs generally north-south through the western portion of the property. The Burch Branch and its system of tributaries are a notable feature of the area.

4. **Development Data Summary**—The following information relates to the subject PPS and the evaluated development.

|         | EXISTING | EVALUATED   |
|---------|----------|-------------|
| Zones   | LCD      | R-S         |
| Use(s)  | Vacant   | Residential |
| Acreage | 289.36   | 289.36      |
| Parcels | 8        | 97          |
| Lots    | 10       | 783         |
| Outlots | 0        | 0           |

|                       | EXISTING | EVALUATED                    |
|-----------------------|----------|------------------------------|
| Dwelling Units        | 1        | 783                          |
| Subtitle 24 Variation | No       | No                           |
| Subtitle 25 Variance  | No       | Yes, Section 25-122(b)(1)(G) |

The subject PPS, 4-24013, was accepted for review on February 28, 2025. Pursuant to Section 24-119(d)(2) of the prior Prince George’s County Subdivision Regulations, the PPS was referred to the Subdivision and Development Review Committee and comments were provided to the applicant at its meeting on March 14, 2025. Revised plans and documents were received on April 25, 2025, which were used for the analysis contained herein.

5. **Previous Approvals**—The property is the subject of several prior approvals, which include several Special Exceptions (SE-1589, SE-1590, SE-1595, SE-2903 and SE-4043), a Sketch Plan (S-07002), a PPS (4-07076), a Zoning Map Amendment (Basic Plan) A-10060, a Comprehensive Design Plan (CDP-22001), and a Specific Design Plan (SDP-2304). The applicable prior approvals are separately discussed in detail below:

SE-1589, SE-1590, and SE-1595 were approved by the Prince George’s County District Council in 1967, for a gas storage use by a utility company. These approvals are not relevant to the subject PPS.

SE-2903 and SE-4043 were approved by the District Council on April 26, 1976, and October 9, 1992, respectively. The applications were for sand and gravel mining operations on Lots 45 through 47, which were conditioned to expire five years after approval and are no longer valid or relevant to the subject PPS.

S-07002 and 4-07076 were for a sketch plan and for a conservation subdivision titled Estates of Pleasant Valley, and were approved for this property in 2007 and 2008, respectively. However, this property was never platted, pursuant to the 4-07076 approval, which has since expired. Therefore, neither of these prior approvals are applicable to the review of this PPS.

Zoning Map Amendment A-10060 was recommended for approval by the Prince George’s County Planning Board, pursuant to PGCPB Resolution No. 2021-92, on July 29, 2021. The zoning map amendment and basic plan were approved by the District Council on October 17, 2022 (Zoning Ordinance No. 9-2022), which rezoned the property from the prior R-E and R-R Zones to the prior Residential Suburban Development (R-S) Zone, and approved development of up to 955 dwelling units. There are no conditions of A-10060, however, the following development data for the site applies per the basic plan:

**Development Data**

|   |                     |
|---|---------------------|
| <b>Gross Tract Area</b>   | <b>289.36 acres</b> |
| <b>Mattawoman Floodplain</b>                                      | <b>32.75 acres</b>  |
| <b>1/2 Floodplain</b>   | <b>16.38 acres</b>  |
| <b>Net Tract Area (Gross Tract Area-1/2 Floodplain)</b>           | <b>272.98 acres</b> |
| <b>Base Density (272.98 acres at 2.7 dwelling units per acre)</b> | <b>737 units</b>    |
| <b>Max. Density (272.98 acres at 3.5 dwelling units per acre)</b> | <b>955 units</b>    |

This PPS approves 783 dwelling units and includes a density of 2.87 dwelling units per acre, which is in conformance with the development approved with the basic plan.

CDP-22001 was approved by the Planning Board on October 19, 2023, for development of 954 residential dwelling units, and adopted pursuant to PGCPB Resolution No. 2023-108 on November 9, 2023. The Planning Board approved this CDP subject to nine conditions and two considerations. Of those, the following are relevant to the review of this PPS and are provided below in **bold**, with analysis provided in plain text:

- 1. An approved stormwater management concept plan and approval letter, or an indication that an application for such approval has been filed, shall be submitted with the preliminary plan of subdivision application.**

An approved stormwater management (SWM) concept plan and letter were submitted with this PPS. The plan, SCD No. 24297-2023, was approved by the Prince George's County Department of Permitting Inspection and Enforcement (DPIE) on April 11, 2024, and the letter, 24297-2023-SDC, was approved by DPIE on May 8, 2024. Therefore, this condition has been satisfied.

- 2. Prior to approval of the associated preliminary plan of subdivision (PPS), Phase I (Identification) archeological investigations, according to the Prince George's County Planning Board's 2005 *Guidelines for Archeological Review*, are recommended on the portions of the developing property that were not previously surveyed to determine if any cultural resources are present. The parcels to be surveyed include Parcel 143 (Tax ID 1140235); Parcel 037 (Tax ID 1174572); Parcel 236 (Tax ID 5528410); Parcel 188 (Tax ID 1189182); and the portion of Parcel 110 (Tax ID 1182534) south of the Potomac Electric Power Company right-of-way. Evidence of Maryland-National Capital Park and Planning Commission concurrence with the final Phase I report and recommendations are required, prior to signature approval of the PPS.**

A Phase I archeological survey of the area referenced in this condition was completed in March 2024 and submitted with this PPS. The findings were reviewed and it was determined that no further archeological investigation is required. Therefore, this condition has been satisfied.

4. **Prior to approval of the associated final plat, the applicant and the applicant's heirs, successors, and/or assignees shall provide a plan for any interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations). The location and wording of the signage and the public outreach measures shall be subject to approval by the Prince George's County Planning Department archeologist. The plan shall include the timing for the installation of the signage and the implementation of public outreach measures.**

This condition remains in effect until satisfied, prior to approval of a final plat. Four archeological sites were identified on the subject property, three late 19th to early 20th century sites and one indigenous site. The sites were heavily disturbed, and no subsurface features were identified, and no further work was recommended. However, given the manner in which Phase I archeological testing is conducted, it can never fully determine if subsurface features are intact. To do so would require opening up large areas of land, which due to the cost and time required to perform such an investigation, is not recommended, unless it is very clear that there is a possibility of finding something further. Further work is unnecessary on this property, which means that the sites will be destroyed during construction, and any other potential information will be lost. In such cases, when a significant number of sites are identified, it is typical that interpretive signage be placed on the site for public awareness of a site's past history, even though artifacts of note have not been retrieved. This is typically done in areas of the County where there is a particularly long history, as is the case with this site and the areas along Floral Park Road and Accokeek Road. Therefore, these signs are important and are going to be the only record of what was recovered on the property.

7. **At the time of preliminary plan of subdivision, the applicant shall coordinate with the Prince George's County Department of Parks and Recreation on the exact acreage of the Burch Branch Stream Valley, the adjacent woodlands/forests, and Pod B to be conveyed to The Maryland-National Capital Park and Planning Commission, which may include Woodland and Wildlife Habitat Conservation Ordinance easements for on-site conservation.**

The applicant has coordinated with the Prince George's County Department of Parks and Recreation (DPR) and the exact acreage of the Burch Branch Stream Valley, the adjacent woodlands/forests, and Pod B have been established to be approximately 102.87 acres. This conveyance is provided as a condition of approval, as are conditions that the area of dedication be shown on the PPS prior to signature approval, and that conveyance to The Maryland-National Capital Park and Planning Commission (M-NCPPC) occur at the time of final plat. Therefore, this condition has been satisfied.

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.**

This condition was satisfied with the Phase I archeological studies submitted. No intact archeological deposits or features were noted in the Phase I surveys, and therefore, no further archeology is required to be done on the property.

#### **Considerations**

2. **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.**

A companion Type 1 tree conservation plan (TCP1) was submitted with this PPS showing on-site preservation and reforestation and off-site woodland credits to meet the woodland conservation requirement. Due to the distance required to connect to an off-site sewer line and the associated woodland clearing (7.23 acres), the woodland conservation requirement cannot fully be met on-site. The TCP1 shows that the woodland conservation requirement is met by on-site preservation, on-site reforestation, and off-site woodland credits. Therefore, this condition has been satisfied.

SDP-2304 was approved by the Planning Board for infrastructure improvements for public streets, water, sewer, stormdrain utilities, and SWM facilities on June 13, 2024, and adopted pursuant to PGCPB Resolution No. 2023-108 on July 11, 2024. On October 29, 2024, the District Council affirmed the Planning Board's decision subject to five conditions and one consideration. Those that are applicable to the review of this PPS are listed below in **bold** text, with analysis provided in plain text:

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.**

The variance request for specimen tree removal and a statement of justification for impacts to the primary management area (PMA) were provided with this PPS. The analysis of these requests is discussed in the Environmental Review section of this resolution. Therefore, this condition has been satisfied.

**4. No grading or building permits shall be approved for the subject property prior to the approval of a preliminary plan of subdivision.**

There is no evidence that a grading or building permit has been approved for this property.

**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.**

The TCP1 submitted with this PPS shows on-site preservation, on-site reforestation, and off-site woodland credits to meet the woodland conservation requirement. Due to the distance required to connect to an off-site sewer line and the associated woodland clearing (7.23 acres), the woodland conservation requirement cannot fully be met on-site. The TCP1 shows that the woodland conservation requirement is met by on-site preservation, on-site reforestation, and off-site woodland credits. Therefore, this condition has been met.

**6. Community Planning**—The 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) is discussed, and conformance with the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* (master plan) is evaluated, as follows:

**Plan 2035**

Plan 2035 places the subject property in the Established Communities Growth Policy Area. The vision for the Established Communities growth policy area is that it is most appropriate for context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met” (page 20).

While this PPS is not required to conform to Plan 2035, it is consistent with multiple goals stated in Plan 2035. Plan 2035 also provides the following land use, housing and neighborhood goals that affect the subject property:

- **Preserve, enhance, and restore our natural and built ecosystems to improve human health, strengthen our resilience to changing climate conditions, and facilitate sustainable economic development** (page 163).

- **Provide a variety of housing options—ranging in price, density, ownership, and type—to attract and retain residents, strengthen neighborhoods, and promote economic prosperity** (page 181).

This PPS accomplishes these goals by constructing medium-density housing in an environmentally sensitive manner, in the Piscataway Creek Watershed.

### **Master Plan**

The master plan recommends residential low land use on the subject property. The intent for the residential low designation is for residential areas up to 3.5 dwelling units per acre, with primarily single-family detached dwellings (page 31). Basic Plan A-10060 rezoned the subject property from the prior Residential-Estate (R-E) and Rural Residential (R-R) Zones to the prior R-S Zone. Per Section 27-513(a) of the prior Prince George's County Zoning Ordinance, the R-S Zone permits density ranges of either 1.6 to 2.6 dwelling units per gross acre, or 2.7 to 3.5 dwelling units per gross acre. Basic Plan A-10060 established a residential density of 2.7 to 3.5 dwelling units per net acre for the subject site. As this PPS includes a residential density of 2.87 dwelling units per net acre (based on 272.74 net acres), the proposed use conforms with the recommended land use of the master plan.

Provisions of the master plan and other functional master plans, including policies and strategies that are found applicable to the development of the subject property, and the PPS conformance to these policies and strategies, are further discussed throughout this resolution.

### **Zoning**

The 2013 Sectional Map Amendment associated with the master plan retained the subject property in the R-E and R-R Zones. Zoning Map Amendment A-10060 reclassified the subject property from the R-E and R-R Zones to the R-S Zone. On November 29, 2021, the District Council approved Prince George's County Council Resolution CR-136-2021, the Countywide Sectional Map Amendment, which reclassified the subject property from the R-S Zone to the Legacy Comprehensive Design Zone. However, this PPS is reviewed according to the prior R-S zoning.

### **Aviation/Military Installation Overlay Zone**

This PPS is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

7. **Stormwater Management**—Per Section 24-130(b)(3) of the prior Subdivision Regulations, an application for a major subdivision must include an approved SWM concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having approval authority. A SWM Concept Plan (SDC No.24297-2023) and SWM letter (24297-2023-SDC/P54603-2024-SDC) were approved by DPIE on May 8, 2024, and expire on May 8, 2027, and were submitted with this PPS. The SWM concept plan proposes to use 25 microbioretention ponds and 12 submerged gravel wetlands. No further information pertaining to SWM is required, at this time.

Development of the site, in conformance with the SWM concept plan and any subsequent revisions, will ensure that no on-site or downstream flooding occurs. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of the master plan, the 2013 *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space* (Formula 2040), the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and Sections 24-134 and 24-135 of the prior Subdivision Regulations, as they pertain to public parks and recreation and facilities.

Formula 2040 provides goals and policies related to parks and recreation (pages 135–140). Formula 2040 also indicates that M-NCPPC owns approximately 261 acres of local and parkland in the planning area.

The subject subdivision is adjacent to existing M-NCPPC-owned parkland known as Pleasant Springs Park (Park ID W07), which contains 67 acres and is undeveloped. It is also semi-adjacent to the undeveloped 11.26-acre Floral Park Road Park (Park ID W16), which lies just to the northwest of the property, across Floral Park Road. Nearby developed M-NCPPC park facilities include Accokeek East Park (Park ID) located approximately 3.5 miles west of the subject site, and the Southern Area Aquatics and Recreation Complex (Park ID) located 3.8 miles to the east. It is expected that future residents of the subject development will use facilities in the Accokeek-Brandywine Region.

The provisions of the prior Subdivision Regulations, Sections 24-134 and 24-135, which relate to the mandatory dedication of parkland, stipulate that the applicant dedicate land, pays a fee-in-lieu, and/or provides on-site recreational facilities to meet the active recreational needs of the residential development. With a permissible density of 2.7 to 3.5 dwelling units per acre, and in accordance with Section 24-134(a)(1) of the prior Subdivision Regulations, five percent of the net residential lot area (or 13.64 acres) would be the required amount of suitable and adequate land for active and/or passive recreation for dedication to M-NCPPC for public parks.

The PPS indicates land being dedicated to M-NCPPC and to satisfy the mandatory dedication of parkland requirement. However, the land for dedication is provided (in part) to satisfy density increment bonuses awarded as part of the CDP, for the comprehensive rezoning of the property. The land for dedication is further encumbered by regulated environmental features (REF) which will be required to be placed in a non-disturbance easement and is not part of a stream valley park in the master plan. Therefore, the land is unsuitable to meet the mandatory parkland dedication requirement, pursuant Section 24-134. However, the PPS identifies areas for on-site recreational facilities to serve the residents.

In accordance with Section 24-135(b) of the prior Subdivision Regulations, the Planning Board may approve the provision of recreational facilities to meet the mandatory dedication of parkland requirement, if the proposed recreational facilities will be superior or equivalent to those that would have been provided under the provisions of Section 24-134. Based upon information provided by the applicant, the recreational facilities proposed with this PPS include a clubhouse with a swimming pool and indoor fitness center, three multiage playgrounds, one multipurpose



sports court, two open lawn areas, eight sitting areas, a community garden, a dog park, and exercise stations along the trail system. The applicant also provided an Open Space and Recreation Exhibit which highlights areas identified for recreational facilities. These areas are generally evenly distributed around the development, with the clubhouse in a central location. These facilities are sufficient to meet the mandatory dedication of parkland requirement, in accordance with the 2024 *Park and Recreation Facilities Design Guidelines*.

Recreation areas are disbursed throughout the site. However, the parcel table on the cover sheet of the PPS does not designate the parcels identified for on-site recreation areas. Comparing the Open Space and Recreation Exhibit and the PPS, Parcels B, C, C2, A3, G1, G3, I1, K3, L, O1, R2, R3, and X1 were identified as locations for on-site recreation facilities. Some of these parcels (Parcel B, G1, G3, I1, and R2) are also identified as locations for SWM facilities, and therefore, may not be appropriate for providing sufficient areas for recreation. It is noted that the clubhouse is conceptually located south of the Potomac Electric Power Company (PEPCO) right-of-way, which divides the subject property. This location for the clubhouse would be accessible by the northern portion of the subdivision through the intervening PEPCO property via a trail, or by vehicle via the portion of the subdivision accessed from MD 373. The PPS does not designate the recreation areas associated with each specific recreation facility, except for the location of the clubhouse. The details of the on-site recreation facilities, including location, will be further evaluated at the time of SDP. The disbursement of recreation facilities for convenient accessibility of the residents shall be maintained and continue to meet the mandatory dedication of parkland requirement, in accordance with the *Park and Recreation Facilities Design Guidelines*.

Based on the preceding findings, the provision of mandatory dedication of parkland will be met through the provision of on-site recreational facilities, in accordance with Section 24-135(b).

9. **Transportation**—This PPS was reviewed for conformance with the MPOT, the master plan, and the prior Subdivision Regulations to provide the appropriate transportation facilities.

#### **Transportation Related Master Plan Conformance**

##### **Master Plan Right-of-Way**

The subject property has frontage along master-planned roadway Floral Park Road (P-512), which is identified per the MPOT and the master plan as a primary roadway with a recommended right-of-way width of 60 feet. The subject property also has frontage along master-planned roadway Accokeek Road (C-527), which is identified per the MPOT and the master plan as a collector roadway with a recommended right-of-way width of 80 feet. The PPS appears to provide the right-of-way dedication required along both roadways, in accordance with the master plan requirements. However, neither roadway is properly delineated. Therefore, the PPS shall be revised to delineate the right-of-way along Floral Park Road and Accokeek Road (MD 373), to include the center line and dimension lines from centerline to the property line in the areas identified for road dedication.

### **Master Plan Pedestrian and Bike Facilities**

The MPOT recommends the following pedestrian and bike facilities relevant to the review of this PPS:

- **A Planned side path along Floral Park Road**

This path is provided and shown on the PPS.

- **MD 373 as a planned shared roadway**

Shared roadway pavement markings (sharrows) shall be provided along the property frontage, unless modified by the Maryland State Highway Administration (SHA). The frontage improvements have been identified in the traffic impact study provided with the PPS. However, final design plans have not been completed. At the time of SDP, the applicant will be required to show the master-planned facility to meet the intent of the master plan. This facility will be located within the public right-of-way and is subject to approval by SHA. Any modifications to master-planned facilities must be reviewed by the Transportation Planning Section of M-NCPPC and shall include written correspondence from the permitting agency.

- **Burch Branch Trail (planned a hard surface trail)**

The PPS identifies the alignment of the trail as a 10-foot-wide shared-use path along the frontage and within the site. The intent of this facility has been met, and the timing of construction will be further evaluated at the time of SDP, excluding any SDPs for infrastructure only.

The master plan also recommends the following pedestrian and bike facilities relevant to the review of this PPS (page 119):

- **On-road dual-route bicycle facilities: Floral Park Road**

- **On-road dual-route bicycle facilities: Accokeek Road (MD 373)**

The master plan describes on-road dual-route bicycle facilities as follows (page 115):

**Dual routes are roads that contain an off-road bicycle and pedestrian facility and an on-road bicycle facility. An appropriate on-road component of a dual-route facility would be a shared-use roadway, where the bicyclist shares the road with vehicles, or a painted bike lane. Even a wide, outside curb lane or a paved road shoulder can be used by bicyclists. Off-road components of a dual-route facility would be either a side path or a wide sidewalk that could be used by bicyclists, equestrians, and pedestrians.**

The subject site is provided access along Floral Park Road, which is shown in the master plan as a master plan primary facility. While the applicant has acknowledged the MPOT recommendations of a side path along Floral Park Road, and a shared roadway along Accokeek Road, on-road dual-route bicycle facilities must be provided to meet the recommendations of the master plan as well. Therefore, on-road dual-route facilities shall be provided along Floral Park Road and Accokeek Road, subject to the approval of the applicable permitting agency.

In addition, the master plan recommends the following policies (page 118):

- **Promote pedestrian and bicycle opportunities as part of a multi-modal transportation network.**
- **Promote and encourage cycling and walking for commuting purposes as an alternative to driving a car.**

The planned development includes a shared-use path along the property frontage, a comprehensive internal network that connects to a trail, and a continuous sidewalk network within the site. The frontage along Floral Park Road and MD 373 shall be improved with a 10-foot-wide shared-use path and shared roadway markings and signage. Paved shoulders can also meet the intent of the master plan for the on-road component of a dual-route facility.

These pedestrian and bicycle improvements will need to be further evaluated at the time of SDP, in conjunction with any frontage improvements required by the operating agency. As part of the bicycle and pedestrian impact statement, the development will also create a new shared-use path along Floral Park Road, in the vicinity of adjacent properties, meeting the intent of these policies.

#### **Access and Circulation**

The subject PPS shows five access points for the property. Three access points are provided along MD 373, and two along Floral Park Road. As part of the traffic impact study evaluated with Certificate of Adequacy ADQ-2024-019, the applicant analyzed each of the five access points identified in the exhibit below to determine any required frontage improvements. The results of the analysis showed that four access points meet the adequacy requirements, as provided (access points A, B, D and E). The fifth access point (access point C) would meet the requirements with the improvement of a deceleration lane along MD 373.

Within the site, a 10-foot-wide shared-use path for the alignment of the Burch Branch Trail, bikeway facilities, and sidewalk along both sides of the roadway are provided. Exhibits were provided showing parking, pedestrian circulation, trail location, and truck turning plans, all of which were found to be acceptable.

Given the above findings, multimodal transportation facilities will exist to serve the subdivision, as required under Subtitle 27, and will conform to both the MPOT and master plan.

10. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Section 24-121(a)(5) of the prior Subdivision Regulations. The master plan contains the following goals (page 129):

- **Needed public facilities are provided at locations that effectively and efficiently serve the existing and future population.**
- **Schools operate at 100 percent of capacity or less to provide an effective, quality learning environment. .**
- **Priority is given to funding public facilities to support development in the Developing Tier policy area.**
- **All new public facilities are constructed to LEED (Leadership in Energy Efficiency and Design) standards or the equivalent and existing buildings will be retrofitted to make them energy efficient.**

The proposed development will not impede achievement of any of the above-referenced goals. There are no master-planned police, fire and emergency medical service facilities, public schools, parks, or libraries recommended on the subject property. The ADQ process evaluates the infrastructure necessary to support a proposed development is allocated.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades, renovations to existing facilities, and construction of new facilities; however, none of its recommendations affect the subject site.

The subject project is located in Planning Area 85A - Brandywine and Vicinity. The 2025–2030 *Fiscal Year Approved CIP Budget* does not identify any new construction projects proposed for this area.

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for PPS or final plat approval. The 2018 Water and Sewer Plan placed the property in the water and sewer Category 4, “Community System Adequate for Development Planning.” This category comprises properties where water and sewer lines are available and/or accessible for extending.

An administrative amendment will be required to advance the site to water and sewer Category 3 prior to approval of the final plat. Category 4 is sufficient for PPS approval.

11. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for public utility easements (PUEs) is a minimum of 10 feet wide along both sides of all public rights-of way. PUEs must be located outside of the sidewalk, and must be contiguous to the right-of-way. The subject site has frontage along Floral Park Road at its northern boundary, and MD 373 along its southern boundary. The PPS provides the required 10-foot-wide PUE along the frontage of both roadways abutting the existing and ultimate right-of-way lines.

In addition, Section 24-128(b)(12) of the prior Subdivision Regulations requires that all private streets have a 10-foot-wide PUE along at least one side of the right-of-way. The PPS includes private streets throughout the development, and shows PUEs along at least one side of all private streets.

12. **Historic**—The master plan contains goals and policies related to historic preservation (pages 155–159). However, these are not specific to the subject site, or applicable to the proposed development. A stated goal of the master plan is to preserve and protect historic resources that are significant for their archeological value (page 155), through the strategy of encouraging interpretive plaques about archeology, as part of the development review process (page 159).

A Phase I archeological survey was completed on the 278.09-acre Estates of Pleasant Valley property, 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, and manure spreading after feeding the mixed refuse to swine. These sites were disturbed by their subsequent demolition; no intact archeological deposits or features were noted in the Phase I survey. Therefore, after analysis of this information, no further work was recommended on the Estates of Pleasant Valley property.

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. It is a precontact lithic concentration located in the northwest corner of Parcel 188. Shatter, early, and biface reduction flakes were identified in one shovel test pit. 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 037, 143, 188, and 236 and no further archeological investigation is required.

13. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

| Development Review Case | Associated TCP(s)            | Authority         | Status    | Action Date | Resolution Number        |
|-------------------------|------------------------------|-------------------|-----------|-------------|--------------------------|
| SE-1589                 | N/A                          | District Council  | Approved  | 9/20/1967   | ZO No. 444-1967          |
| SE-1590                 | N/A                          | District Council  | Approved  | 9/20/1967   | ZO No. 445-1967          |
| SE-1593                 | N/A                          | District Council  | Approved  | 9/20/1967   | ZO No. 450-1967          |
| SE-2903                 | N/A                          | District Council  | Approved  | 4/26/1976   |                          |
| SE-4043                 | TCPII-225-91<br>TCPII-213-91 | District Council  | Approved  | 10/9/1992   | Z.O. No. 44-1992         |
| NRI-150-06              | N/A                          | Staff             | Approved  | 3/9/2007    | N/A                      |
| S-07002                 | N/A                          | Planning Director | Certified | 11/7/2007   | N/A                      |
| 4-07076                 | TCPI-044-07                  | Planning Board    | Approved  | 3/22/2012   | 08-64                    |
| S-09001                 | N/A                          | N/A               | Dormant   | 3/18/2016   | N/A                      |
| A-10060                 | N/A                          | District Council  | Approved  | 10/17/2021  | 2021-92<br>ZO No. 9-2022 |
| NRI-150-06-01           | N/A                          | Staff             | Approved  | 8/19/2022   | N/A                      |
| CDP-22001               | TCPI-012-2023                | Planning Board    | Approved  | 10/19/2023  | 2023-108                 |
| SDP-2304                | TCP2-011-2024                | Planning Board    | Approved  | 6/13/2024   | 2024-057                 |
| 4-24013                 | TCPI-012-2023-01             | Planning Board    | Approved  | Approved    | 2025-060                 |

### Grandfathering

This property is subject to the grandfathering provisions of the 2024 Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property had a tree conservation plan that was accepted for review on or before June 30, 2024. The property must conform to the environmental regulations of the 2010 WCO and the 2018 Environmental Technical Manual (ETM). The property is also subject to the environmental regulations of the prior Subdivision Regulations and prior Zoning Ordinance because there are previously approved development review entitlements, Comprehensive Design Plan CDP-22001 and SDP-2304.

### Environmental Site Description

The entire site is within Environmental Strategy Area 2 (formerly the Developing Tier) as designated by Plan 2035. The mapped green infrastructure network on this site contains regulated and evaluation areas. The regulated areas are mapped in association with the on-site Burch Branch stream, a tributary to Piscataway Creek, and its own tributaries, and the evaluation area is associated with the woodland adjacent to the stream valleys, which provide wildlife connections between the streams. The on-site stream (Burch Branch) is a Secondary Corridor to the Piscataway Creek, a Primary Corridor, and it is identified in the Green Infrastructure Plan (GI Plan) of the 2017 *Approved Prince George’s County Resource Conservation Plan: A Countywide Functional Master Plan* as containing unique environmental features requiring careful consideration when proposing land development. The prior sand and gravel mining operations in the southern development area between the PEPCO land/easement/Transmission lines and MD 373 can be seen on the 1980 and 1984 aerial photographs on PG Atlas. Woodland clearing and installation of a gas line are also visible on the 1968 aerial photograph, along the western boundary.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property.

The property included in the PPS, verified with Natural Resources Inventory Plan NRI-150-06-01, contains mapped REF including streams, wetlands, and 100-year floodplain. The site contains mapped forest interior dwelling species habitat. Marlboro clays and Christiana complexes are not mapped on-site. The on-site stream, Burch Branch, flows into the Piscataway Creek. The Piscataway Creek and Burch Branch are designated by the state as Tier II waterways, which are those waters that have an existing water quality that is significantly better than the minimum water quality standards. The entire property is within the Piscataway Creek watershed, which is further discussed below.

The conservation methods of the WCO require priority be placed on the preservation of the on-site woodland and wildlife habitat areas, the planting of stream corridors, and emphasize the preservation of large contiguous woodland within the green infrastructure network. The site contains mapped forest interior dwelling species habitat, which is another high priority for preservation and enhancement of on-site woodland.

#### **Plan 2035**

While this PPS is not required to conform to Plan 2035, the site is located within Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, and in the Established Communities of the General Plan Growth Policy map, as designated by Plan 2035. However, the site is not within the boundaries of a transit-oriented center as identified in Plan 2035.

### **Environmental Conformance With Applicable Plans**

#### **Master Plan Conformance**

The Environmental Infrastructure section of the master plan (Section V, page 67) contains goals, policies, recommendations, and strategies. The following guidelines have been determined to be applicable to the current project. The text in **bold** is the text from the master plan and the plain text provides comments on plan conformance.

#### **Policies (page 71):**

- **Implement the master plan's desired development pattern while protecting sensitive environmental features and meeting the full intent of environmental policies and regulations.**
- **Ensure the new development incorporates open space, environmental sensitive design, and mitigation activities.**
- **Protect, preserve and enhance the identified green infrastructure network within Subregion 5.**

The overall project site does contain REF, woodland areas, and elements of the GI Plan; the site is required to provide bioretention and infiltration per the approved SWM concept letter. Open space requirements will be reviewed with subsequent development applications. The previous SDP approved impacts to REF for infrastructure only (SWM and road crossings). This PPS approves three new impacts to on-site 100-foot stream buffers for the two trail connections and one road tie-in grading area.

Conformance with the GI Plan is discussed further below in this finding.

**Policies (page 76):**

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

In accordance with this master plan policy and Section 24-130(b)(3), the proposed development is subject to current SWM requirements. This PPS approves 783 lots and 97 parcels for residential development consisting of 530 single-family detached and 253 single-family attached dwellings on a fully wooded parcel. The SWM design is required to be reviewed and approved by DPIE, to address surface water runoff issues in accordance with Subtitle 32 Water Quality Resources and Grading Code of the Prince George's County Code. This requires that the environmental site design (ESD) be implemented to the maximum extent practicable. The approved SWM concept plan shows the use of microbioretention ponds and submerged gravel wetlands.

**Policies (page 82):**

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

The site is within the Piscataway Creek watershed in the Developing Tier and not in the Rural Tier. This site is in Environmental Strategy Area 2. This PPS is not a conservation subdivision and is not located within the Brandywine Community Center. In accordance with this master plan policy and Section 24-130, the development of the site is subject to



the current SWM regulations, which require that ESD be implemented to the maximum extent practicable.

The property is divided by a PEPCO and Washington Gas Light Company utility line easement. The development areas have been designed to stay outside the REF areas, other than the required stream crossing, utility lines, and SWM outfalls. Twenty impacts to the primary management area (PMA) were approved with the SDP-2304 for infrastructure. This PPS approves impacts for road tie-in grading and trail connections for community connectivity. The remaining sensitive areas will be preserved within protective easements in accordance with Section 24-130(b)(5) of the prior Subdivision Regulations.

**Policy (page 83):**

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

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

**Policies (page 84):**

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

The development of this site is subject to the WCO and current tree canopy coverage requirements. The presence of woodland and tree canopy, particularly over asphalt and other developed surfaces, are proven elements to lessen climate impacts of development and the associated heat island effect, which are known contributors to climate change.

**Policy (page 86):**

- **Encourage the use of green building techniques that reduce resource and energy consumption.**

In accordance with this master plan policy, development applications for the subject property that require architectural approval should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques is encouraged to be implemented to the greatest extent possible.

**Policy (page 87):**

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

Excessive noise producing uses are not proposed.

**Conformance with the Green Infrastructure Plan**

The GI Plan was approved on March 17, 2017, with the adoption of the 2017 *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (Prince George's County Council Resolution CR-11-2017). According to the GI Plan, a majority of the site is either in a regulated or evaluation area within the designated network of the plan. There are five areas that are not within the network area but are surrounded by both regulated and evaluation areas. The regulated areas contain intermittent and perennial streams, associated stream buffers, and adjacent woodlands. Impacts are shown within both the regulated and evaluation areas for residential development.

The following policies and strategies are applicable to the subject PPS. The text in **bold** is the text from the GI Plan and the plain text provides comments on plan conformance:

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

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

- Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
- Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
- Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
- Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these landscapes.**

The previously approved CDP and SDP applications showed the development of a mostly wooded site, with a design to preserve as much of the on-site REF woodland as possible. All infrastructure impacts were approved with the SDP.

The on-site Burch Branch and unnamed tributaries were maintained to the fullest extent practicable with minor impacts for SWM outfall structures, utility line and road crossing. This PPS evaluates impacts to the stream for several required stream crossings. The PPS design provides an extensive amount of on-site woodland preservation and reforestation planting that will be placed in a conservation easement. This easement will ensure that the existing wooded Burch Branch stream corridor will be preserved.

The PPS includes SWM impacts to REF areas which were reviewed and approved with the SDP for infrastructure application. These impacts were limited to woodland clearing and impacts to REF areas for the construction of required stormwater structures and are consistent with the SWM concept plan approved by DPIE.

**POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.**

**2.4 Identify Network Gaps when reviewing land development applications and determine the best method to bridge the gap: preservation of existing forests, vegetation, and/or landscape features, and/or planting of a new corridor with reforestation, landscaping and/or street trees.**

The subject property contains both evaluation and regulation areas and, therefore, does not contain network gap areas. In accordance with this master plan policy and strategy, Section 24-132 of the prior Subdivision Regulations and Section 25-121(b) of the WCO, woodland preservation is shown, which will improve the green infrastructure network.

**2.5 Continue to require mitigation during the development review process for impacts to regulated environmental features, with preference given to locations on-site, within the same watershed as the development creating the impact, and within the green infrastructure network.**

The PPS shows infrastructure impacts to REF for woodland clearing disturbances that were reviewed and approved with SDP-2304, to construct the required infrastructure in the form of road crossings, utilities (water and sewer connections), and SWM structures that were approved by DPIE. Mitigation to streams, wetlands, and wetland buffers will be reviewed by the Maryland Department of the Environment (MDE). Woodland replacement for infrastructure clearing will be included in the overall woodland conservation requirement per the WCO. This PPS includes three additional PMA impacts to the on-site REF for trail connections and a road tie-in grading location, which are discussed further below.

**POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.**

**3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.**

- b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

In accordance with this master plan strategy, this PPS shows the construction of a trail connection to a future master-planned stream valley trail across Burch Branch. There is another interior pedestrian trail impact evaluated with this PPS. This master-planned trail alignment will be coordinated with the Prince George's County Department of Parks and Recreation (DPR).

This PPS evaluates two trail sections that were not approved under prior applications. The REF impacts approved with this PPS for pedestrian trails is discussed in the Regulated Environmental Features section of this finding.

**3.4 Ensure full compliance with and enforcement of all existing regulations including the Chesapeake Bay Critical Area (CBCA) and the Woodland and Wildlife Conservation Ordinance.**

- b. Enhance enforcement efforts associated with state-mandated tree conservation and CBCA plans.**

This subject property is not located within the Chesapeake Bay Critical Area. The PPS is reviewed using the WCO. The woodland requirement is met with on-site woodland preservation and reforestation, and off-site woodland credits.

**POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.**

**4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

In accordance with this master plan policy, Section 24-130(b)(5), and Section 25-122(d) of the WCO, the on-site woodland preservation and reforestation areas will be placed in a woodland and wildlife habitat conservation easement with the Type 2 tree conservation plan (TCP2) review.

The applicable area of this PPS is part of the Piscataway watershed system. Only the mainstream of Piscataway Creek is identified by the master plan as a special conservation area. The property does not contain special conservation areas associated with tributaries to Piscataway Creek. All on-site woodland preservation and reforestation areas will be placed in a conservation easement in accordance with Section 24-130(b)(5), to further protect the on-site Burch Branch stream valley system.

**POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.**

**5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**

This master plan policy, and Sections 24-130(b)(3), 24-130(b)(5), and 24-130(c) of the prior Subdivision Regulations require that developments treat stormwater on the subject property and outfall the water safely to a wetland or stream system without creating erosion. The proposed outfall structures are located on-site within the stream system and will be reviewed by DPIE and the Prince George's County Soil Conservation District (PGSCD).

**5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

This PPS proposes to preserve on-site woodland within stream and wetland areas. Any impact to these areas are for required SWM facilities, sewer line connections, the requested trail connections, and road grading. These areas cannot be replanted due to access and maintenance requirements. The PPS includes reforestation along the on-site wooded stream buffer systems, which will expand forested stream buffers to improve the water quality.

**POLICY 7: Preserve, enhance, connect, and restore forest and tree canopy coverage.**

***General Strategies for Increasing Forest and Tree Canopy Coverage***

**7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**

This PPS meets its woodland conservation requirement with woodland preservation, reforestation, and off-site woodland credits, in accordance with this master plan policy and Section 24-132(a) of the prior Subdivision Regulations, and not through the use of fee-in-lieu.

**7.10 Continue to focus conservation efforts on preserving existing forests and ensuring sustainable connectivity between forest patches.**

Retention of existing woodlands and planting of native species on-site is required by both the ETM and the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Most of the on-site preservation is preserved within the on-site regulated area and REF areas.

## **Other Environmental Review**

### **Natural Resources Inventory/Environmental Features**

Section 24-120(a)(22) of the prior Subdivision Regulations requires an NRI plan with PPS applications. NRI-150-06-01 was approved on August 19, 2022, and was provided with this PPS. The Type 1 tree conservation plan (TCP1) shows the required information in conformance with the NRI. No revisions are required for conformance to the NRI.

### **Woodland Conservation**

TCP1-012-2023-01 was submitted with this PPS. The overall site contains a total of 202.91 acres of net tract woodlands, 29.24 acres of wooded floodplain, and has a woodland conservation threshold of 51.22 acres (20 percent/prior Residential Suburban Development (R-S) Zone). The development proposes to clear 123.41 acres of woodland in the net tract, 2.31 acres of wooded floodplain, and 7.23 acres of off-site clearing, resulting in a woodland conservation requirement of 91.62 acres. The off-site woodland clearing is to connect to the nearest existing sewer line. The TCP1 and woodland conservation worksheet shows 73.39 acres of on-site preservation, 14.55 acres of reforestation, and 3.68 acres of off-site woodland credits, for a provided woodland conservation of 91.62 acres.

### **Specimen Trees**

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

The site contains 275 on-site specimen trees with 151 rated in good condition, 108 rated in fair condition, 10 rated in poor condition, 1 rated in fair/poor condition, and 5 specimen trees not rated. The recently approved SDP approved the removal of 22 specimen trees, specifically 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.

The current PPS requests the removal of an additional 54 specimen trees and preserving 199 specimen trees. The 54 specimen trees are identified as ST-1, ST-3, ST-9, ST-18, ST-25, ST-41, ST-45 through ST-70, ST-80, ST-83, ST-89, ST-127 through ST-131, ST-133, ST-135, ST-193 through ST-195, ST-236, and ST-240 through ST-247. The 54 specimen trees requested for removal have condition ratings of good (40 specimen trees), fair (10 specimen trees), poor (3 specimen trees), and poor/fair (1 specimen tree).

### **Review of Subtitle 25 Variance Request**

A Subtitle 25 WCO Variance application and a statement of justification (SOJ), in support of a variance, was received for review with this PPS and was dated August 2024. The following is the evaluation for the removal of 54 specimen trees.

Section 25-119(d)(1) of the WCO contains six required findings to be made before a variance can be granted. The letter of justification submitted by the applicant seeks to address the required findings for the 54 specimen trees.

**Statement of Justification Request:**

A variance from Section 25-122(b)(1)(G) of the WCO was requested for the clearing of 54 on-site specimen trees. The requested 54 specimen trees are shown within development areas on the approved TCP2 associated with SDP-2304 and were not shown within preservation areas. The Saddle Ridge development is mostly outside of the REF and limited the PMA impacts for infrastructure to preserve these sensitive areas. Three of the requested 54 trees are located inside of the PMA, specifically ST-18, ST-45, and ST-193. The submitted variance provided an analysis for every individual specimen tree to be removed with consideration of the species construction tolerance, the amount of critical root zone impact, the condition of the tree, and the distance to the PMA.

This variance was requested from Section 25-122 of the WCO, which requires that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The subtitle variance application form requires a SOJ of how the findings are being met.

The text in **bold**, labeled A–F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

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

The applicant states that special conditions peculiar to the property have caused unwarranted hardship because the site is split in two by a PEPCO transmission line and has extensive REF throughout the applicable areas of this PPS. Development of the residential lots is generally located outside the PMA, with the exception of the SWM structures and utility line connections. In accordance with Part C of the 2018 ETM, utility connections and SWM outfalls are considered necessary impacts to the PMA for development of a site to provide adequate stormwater drainage and sewage flow.

It was, therefore, found that retaining the 54 specimen trees throughout the site and not impacting their critical root zone is not feasible due to the extent of on-site PMA and the large amount of specimen trees. There are 275 specimen trees scattered throughout the Saddle Ridge property, both inside and outside of the PMA. Out of the requested 54 specimen trees to be removed, over 68 percent (37 specimen trees) of the trees are Tulip poplar. This species of tree is fast-growing and has poor construction tolerance. Tulip poplars do not tolerate construction activity and will likely become hazard trees and need removal if left adjacent to grading activities. Grading for the housing development to provide adequate slope to drain the stormwater is required by DPIE. The requirement to develop property in conformance with the zoning regulations for attached and detached residential dwellings, and providing the required parking and circulation, are not a special requirement peculiar to the property and are not considered a hardship. The management

of stormwater is a requirement for any development in Prince George's County and is not considered peculiar to this property or an unwarranted hardship.

In relation to other properties in the area, special conditions peculiar to the property would cause unwarranted hardship if the applicant were required to retain the 54 specimen trees with their critical root zones. The applicable areas of this PPS have significant REF and PMA, and the majority of the 54 trees are scattered throughout the area outside the PMA. The three specimen trees inside of the PMA requested for removal are ST-18, ST-45, and ST-193.

The proposed use for a residential development consisting of 534 single-family detached and 252 single-family attached dwellings is a significant and reasonable use for the subject site within the Legacy Comprehensive Design Zone. Requiring the applicant to retain these 54 specimen trees on the site would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.

**(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. All variance applications for the removal of specimen trees are evaluated in accordance with the requirements of the WCO and the 2018 ETM for site-specific conditions.

Specimen trees grow to such a large size because they were left undisturbed on a site for sufficient time to grow. These specimen trees are scattered throughout the 289.36-acre site. This site had mining activities in the past and the woodland areas not affected by the mining grew to larger sizes. These undisturbed woodland areas were both within and outside the on-site PMA. The development is limiting the woodland clearing to the areas outside the PMA to preserve the REF. Based on the location and species of the specimen trees requested for removal, retaining the trees and avoiding disturbance to the critical root zone would have a considerable impact on the development potential of the property. If similar trees were encountered on other sites, they would be evaluated under the same criteria.

**(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 Saddle Ridge project 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 developments were mostly wooded with significant REF and amounts of specimen trees scattered outside the PMA, 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 action leading to the conditions or circumstances that are the subject of the variance request. Removal of the 54 specimen trees is the result of their location within the proposed residential development, outside the significant on-site PMA. These trees are requested for removal to achieve a reasonable development for a residential community 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; and**

There are no existing conditions, existing land uses, or building uses on the site or on neighboring properties that have any impact on the location or size of the 54 specimen trees.

These specimen 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 granting of the variance to remove 54 specimen trees will not adversely affect water quality. Requirements regarding SWM will be reviewed and approved by DPIE. Erosion and sediment control requirements are reviewed and approved by PGSCD. Both SWM and sediment and erosion control requirements are to be met in conformance with State and local laws to ensure that the quality of water leaving the site meets the State standards to ensure that no degradation occurs.

**Analysis of Specimen Tree Removal Variance**

The applicant submitted a variance request to remove 54 specimen trees (ST-1, ST-3, ST-9, ST-18, ST-25, ST-41, ST-45 through ST-70, ST-80, ST-83, ST-89, ST-127 through ST-131, ST-133, ST-135, ST-193 through ST-195, ST-236, ST-240 through ST-247), for the proposed development of the Saddle Ridge residential subdivision. These specimen trees were requested for removal due to their construction tolerance, distance from impact to the tree, condition of the tree, and location outside the PMA.

The required findings of Section 25-119(d) of the WCO have been adequately addressed for the removal of 54 specimen trees. Therefore, the variance for removal of 54 specimen trees identified as ST-1, ST-3, ST-9, ST-18, ST-25, ST-41, ST-45 through ST-70, ST-80, ST-83, ST-89, ST-127 through ST-131, ST-133, ST-135, ST-193 through ST-195, ST-236, and ST-240 through ST-247 is approved.

**Regulated Environmental Features**

The applicable areas of this PPS contain REF including steep slopes, floodplains, wetlands, streams, and their associated buffers which comprise the PMA.

Section 24-130(b)(5) states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25 of the WCO. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27 of the prior Zoning Ordinance, for the reasonable development of the lot outside the regulated feature. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to REF areas should be limited to those that are necessary for the development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the REF. The SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact.

The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for the development of a property should be the fewest necessary and sufficient to develop the site in conformance with the County Code.

The previously approved SDP-2304 approved 20 PMA impacts (A, B, C, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, and U) for stormwater control facilities and sanitary service connections with the infrastructure application. This PPS evaluated three additional PMA impacts. An SOJ was received with the PPS, dated December 2024, for approval of three impact areas (D, V, and W).

### Analysis of Impacts

Based on the SOJ, the applicant requested a total of three impacts, as described below:

| Impact Area | Impact Type  | Prop. PMA Impact Sq. Ft. | Prop. Stream Impact Lf. | Prop. Wetland Impact Sq. Ft. | Prop. Wetland Buffer Impact Sq. Ft. | Prop. Stream Buffer Impact Sq. Ft. | Prop. Floodplain Impact Sq. Ft. |
|-------------|--------------|--------------------------|-------------------------|------------------------------|-------------------------------------|------------------------------------|---------------------------------|
| D           | Trail        | 5,906                    | 39                      | -                            | -                                   | 5,810                              | -                               |
| V           | Trail        | 43,551                   | 17                      | -                            | -                                   | 6,121                              | 1,922                           |
| W           | Road Grading | 4,482                    | -                       | -                            | -                                   | -                                  | -                               |

PMA = primary management area

SWM = stormwater management

Sq. Ft. = square feet

Lf. = linear feet

| Totals                  |             |       |             |
|-------------------------|-------------|-------|-------------|
| Impact Area             | Square Feet | Acres | Linear feet |
| Primary Management Area | 42,168      | 0.97  | -           |
| Streambed               | -           | -     | 56          |
| Stream Buffer           | 11,931      | 0.27  | -           |
| Floodplain              | 1,922       | 0.04  | -           |

#### **Road - Tie-In Grading – one road impact– Impact Area W**

An interior road is located outside of the PMA, but due to the adjacent steep slopes, impacts are required to tie in proposed grades with existing contours. This impact is required to give the adequate slope grade off the roadway to prevent soil failure.

#### **Trail Crossing – Impact Area D**

This trail impact is to convert an existing farm road stream culvert crossing into a pedestrian trail crossing. The trail will connect two of the on-site development areas and continue with a subdivision trail system.

#### **Trail Construction – Impact Area V**

This trail impact is for a pedestrian trail from the residential area to a future master plan trail. The trail will connect the residential subdivision through the wooded PMA area to the master-planned trail, impacting stream buffer, steep slopes, stream, and floodplain.

This PPS will provide trail connections and adequate road tie-in grading for the Saddle Ridge residential subdivision. Therefore, the three impact areas (D, V, and W), as necessary impacts for development of this subdivision, are approved.

Based on the level of design information provided with this PPS, the REF on the subject property have been preserved and/or restored, to the fullest extent possible, based on the limits of disturbance shown on the SOJ for Impacts to Regulated Environmental Features and associated exhibits from Rodgers dated August 2024, requesting three PMA impacts (Impact Area D, V, and W). Therefore, the three impacts are approved.

#### **Soils**

Section 24-131 of the prior Subdivision Regulations states “The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as, but not confined to, unstable fills or slopes.”

According to the United States Department of Agriculture Natural Resource Conservation Service Web Soil Survey, soils present include Aquasco silt loam, Beltsville silt loam, Croom gravelly sandy loam, Croom-Marr complex, Grosstown-Woodstown-Beltsville complex, Hoghole-Grosstown complex, Lenni and Quindocqua soils, Leonardtown silt loam, Marr-Dodon

complex, Potabac-Issue complex, Udorthents soils, and Westphalia and Dodon soils. Marlboro and Christiana clay are not found to occur on this property.

The site was previously mined for sand and gravel. Undocumented existing fill materials were encountered over majority of the southern portion of the site, where reclaiming activities took place, on which direct structural support is not suitable. The geotechnical report provided by the applicant for review with SDP-2304 provided recommendations such as lowering proposed grades, undercutting unsuitable subgrade and replacing them with compacted fill, proof rolling, etc. to improve the uncontrolled fill areas for the structural support of the residential subdivision development. Settlement evaluation on loose or soft fills is required according to the report. This geotechnical mitigation work shall be further analyzed and approved by DPIE with the grading permit review.

#### **Erosion and Sediment Control**

This site is within a Tier II catchment area which are high-quality waters within the State of Maryland, as designated by MDE, that are afforded special protection under Maryland's Anti-degradation policy. A 150-foot-wide expanded buffer is required on-site for all intermittent and perennial streams in accordance with PGSCD requirements. Redundant erosion and sediment control measures may be required on the grading, erosion, and sediment control plan reviewed by PGSCD. This Tier II buffer is shown on the approved NRI and submitted TCP1. PGSCD will review the proposed buffer impacts with the future erosion and sediment control plans.

14. **Urban Design**—This development requires filing an SDP in accordance with Section 27-478 of the prior Zoning Ordinance. The general uses proposed for this property in the R-S Zone are permitted per Section 27-515 of the prior Zoning Ordinance. Under the prior Zoning Ordinance, conformance to, but not limited to, the following regulations will be required to be demonstrated, at the time of SDP review:

- Section 27-480 – General development regulations (Comprehensive Design Zones)
- Section 27-511 – Purposes of the R-S Zone
- Section 27-513 – Regulations (R-S) Zone
- Section 27-528 – Planning Board action (Specific Design Plans)
- Part 11 – Off-Street Parking and Loading; and
- Part 12 – Signage

Conformance with the requirements of the Landscape Manual and the Prince George's County Tree Canopy Coverage Ordinance will also be evaluated at the time of SDP. Per Section 27-511(a)(5) of the prior Zoning Ordinance, one of the purposes of the R-S Zone is to encourage and stimulate balanced land development. The submitted PPS achieves the intent of this Ordinance, in part, by providing a lotting pattern that separates each of the 11 groups (sticks) of townhomes in the northern development pod by 10 feet, except for one separation of these

sticks, between Lots 4 and 5, Block B, which provides a 5-foot separation. Therefore, the applicant shall increase the distance between these two townhouse sticks (Lots 4 and 5, Block B) to 10 feet, in keeping with the intended design of the PPS, in accordance with Section 27-511(a)(5), prior to signature approval of the PPS.

15. **Community Feedback**—The Planning Board received seven items of additional backup regarding the subject PPS, prior to the noon deadline on July 8, 2025. The first item (Applicant's Exhibit 1) was submitted by the applicant to request a revision to Condition 18 in the technical staff report. Exhibit 4 was a letter from the Prince George's County Council Budget and Policy Analysis Division, which included a policy analysis and fiscal impact statement on Council Bill CB-29-2025. Opponent Exhibits 5 through 9 were letters from citizens and community or homeowners associations. In the letters, the citizens and community associations expressed concerns regarding the impact of the development on the surrounding community and the issue of adequate public facilities, with regard to police response times.

It is noted, however, that the adequacy of public facilities such as, for example, transportation, police, and schools were evaluated and approved by the Planning Director during the ADQ process and not before the Planning Board for its review of this PPS.

16. **Planning Board Hearing**—At the July 10, 2025 Planning Board hearing, staff presented a slide-by-slide presentation of the PPS to the Board. Staff provided information on the revisions to Condition 18 requested by the applicant and, instead, recommended revised language. The revised language for Condition 18 would allow the construction drawings for the master-planned trail to be reviewed at the time of future SDP. The applicant's attorney, Matthew C. Tedesco, then spoke on behalf of the applicant, beginning his summary by stating that, notwithstanding the fact that this PPS has a supporting approved ADQ that allowed for mitigation of failed police response times through the payment of a fee under an applicant-executed mitigation agreement, the applicant reserves their rights to appeal the conditions of approval of the ADQ, which includes the condition requiring a mitigation agreement. Mr. Tedesco then continued by providing a brief history of the project and its prior uses, emphasizing the project's consistency with prior approvals and the residential low development recommended by the General Plan and the master plan. He further noted the various housing styles at different price points proposed throughout the development. He then concluded his remarks by listing the applicant's citizen outreach efforts and that the applicant is in agreement with staff's recommendations and the revised language for Condition 18, as read into the record by staff.

One resident and two representatives of community and homeowners associations (Villages of Savannah Homeowners Association and Brandywine TB Southern Region Neighborhood Coalition) provided testimony, in opposition of this case. All three speakers testified to the same general concerns regarding safety, inadequate infrastructure, quality of life, increased traffic, police adequacy, and overburdened schools. The speakers also mentioned lack of health care facilities in the area, environmental degradation and the removal of specimen trees, and lack of outreach to the community by the applicant. The applicant then addressed the testimony its rebuttal. The Planning Board then approved the PPS unanimously, with conditions, as recommended by staff, and approved revised Condition 18, as read into the record by staff.


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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Barnes voting in favor of the motion at its regular meeting held on Thursday, July 10, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of July 2025.

Darryl Barnes  
Chairman

By  Jessica Jones  
Planning Board Administrator

DB:JJ:JB:rpg

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: July 22, 2025