

RESOLUTION

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

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

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

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

**Other Development Data**

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

Estimated Parking Required for Recreational uses:

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

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

3. **Location:** This specific design plan (SDP-0318) for Edelen Village North and South is located in Planning Area 84, north and south of Floral Park Road near and at its intersection with Danville Road. Approximately 75 acres of land located on the north side of Floral Park Road are part of the application, are proposed to be conveyed to M-NCPPC, and are adjacent to the Tinkers Creek Stream Valley Park.
4. **Surroundings and Use:** The subject 480.09 acres are the second phase of the overall development of the project known as the Preserve. To the west is the developing Phase I of the project known as Glassford Village. This portion of the development will provide the initial access to Edelen Villages North and South. This phase of the development has frontage on Floral Park Road and Danville Road.
5. **Previous Approvals:** On September 14, 1993, the County Council, sitting as the District Council for the part of the Maryland-Washington Regional District in Prince George's County, adopted CR-60-1993 approving the master plan and the sectional map amendment for Subregion V in Prince George's County. Comprehensive Design Zone Amendment Three (Zoning Applications A-9869 and A-9870), known as Villages at Piscataway, rezoned 858.7 acres in the R-A Zone to the R-L Zone (Residential-Low Development, 1.0 to 1.5 du/acre) and 19.98 acres to the L-A-C Zone (Local Activity Center—Village Center). The basic plan was approved with 39 conditions and 11 considerations. The base residential density of the R-L Zone was approved as 818 dwelling units; the maximum residential density in the R-L Zone was approved as 1,000 dwelling units.

On March 24, 1994, the Prince George's County Planning Board reviewed and approved a comprehensive design plan (CDP-9306) for the subject property known as Villages at Piscataway, as described in PGCPB No. 94-98(C). The comprehensive design plan (CDP) was approved with 36 conditions. The CDP included the entire 878.7 acres of land zoned R-L and L-A-C to be developed as a village community with a golf course component. The CDP approved 202

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

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

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

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

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

#### **COMPLIANCE WITH EVALUATION CRITERIA**

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

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

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

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

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

- a. The applicant, his heirs, successors and/or assigns, shall complete the Phase I archeological survey for the entire archeological survey area.**
- b. The Phase I archeological survey shall be reviewed and accepted by staff of the Historic Preservation Section.**
- c. The exact boundaries of any areas where Phase II and Phase III surveys will be required will be mapped and agreed upon by the applicant and the Historic Preservation Section.**

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

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

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

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

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

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

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

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

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

#### **BASIC PLAN CONSIDERATIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- d. The single-family detached units located along the main spine road through the**

**development should front on the spine road.**

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

- 14. The applicant, his heirs, successors and/or assignees shall provide the Historic Preservation staff with evidence of items a. through f. below, which may include copies of contracts, work orders, completion orders, and receipts.**
- a. Maintenance of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.**
  - b. Maintenance of “No Trespassing” signs at the street and around the environmental setting at locations determined by the Historic Preservation staff and the applicant.**
  - c. Provide an updated inspection report by a qualified professional of the current condition of the Historic Site (inclusive of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the environmental setting). The report shall include recommendations for repair if needed in order to preserve the integrity of the physical features.**
  - d. Provide routine maintenance of utilities inclusive of heating, plumbing and electrical systems.**
  - e. The applicant shall provide evidence of maintenance of fire insurance on the house.**
  - f. Provide evidence of good faith efforts made to locate a suitable organization or individual to take responsibility for the Edelen House Historic Site and any plans to find a suitable steward for the property. The developer shall also provide the Historic Preservation Commission with evidence of the current structural integrity and physical condition of the property with cost estimates for significant repair items identified.**

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

Comment: The applicant is currently in compliance with Condition 14; required periodic status reports have been submitted according to the established schedule. This condition should be included as part of all subsequent applications.



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

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

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

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

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

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

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

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

The applicant has obtained wetlands permits CENAB-OP-RMS (Villages at Piscataway) 95-63445-7

from the US Army Corps of Engineers and 95-NT-0129/199563445 from the Maryland Department of the Environment.

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

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

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

- 22. The following note shall be placed on the Final Plat of Subdivision:**

**“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/9/94-02), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”**

Comment: This condition remains in effect.

- 28. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$410.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Road A, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.**
- 29. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$420.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Medinah Ridge Road, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.**

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

- 30. The applicant, his heirs, successors and/or assignees shall construct a multiuse (hiker-biker-equestrian) trail within the entire length of Parcels F and G. This trail shall be constructed in conformance with Park Trail Standards of the *Adopted and Approved***

***Subregion V Master Plan.* If necessary due to TCP considerations, the equestrian portion of this trail can be reduced to no less than four feet in width.**

Comment: This trail is reflected on the submitted SDP.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Comment: The needed data is displayed on the plan.

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

- (a) Create an “Edelen House Improvement Disbursement Fund” in the amount of \$150,000. The purpose of the fund is to make internal and external improvements (excluding new landscaping) to the Edelen House Historic Site (84-23-06) that enhances the historic and architectural integrity of the structure. These improvements, excluding routine maintenance and those maintenance items outlined in Condition 3 (a-f) of SDP 9804-01 as approved, may include but are not limited to repairs to exterior features such as roofs, doors, windows and wooden and masonry elements, and the installation of upgraded plumbing, heating, electrical, water and sewer services.**
- (b) Submit to the Historic Preservation Commission for approval, a list of potential improvements to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. All improvements to the Edelen House Historic Site (84-23-06) paid for by the Edelen House Improvement Disbursement Fund shall be approved by the Historic Preservation Commission and, as appropriate, be approved through the Historic Area Work Permit process. The applicant and the Historic Preservation Commission may, by mutual agreement, modify the list of improvements to be paid for through the Edelen House Improvement Disbursement Fund.**

Comment: The applicant has developed a list of repairs to be carried out with funds from the Edelen House Improvement Disbursement Fund and these work items were reviewed and approved by the Historic Preservation Commission on May 18, 2004, through the applicant’s Historic Area Work Permit application. This condition has been fulfilled.

**Condition 45. Prior to the submittal of the 177<sup>th</sup> residential building permit for the development or 12 months from the date of the Planning Board’s adoption of this preliminary plan, whichever is earlier, the applicant, his heirs, successors and/or assignees shall complete**

**all agreed-upon improvements to the Edelen House Historic Site (84-23-06) to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. As evidence of the completion of the improvements, the applicant shall provide the Historic Preservation Commission with a description of the work and itemized receipts.**

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

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

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

## REFERRAL RESPONSES

9. The Environmental Planning Section recommends approval of SDP-0318 and TCPII/46/06 subject to conditions.
  - a. This site contains natural features that are required to be protected under Section 24-130 of

the Subdivision Regulations. The *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B* indicates that there are substantial areas designated as Natural Reserve on the site. As noted on page 136 of the Subregion V master plan:

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

The Subregion V Master Plan elaborates on page 139:

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

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

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

The SDP proposes impacts to stream buffers and wetland buffers. Impacts to these buffers are prohibited by Section 24-130 of the Subdivision Regulations unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. All of the impacts proposed on SDP-0318 were granted variations by the Planning Board during the review and approval of Preliminary Plan 4-03027.

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

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

A forest stand delineation was reviewed with CDP-9306. A revised forest stand delineation was reviewed with 4-94017. Type I Tree Conservation Plan (TCPI/9/94) was approved with CDP-9306. A revision to Type I Tree Conservation Plan (TCPI/9/94-01) was approved with 4-94017. A revision to Type I Tree Conservation Plan (TCPI/9/94-02) was approved with 4-03027. The Type I tree conservation plan provides for all woodland conservation

requirements to be met on site and does not allow woodland conservation areas on lots less than 20,000 square feet in area, the use of fee-in-lieu, or the use of an off-site easement.

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

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

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

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

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

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

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

Prior to certification of the specific design plan, the applicant shall submit a letter of consent from the Department of Parks and Recreation agreeing to afforestation on



lands to be dedicated or the Type II Tree Conservation Plan shall be revised to remove afforestation on lands to be dedicated.

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

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

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

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

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

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

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

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

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

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

**Residential**

- The existing fire engine service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 5.25-minute travel time guideline.
- The existing ambulance service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 6.25-minute travel time guideline.
- The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 7.25-minute travel time guideline.

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

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

**Commercial**

- The existing fire engine service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 3.25-minutes travel time guideline.
- The existing ambulance service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 4.25-minutes travel time guideline.
- The existing paramedic service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service travel time of 7.64 minutes, which is beyond the 7.25-minutes travel time guideline.
- The existing ladder truck service at Accokeek Fire Station, Company 24 located at 16111 Livingston Road has a service travel time of 6.67 minutes, which is beyond the 7.25-minutes travel time guideline.

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

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

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

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

Comment: The subject application includes a community building that will ultimately be owned by the homeowners association.

## **Police**

The proposed development is within the service area for District IV, Oxon Hill. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 1/02/04 the county had 823 sworn staff and a total of 101,303 feet of station space. Based on available space there is capacity for 57 additional officers. The staff concludes that the existing county police facilities will be adequate to serve the proposed mixed-use development.

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

The subject property is required to make roadway improvements pursuant to a finding of adequate

public facilities made in 2003 and supported by a traffic studies and analyses done in 1994 and 2002. These conditions are enforceable with the submission of building permits. All required signal warrant studies required for submittal prior to SDP approval have been submitted.

12. The Permit Review Section has reviewed the plans and raised the following issues that remain outstanding:
  - A. The following is a list of additional development standards that should be included and added to the cover sheet of this SDP:
    - a. Setbacks for garages and accessory buildings on through lots.
    - b. Minimum distance between end buildings for the townhouses.
    - c. Setback requirements for open decks and porches.
    - d. Amount of encroachment allowed for bay windows, chimneys, vestibules, areaways (above grade), etc...into the building restriction lines.
  - B. Parking calculations for the community building shall be revised to eliminate the reference to the 20 percent reduction rate, as it does not apply. Revise the parking schedule to include handicap accessible parking spaces including, van accessible spaces as required.
  - C. The townhouse lots appear to have single-car garages, many of which do not have the minimum setback of 19 feet for a second parking space. Revise the plan to accommodate a second parking space.
  - D. Revise plans to include driveway aprons and/or the curb cuts for all of the townhouse units.
  - E. The 25-foot minimum distance between end buildings (see Table 2) has not been met between Lots 6 and 7, Block C; Lots 21 and 22, Block D; Lots 15 and 16, Block D; Lots 27 and 28, Block E; Lots 22 and 23, Block E; and Lots 4 and 5, Block B. Revise the plan accordingly.

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

13. Section 27-528, Additional Findings for Townhouses—The plan conforms to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*. The subject application demonstrates conformance to Section 4-1 of the *Landscape Manual*.
14. As explained in Findings 12 and 13 above, the development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

15. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties as demonstrated through the Stormwater Management Concept Plan, CSD#8008470-1994-01, which has been approved by the Prince George's County Department of Environmental Resources and is valid until June 30, 2004.
16. Some of the townhouses proposed on the subject application have been designed to front the units on roadways, surrounding a village green in one instance. The rears of other units are buffered from the public rights-of-way and preservation of existing trees will provide privacy. Further review of the proposed townhouse architecture will occur prior to the issuance of any building permits, in accordance with Condition 8.

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

1. The initial half-section of Piscataway Road extended (otherwise known as A-54, the relocation of MD 223 through the subject property) shall be open to traffic between Livingston Road and existing MD 223 to Floral Park Road prior to the issuance of the 186th residential building permit within the subject property.
2. In order to alleviate the negative impact on fire and rescue services due to inadequate service, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
3. The applicant shall provide a fee to Prince George's County that shall serve as a fair share contribution toward the construction of the Brandywine special study area station and acquisition of an ambulance and paramedic unit. The fee amount is based upon the construction cost of the station (\$1,275,000) and the purchase price of an ambulance (\$129,000) and paramedic unit (\$129,000), divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (10,024). The fair share fee for residential development of \$479 per dwelling unit shall be paid prior to the approval of each permit and the fair share fee for commercial/historic uses of \$7646.50 shall be paid prior to the issuance of the first building permit for nonresidential uses. The proposed community building, for the purposes of this condition, is considered a residential use.
4. Prior to the issuance of grading permits for any land-disturbing activity within 50 feet of Archeological Site 476 (as identified on the SDP), the Phase III archeological survey shall be reviewed and accepted by the Historic Preservation Section.
5. The applicant, his heirs, successors and/or assignees shall provide for the continuous occupancy of the Edelen House (the "property.") Applicant shall work with the Historic Preservation staff to

ascertain methods of informing prospective purchasers and tenants of the availability of the property.

6. The applicant, his heirs, successors and/or assignees shall provide the Historic Preservation staff with evidence of items a. through f. below, which may include copies of contracts, work orders, completion orders, and receipts.
  - a. Maintenance of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.
  - b. Maintenance of “no trespassing” signs at the street and around the environmental setting at locations determined by the Historic Preservation staff and the applicant.
  - c. Provide an updated inspection report by a qualified professional of the current condition of the property (inclusive of the roof, walls, chimneys, windows, doors and foundations of the main house and all significant outbuildings and structures within the environmental setting). The report shall include recommendations for repair if needed in order to preserve the integrity of the physical features.
  - d. Provide routine maintenance of utilities inclusive of heating, plumbing and electrical systems.
  - e. The applicant shall provide evidence of maintenance fire insurance on the house.
  - f. Provide evidence of good faith efforts made to locate a suitable organization or individual to take responsibility for the Edelen House Historic Site and any plans to find a suitable steward for the property. The developer shall also provide the Historic Preservation Commission with evidence of the current structural integrity and physical condition of the property with cost estimates for significant repair items identified.

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

7. Prior to the issuance of each residential building permit, the applicant, his heirs, successors and/or assignees shall provide evidence of contribution of \$400.00 to the Piscataway Preservation Grant and Loan Fund.
8. Prior to signature approval of the plan, the following modifications shall be made:
  - a. The width of all private streets shall be dimensioned as no less than 22 feet and alleys shall be dimensioned as no less than 18 feet wide.
  - b. Each sheet of the SDP shall provide reference to all parcels and to whom the parcel is to be

dedicated.

- c. At least 50 percent of the single-family detached units in the village that are 65 feet or less in width at the street line shall have a fence in the front yard. At least one-third of the model lots shall include this feature.
  - d. The specifications and details for the fences in the front yards shall be agreed upon by the applicant and staff and shown on the plans.
- 9. Prior to the issuance of any building permits for the construction of single-family attached units, or the community building, the applicant shall file a revision to the plans as follows:
  - a. Submit the architecture proposed for the single-family attached units.
  - b. Submit the architecture for the community building.
  - c. Submit the details and specification for all of the recreational facilities, including the proposed pool, basketball court, and recreational facilities within the village green.
  - d. The applicant shall address the parking and loading standards for the proposed central recreational area and file a departure from the parking and loading standards, if determined to be necessary.
- 10. Prior to the issuance of the first building permit for the subject application, the applicant shall demonstrate approval of the paving plans by the DPW&T and the street trees within the right-of-way shall be in general conformance to the master plan of street trees, particularly in regard to size (2½- to 3-inch caliper) and spacing (approximately 35 feet on center).
- 11. The applicant, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the specific design plan, tree conservation plan, landscape plan, and plans for recreational facilities.
- 12. The applicant, his heirs successors and/or assignees shall demonstrate, by means of a tracking chart, that a minimum of 25 percent of the single-family detached units shall have front porches.
- 13. Prior to the issuance of building permits, plans shall indicate that houses on corner lots shall front on the most heavily traveled street, where possible.
- 14. Prior to the submittal of the 177<sup>th</sup> residential building permit for the overall development or June 17, 2004, whichever is earlier, the applicant, his heirs, successors and/or assignees shall complete all agreed-upon improvements to the Edelen House Historic Site (84-23-06) to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. As evidence of the completion of the improvements, the applicant shall provide the Historic Preservation Commission

with a description of the work and itemized receipts.

15. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$410.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along St. Mary's View Road (formerly Road A), designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.
16. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$420.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Medinah Ridge Road, designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of PublicWorks and Transportation declines the signage, this condition shall be void.
17. The applicant, his heirs, successors and/or assignees shall provide sidewalks along both sides of internal public streets.
18. Provide a sidewalk along one side of the private road serving Lots 1–17 on Parcel A-1.
19. Provide a sidewalk along one side of the private road serving Lots 1–8 on Parcel B-1.
20. The following is a list of additional development standards that shall be included and added to the cover sheet of this SDP:
  - a. Setbacks for garages and accessory buildings on through lots.
  - b. Minimum distance between end buildings for the townhouses.
  - c. Setback requirements for open decks and porches.
  - d. Amount of encroachment allowed for bay windows, chimneys, vestibules, areaways (above grade), etc...into the building restriction lines.
21. Parking calculations for the community building shall be revised to eliminate the reference to the 20 percent reduction rate, as it does not apply. Revise the parking schedule to include handicap accessible parking spaces including, van accessible spaces as required.
22. The townhouse lots appear to have single-car garages, many of which do not have the minimum setback of 19 feet for a second parking space. Revise the plan to accommodate a second parking space.
23. Revise plans to include driveway aprons and/or the curb cuts for all of the townhouse units.



24. The 25-foot minimum distance between end buildings (see Table 2) has not been met between Lots 6 and 7, Block C; Lots 21 and 22, Block D; Lots 15 and 16, Block D; Lots 27 and 28, Block E; Lots 22 and 23, Block E; and Lots 4 and 5, Block B. Revise the plan accordingly.
25. Prior to certification of the specific design plan, the applicant shall submit a letter of consent from the Department of Parks and Recreation agreeing to afforestation on lands to be dedicated or the Type II tree conservation plan shall be revised to remove afforestation on lands to be dedicated.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire and Hewlett voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, June 10, 2004, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SHL:meg