



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan

4-03027

Application	General Data
Project Name: THE PRESERVE AT PISCATAWAY Location: South of the intersection of Floral Park Road and Piscataway Road. Applicant/Address: Greenvest, L.C. 8614 Westwood Center Drive, Suite #900 Vienna, VA 22182	Date Accepted: 04/10/03
	Planning Board Action Limit: 06/18/03
	Plan Acreage: 802.1
	Zone: R-L & L-A-C
	Lots/Dwelling units: 794/836
	Parcels: 66
	Planning Area: 84
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 218SE02&03

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners: (CB-15-1998) N/A
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 05/14/03
	Variance(s): Adjoining Property Owners: N/A

Staff Recommendation		Staff Reviewer: Whitney Chellis	
APPROVAL	APPROVAL WITH CONDITIONS	<u>DISAPPROVAL</u>	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-03027
Preserve at Piscataway

Glassford Village South:

Lots 1-9, Block N; Lots 1-8, Block P; Lots 1-9, Block Q

Edelen Village South

Lots 1-6, Block A; Lots 1-22, Block B; Lots 1-30, Block C; Lots 1-27, Block D; Lots 1-23, Block E; Lots 1-14, Block F

Edelen Village North

Lots 1-27, Block A; Lots 1-63, Block B; Lots 1-15, Block C; Lots 4-6, Block D; Lots 1-5, 7-11, Block E

Lusby Village West

Lots 1-18, Block A; Lots 1-20, Block B; Lots 1-26, Block C, and Lots 1-3, Block C (sheet 6); Lots 1-33, Block D; Lots 1-20, Block E; Lots 1-29, Block F; Lots 1-18, Block G, and Lots 1-27, Block G (sheet 6); Lots 1-15, Block H; Lots 1-25, Block I

Lusby Village East

Lots 1-19, Block A; Lots 1-15, Block B; Lots 1-20, Block C; Lots 1-6, Block D; Lots 1-9, Block E

Danville Estates

Lots 1-4, Block A; Lots 1-14, Block B; Lots 1-29, Block C; Lots 1-9, Block E, and Lots 1-12, Block E (sheet 9); Lots 1-15, Block F; Lots 1-15, Block G; Lots 1-13, Block H, Lots 1-15, Block I

Parcels A-S; A-1, 2; B-1 through 4; C-1 through 6; D-1 through 7; E-1 through 7; E-1 through 4; F-1 through 6; G-1 (twice) through 4; S-1; T-1; GG; HH; II; JJ; KK; LL; MM

OVERVIEW

The subject property is located on Tax Maps 142 and 143 in Grids A-1, B-1 and F-2, F-3 and is known as Parcel 202. The property has frontage on Danville Road to the east, Floral Park Road to the north and northwest, and Livingston Road to the west. Seventy-five acres of the property are located on the north side of Floral Park Road. That portion of the property is to be dedicated to M-NCPPC as discussed further in Finding 4 of this report. The property is currently improved with a historic dwelling and a number of various barns and sheds. All of the existing structures are to be removed, except the historic structure, known as the Edelen House, as discussed further in this report.

This proposal is for the development of 836 units in the R-L Zone and L-A-C Zone. The development of 140 units, including 42 single-family detached, 56 single-family attached and 42 multifamily, are identified on the plans within the L-A-C Zone. The development of 696 dwelling units, including 525 single-family detached and 171 single-family attached units, are identified on the plans within the R-L Zone. The applicant proposes to convey 140.56± acres to a homeowners association, retain 308.85± acres for the construction of the golf course and related facilities, and dedicate 75.43± acres to M-NCPPC for a public park and 25± acres to the Board of Education and M-NCPPC for a park/school site.

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), 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 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 the Villages at Piscataway, as described in PGCPB No. 94-98(C). The CDP included the entire 878.7+ acres of land zoned R-L and L-A-C to be developed as a golf course community.

On June 23, 1994, the Prince George's County Planning Board reviewed and approved a Master Preliminary Plan of Subdivision, 4-94017, for the entire acreage of the site known as Villages at Piscataway and described in PGCPB No. 94-213. The master preliminary plan of subdivision subsequently expired.

On November 14, 1996, the Prince George's County Planning Board reviewed and approved a new preliminary plan of subdivision 4-96047 for a portion of the Villages at Piscataway known as Glassford Village. Glassford Village is approximately 74± acres of the Villages of Piscataway, as described in PGCPB No. 96-301. That preliminary plan approved 176 dwelling units. Two of the lots approved as part of Glassford Village are proposed to be resubdivided with this application as discussed below. Glassford Village is located in the southwest portion of the site and is currently under development.

The applicant has proposed to include 2.5 acres of the previously approved Glassford Village (4-96047) that is the subject of two record plats, REP 194 @ 32 and 37. The applicant proposes to resubdivide that 2.5-acre portion of Glassford Village and include it in this preliminary plan. The resubdivision includes Parcel B, Block A (3,774 square feet); Parcel A, Block H (7,501 square feet); Parcel B and C, Block H (74,974 square feet) and Lots 8 and 9, Block H (24,760 square feet). The preliminary plan should be revised to provide specific reference to the parcels, lots and blocks being included in this preliminary plan of subdivision for Glassford Village. The applicant is not proposing to resubdivide any previously dedicated public rights-of-way. The 2.5-acre portion of Glassford Village being included in this subdivision will be subject to this new preliminary plan for development purposes and not 4-96047. This resubdivision reduces the number of lots in Glassford Village South by two for a total of 160 units.

This application proposes 836 dwelling units to include single-family, single-family attached and multifamily dwelling unit types with this preliminary plan of subdivision. The total number of dwelling units proposed for the entire development of the Preserve at Piscataway CDP-9306 is as follows: Glassford Village North, 14 lots; Glassford Village South 160; Preserve at Piscataway (4-03027) 836, for a total dwelling unit count of 1,010. The CDP approved a total dwelling unit cap of 1,140.

The subject preliminary plan is for 802.1 acres based on the previous approvals. A discrepancy exists of 9.1± acres on the preliminary plan acreage calculations submitted with this application and should be addressed by the applicant prior to signature approval of the preliminary plan. The proposed preliminary plan indicates that the acreage included in this preliminary plan is 792.93. Notwithstanding this, because there is no bearing on the allowable density, the applicant is proposing the following: in the L-A-C-zoned portion of this preliminary plan the applicant proposes to construct 140 dwelling units, 12-14,000 square feet

of commercial/retail, and 2,500 square feet of institutional uses. In the R-L-zoned portion, the applicant proposes 9,000 square feet of commercial retail and 696 dwelling units.

The subdivision proposal includes the dedication of 25± acres of land to M-NCPPC and the Board of Education (BOE) for the development of park/school site and 75± acres to M-NCPPC for public parkland. Also included is the dedication and construction of the extension of Piscataway Road (A-54) through the subject property from the north to Livingston Road. The Edelen Historic Site (84-23-6) is located within the limits of the subdivision. The applicant is proposing the preservation and adaptive reuse of this resource as discussed further in Finding 12 of this report.

The property is currently encumbered by an existing vehicular access that serves improved parcels to south, west of the Potomac Electric Power Company property, in Danville Estates. The preliminary plan demonstrates that this existing right-of-way enters the subject property from Danville Road and crosses Road U and Road V, Block B; Lot 1, Block J (park/school site); and Block A of Lusby Village East. The applicant has been advised that in order to remove the right-of-way serving as sole access to the abutting properties, the applicant must secure the agreement from those property owners being served by the right-of-way. The applicant has proposed to provide frontage on and allow for the direct vehicular access to a public street from those parcels through internal public streets of this subdivision. While this appears to be an improvement to the existing situation, the replacement alternative should be agreed to by all property owners being served by the easement prior to the approval of final plats for land that is affected by the right-of-way. The applicant should submit documentation of the agreement of the alternative access prior to the final plat approval.

Staff has noted some inconsistencies and incomplete information on the preliminary plan that must be addressed prior to the signature approval of the preliminary plan as noted in the Recommendation section of this report.

SETTING

The subject property is located in the southwest quadrant of the intersection of Floral Park Road and Danville Road in Piscataway. Seventy-five acres of the site are located on the north side of Floral Park Road and are proposed to be dedicated to M-NCPPC for park purposes. To the east across Danville Road is the East Piscataway Subdivision, generally developed with single-family dwelling units, zoned R-A. To the south are several single-family dwelling units in the R-A Zone. To the west is the Saint James Hill Historic Site (84-01) as well as other single-family dwelling units. The Edelen House Historic Site is located within the limits of the subdivision as discussed further in Finding 12 of this report.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-L/L-A-C	R-L/L-A-C
Use(s)	Single-family detached	Single-family detached/Single-family attached;/Multifamily Commercial/Retail Institutional
Acreage	802.1	802.1
Lots	0	794 + 42 multifamily condominiums
Parcels		
Dwelling Units:		
Detached	1	567
Townhouses	0	227
Multifamily		42
Commercial/Retail:	0	21,000 – 23,000 sq.ft
Institutional:	0	2,500 sq.ft

2. **Environmental**—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.

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 the Villages at Piscataway as described in PGCPB No. 94-98(C). The Comprehensive Design Plan included the entire 878.7+ acres of land zoned R-L and L-A-C to be developed as a golf course community. A Type I Tree Conservation Plan (TCPI/9/94) was also approved.

On June 23, 1994, the 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. A revision to the Type I Tree Conservation Plan (TCPI/9/94) was also approved, dated June 14, 1994.

On November 14, 1996, the 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. 99-31(A)(C). The Type I Tree Conservation Plan (TCPI/9/94), as revised by PGCPB No. 94-213, was re-approved.

On February 14, 2002, the Planning Board reviewed and approved a Specific Design Plan for Infrastructure (SDP-9804) for Villages at Piscataway, Glassford Villages, for approximately 74

acres of the site, as described in PGCPB No. 96-301. All previously proposed single-family attached units as shown on the CDP and preliminary plan were deleted. The specific design plan included a site plan, a tree conservation plan, a landscape plan and detail sheets. A Type II Tree Conservation Plan (TCPII/98/99) was approved with that case.

This Specific Design Plan for the Greens at Piscataway, Glassford Villages North and South, is located south of Floral Park Road near its intersection with Livingston Road. This plan consists of two sections: Glassford Village North is directly adjacent to the Historic Piscataway Village and Glassford Village South is located south of future Piscataway Road near its intersection with Livingston Road.

According to current air photos approximately 18 percent of the site is wooded. A Forest Stand Delineation was reviewed with CDP-9306. A revised Forest Stand Delineation was reviewed with 4-94017. A Type I Tree Conservation Plan (TCPI/9/94) was approved with CDP-9306. A revision to the Type I Tree Conservation Plan (TCPI/9/94-01) was approved with 4-94017. A Type II Tree Conservation Plan (TCPII/98/99) was approved with SDP-9804. 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 or the use of a fee-in-lieu or the use of an off-site easement. The current application proposes additional changes to the Type I TCP.

The worksheet correctly calculates that the woodland conservation requirement for this project is 256.79 acres; however, Consideration 4 of CR-60-1999 and Condition 13 of PGCPB. No. 94-213 requires that woodland conservation be at least 272.88 acres. The plan proposes to meet this requirement by providing 249.00 acres of on-site preservation and 23.88 acres of on-site reforestation. None of the required woodland conservation will be on lots less than 20,000 square feet in area.

Floral Park Road and Piscataway Road are designated historic roads. There are no nearby noise sources. The proposed use is not expected to be a noise generator. There are streams, wetlands and floodplain associated with Piscataway Creek in the Potomac River watershed on-site. No species listed by the State of Maryland as rare, threatened or endangered are known to occur in the general region. The *Prince Georges County Soils Survey* indicates that the principal soils on the site are in the Aura, Beltsville, Bibb, Elkton, Galestown, Othello, and Sassafras soils series.

The following text addresses previously approved environmental conditions related to the subject application. The text in BOLD is the text from the previous cases or plans.

A-9869 & A-9870, CR-60-1999, September 14, 1993

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

The approved Type I Tree Conservation Plan, TCPI/09/94-01, proposes woodland conservation of 276.72 acres. This is the equivalent of 35.5 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 propose woodland conservation areas on lots less than 20,000 square feet in area, does not propose the use of fee-in-lieu

of woodland conservation, and does not propose the use of off-site easements. The current application proposes additional changes to the Type I TCP.

Consideration 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.

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

PGCPB No. 94-98(C), File No. CDP-9306, March 31, 1994

Condition 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 Plan 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: The Prince George's County Department of Environmental Resources has approved a floodplain study. The approved 100-year floodplain is shown on the plans. No further action is required.

Condition 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, CSD#96-8003830, has been approved by the Department of Environmental Resources. No further action is required.

PGCPB No. 94-213, File No. 4-94017, June 24, 1994

Condition 1. Prior to certificate approval of the Preliminary Plan, the following revisions shall be made or information supplied:

- g. The Tree Conservation Plan (Type I) shall be revised and resubmitted to the Natural Resources Division. The revised TCP shall incorporate the following changes requested by the Department of Parks and Recreation (DPR):**
 - (1) Subtract the two specific areas of woodland preservation on future DPR property.**
 - (2) Adjust the calculations or substitute elsewhere on the plan for these areas.**
 - (3) Add a specific note regarding passive activities within DPR property woodland preservation areas reflecting the exact language in Condition 19 of CDP-9306.**
- h. The Forest Stand Delineation or TCP I shall be revised to:**

- (1) Show the approximate location of all 172-specimen trees.
 - (2) Update the specimen tree information table.
- k. Along the southern edge of Parcel F5, the wetland boundary shall be moved to the southern property line.
- l. The 25-foot buffers from all wetlands shall be drawn on the Preliminary Plan.

Comment: All of these changes were made. No further action is required.

Condition 13. All specimen trees shall be field surveyed and their exact, surveyed locations shall be shown on all Preliminary Plans, Specific Design Plans and Type II TCPs.

Comment: Specimen trees are shown on the Type I Tree Conservation Plan, however, not all of the specimen trees are shown on the preliminary plan as required. The specimen tree table fails to note which trees are proposed to be saved or removed. Staff notes that the original tree survey was performed in 1993 and that a few trees from that survey might have succumbed; however, the specimen tree table should be updated to indicate which trees from the survey could not be currently located in the field.

Condition 16. A soils report shall be submitted with each detailed Preliminary Plan, if determined to be necessary by the Natural Resources Division prior to submission. When required by the Natural Resources Division in areas where Marlboro Clay may affect structural stability, a detailed geotechnical report shall be submitted with the detailed Preliminary Plan, or earlier if possible, to the Natural Resources Division for review. Prior to submission of the Specific Design Plan for the golf course, the applicant, his heirs, successors and/or assigns, shall consult with the Natural Resources Division concerning the need to submit a soils study and/or geotechnical report with the Specific Design Plan for the golf course.

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. 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 sub-base material for roads. The only portion of the current application that might be affected by Marlboro Clay is in the vicinity of Bailey Village, road "L," road "N," and the northern end of road "A."

As part of the required information for the 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, should be submitted.

Condition 17. On all detailed Preliminary Plans and Specific Design Plans (or on supporting documents), all slopes exceeding 15 percent shall be identified and located in order to address concerns about erodible soils.

Comment: There are portions of the Villages of Piscataway project where extensive areas of highly erodible soils coincide with slopes exceeding 15 percent. The purpose of this condition is to ensure a careful review of grading and erosion/sediment control plans.

Discussion: Steep and severe slopes have been shown the Preliminary Plan of Subdivision and the revised Type I Tree Conservation Plan. No further action is required.

Condition 19. Appropriate State and Federal permits shall be obtained for disturbance to streams, wetlands and wetland buffers.

Comment: Impacts to wetlands and wetland buffers are discussed in more detail in the variation section of this report.

This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The *Subregion V Master Plan* 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:

“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 Preliminary Plan of Subdivision shows 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. At time of final plat, bearings and distances should describe a conservation easement. The conservation easement should contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to approval.

Review of Variation Requests

The plan proposes **116** impacts to stream buffers and wetland buffers. Section 24-130 of the Subdivision Regulations restricts impacts to these buffers unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. Each variation is described individually below. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations, the impacts were discussed collectively.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;*
- (2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;*
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;*
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;*

The subject property is dissected by many streams and has substantial areas of isolated wetlands and areas of steep and severe slopes adjacent to the streams. This combination significantly increases the total area of sensitive environmental features on this property.

The variation requests are dated April 8, 2003, and were accepted for processing on April 15, 2003. The impact locations are shown on an overall site plan, the specific square footages of each proposed impact are shown on a summary table, and details of each impact are provided in individual exhibits. 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) to impact certain wetland areas as shown on the variation request plan. Previously permitted impacts do not require the approval of a variation request.

The Environmental Planning Section has reviewed the concepts of the 116 variation requests in light of the 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 Environmental Planning Section notes that changes to the layout may be required that result in changes to the specific alignments of required infrastructure elements, such as sanitary sewer line connections and stormwater management outfalls. When recommending approval of the individual variation requests listed below, the possible changes in specific alignments have been incorporated in the analysis.

Variation requests #102 and #103 are for the proposed construction of **New Piscataway Road**. The Transportation Planning Section and the Department of Public Works and Transportation have

determined that New Piscataway Road and the alignment shown is an acceptable alternative from the alignment previously proposed in 4-94017. This new alignment will disturb a smaller area of sensitive environmental features than the currently approved alignment. The Environmental Planning Section **supports** variation requests #102 and #103.

Variation requests #3, #5, #13, #49, #67, #72, #78, #81, #82, #105-108 and #115 are for the construction of **five stormwater management ponds and nine stormwater outfalls**. The installations are in conformance with Stormwater Management Concept Plan CSD #8008470-1994-01, that was re-approved by the Prince George's County Department of Environmental Resources on April 26, 2002. This request is intended to fulfill existing regulations regarding stormwater management. The details of construction will be reevaluated during the review of the Specific Design Plan to further reduce impacts. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. The Environmental Planning Section **supports** variation requests #3, #5, #13, #49, #67, #72, #78, #81, #82, #105-108 and #115.

Variation requests #1, #14, #43, #61, #68-71, #73, #79, #80, #83, #84, #86, #93 and #95 are for the **construction of sanitary sewer lines** to develop the property. The Washington Suburban Sanitary Commission has determined that these connections are required in these specific locations to properly connect to the existing sewer trunk lines. There are no practicable alternatives for these alignments because of the location of the existing sewer lines and the topography of the site. The details of construction will be reevaluated during the review of the Specific Design Plan to further reduce impacts. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. The Environmental Planning Section **supports** variation requests #1, #14, #43, #61, #68-71, #73, #79, #80, #83, #84, #86, #93 and #95.

Variation requests #11, #12, #50, #51, #92, #94, #96-101, #104 and #116 are for the **construction of the golf course**. A golf course is required by A-9869 and CDP-9306. This preliminary plan of subdivision creates the parcels that will form the golf course. Only preliminary grading details are known at this time, and the variation requests are based upon what is currently planned. The variation requests include items that may later be removed during the final design of the fine grading of the golf course and will be reevaluated during the review of the specific design plan to further reduce impacts. The design and engineering of golf courses are constrained by principals of three-dimensional geometry and encompass large areas that virtually preclude avoidance of all environmental impacts for any particular site. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. The Environmental Planning Section **supports** variation requests #11, #12, #50, #51, #92, #94, #96-101, #104 and #116.

Variation requests #87-#91 result from the construction of proposed **Road D in Edelen Village South**. The road has been designed to meet the standards of the Department of Public Works and Transportation for a standard section residential street in a 60-foot right-of-way. An area of extensive steep and severe slopes moves the expanded stream buffer 200 to 300 feet north of the stream and wetland system. Even with the proposed impacts, more than 200 feet of forested buffer will protect the stream and wetlands. Staff notes that the grading for the proposed street results in the creation of better building sites on proposed Lots 9, 18 and 19, and that the grading is not proposed strictly for the creation of these lots. This impact is only to the expanded stream buffer

required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The Environmental Planning Section **supports** variation requests #87-#91.

Variation requests #7-#10 are for **construction of a part of Bailey Village** and create small new impacts to a larger low-quality wetland system that has been permitted for removal by the currently approved permits (CENAB-OP-RMS (Villages at Piscataway) 95-63445-7 from the U.S. Army Corps of Engineers and 95-NT-0129/199563445 from the Maryland Department of the Environment). The design change in this area of the project will require review and approval of a modification to the valid permit; however, the Environmental Planning Section notes that the proposed changes will result in less impact to the wetlands than currently permitted. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. The Environmental Planning Section **supports** variation requests #7-#10.

Variation request #2 is for construction of **road improvements to Floral Park Road**. This impact is only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The Transportation Planning Section and the Department of Public Works and Transportation have determined that this improvement is necessary for public safety at the main entrance to Bailey Village. The Environmental Planning Section **supports** variation request #2.

Variation requests #4 and #6 are small impacts from grading to **create a street serving Lots 1-30, Block F**, in a townhouse portion of Edelen Village. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The Transportation Planning Section and the Department of Public Works and Transportation have determined that this improvement is necessary to serve the proposed development. The Environmental Planning Section **supports** variation requests #4 and #6.

Variation request #48 is for the **construction of a segment of Road A, the main road for the project**. As proposed, the extreme headwater of a small stream and the required 50-foot stream buffer will be impacted. The geometry of the road, layout of the golf course, the location of the stream and the proximity of the property line along Danville Road collide to create design difficulties. The proposal is not a violation of any other applicable law, ordinance or regulation because state and federal permits are required prior to construction. It is possible that although a direct impact to the stream may be avoidable, impact to the stream buffer required by Section 24-130 of the Subdivision Regulations is unavoidable. The Environmental Planning Section **supports** variation request #48.

Variation requests #52-#60 result from the **construction of Road G for Lusby Village West**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. Shortening the length of the cul-de-sac and shifting the street alignment slightly to the north can avoid some impacts. Staff is concerned that some of the lots on the south side of the road will be substantially encumbered by conservation easements. In general, conservation easements should not be placed on lots less than 20,000 square feet in area. As submitted, the plan suggests that one-third or more of each of Lots 7-15, Block G, will be encumbered by conservation easements; the lots vary from 12,600 square feet to 19,086 square feet in size. The Environmental Planning Section **conditionally** supports these variation requests.

The Environmental Planning Section recommends that the specific design plan show minimal impacts to the expanded stream buffer on Lusby Village West, Lots 7-15, Block G, and the lots shall be designed to avoid all encumbrances by conservation easements.

Variation requests #62-#66 result from the **construction of Roads J and H for Lusby Village West**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. Shortening the length of the cul-de-sac and shifting the street alignment slightly to the south can avoid some impacts. Staff is concerned that some of the lots on the north side of the road will be encumbered by conservation easements. In general, conservation easements should not be placed on lots less than 20,000 square feet in area. As submitted, the plan suggests that Lots 7-20, Block E, will be encumbered by conservation easements; the lots vary from 10,644 square feet to 14,115 square feet in size. The Environmental Planning Section **conditionally** supports these variation requests.

The Environmental Planning Section recommends that the specific design plan show minimal impacts to the expanded stream buffer on Lusby Village West, Lots 7-20, Block E, and the lots should be designed to avoid all encumbrances by conservation easements.

Variation requests #74-#77 in part result from the **construction of Road A in Lusby Village West**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. Impacts #76 and substantial portions of #75 and #77 cannot be avoided because of the overall alignment for Road A; however, some on the impact appears to be a consequence of grading for lots only. Staff is concerned that some of the lots will be encumbered by conservation easements after impacts are minimized. In general, conservation easements should not be placed on lots less than 20,000 square feet in area. As submitted, the plan suggests that Lots 12-14, Block D, will be encumbered by conservation easements; the lots vary from 9,542 square feet to 10,224 square feet in size. The Environmental Planning Section **conditionally** supports these variation requests.

The Environmental Planning Section recommends that the specific design plan show minimal impacts to the expanded stream buffer on Lusby Village West, Lots 12-14, Block D, and the lots be designed to avoid all encumbrances by conservation easements.

Variation requests #109-#112 are small impacts from grading **to create lots only**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The grading can be redesigned to avoid these impacts. The Environmental Planning Section **does not support** these variation requests.

The Environmental Planning Section recommends that the specific design plan show no impacts to the expanded stream buffer for the construction of Lusby Village East, Lots 5-8, Block B, and the lots be designed to avoid all encumbrances by conservation easements.

Variation requests #15-#21 are small impacts from grading **to create lots only**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The grading can be redesigned to avoid these impacts. The Environmental Planning Section **does not support** these variation requests.

The Environmental Planning Section recommends that the specific design plan should show no impacts to the expanded stream buffer for the construction of Edelen Village North, Lots 16-22, Block A, and the lots be designed to avoid all encumbrances by conservation easements.

Variation requests #22-#25 are small impacts from **grading to create more development area only**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The grading can be redesigned to avoid these impacts. The Environmental Planning Section **does not support** these variation requests

The Environmental Planning Section recommends that the specific design plan should show no impacts to the expanded stream buffer for the construction of Edelen Village North swimming pool, pool parking lot, associated private street, and Lot 1, Block B.

Variation requests #26-#42 are small impacts from **grading to create more development area only**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The grading can be redesigned to avoid these impacts. Staff is concerned that some of the lots will be encumbered by conservation easements after impacts are minimized. In general, conservation easements should not be placed on lots less than 20,000 square feet in area. Lots 11-22, 26-35 and Lot 38, Block B, may be encumbered by conservation easements; these lots vary in size from 8,450 square feet to 9,941 square feet. The Environmental Planning Section **does not support** these variation requests

The Environmental Planning Section recommends that the specific design plan should show no impacts to the expanded stream buffer for the construction of Edelen Village North, Lots 11-22, 26-35 and Lot 38, Block B, and the lots shall be designed to avoid all encumbrances by conservation easements.

Variation requests #44-#47 are small impacts from **grading to create more development area only**. These impacts are only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. The grading can be redesigned to avoid these impacts. Staff is concerned that some of the lots will be encumbered by conservation easements after impacts are minimized. In general, conservation easements should not be placed on lots less than 20,000 square feet in area. Lots 49-60, Block B, may be encumbered by conservation easements; these lots vary in size from 2,400 square feet to 3,050 square feet. The Environmental Planning Section **does not support** these variation requests

The Environmental Planning Section recommends that the specific design plan should show no impacts to the expanded stream buffer for the construction of Edelen Village North, Lots 49-60, Block B, and the lots be designed to avoid all encumbrances by conservation easements.

Variation request #85 is for the **construction of a segment of Road AA, the main road for the Danville Village** section of the project. As proposed, a small portion of a 25-foot wetland buffer will be impacted. The proposal is not a violation of any other applicable law, ordinance or regulation because a state permit is required prior to construction. It is possible that although a direct impact to the stream may be avoidable, impacts to the stream buffer required by Section 24-130 of the Subdivision Regulations are unavoidable. The Environmental Planning Section **supports** variation request #85.

Variation requests #113 and #114 are for **construction of Road FF**. This impact is only to the expanded stream buffer required by Section 24-130 of the Subdivision Regulations and will not require either a federal or state permit. This impact is small and after grading will provide a minimum of 150 feet of wooded buffer to the nearest stream. The Environmental Planning Section **supports** variation requests #113 and #114.

The Environmental Planning Section supports variation requests #1-#14, #43, #48-51, #61, #67-#73, #78-#108, and #113-#116. The Environmental Planning Section supports variation requests #52-#60, #62-#66 and #74-#77 with conditions. The Environmental Planning Section **does not support** variation requests #4, #6, #15-#42, #44-#47 and #109-#112.

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

As noted in the discussion of variation requests, the Environmental Planning Section has proposed modifications to grading. These modifications will result in minor adjustments to the calculations in the worksheet.

Section 24-131(b)(8) of the Subdivision Regulations provides that:

“The buffer requirements may be waived or modified by the Planning Board in accordance with an approved stormwater management concept plan that provides equal or better protection to the Primary Management Area.” (PMA)

The applicant has indicated that they will be requesting that the Planning Board modify the limits of the expanded buffer as shown on the preliminary plan to allow for conservation easements to be placed on lots and allow for impacts to the Expanded Buffer in accordance with this provision. It is staff’s opinion that this section of the Subdivision Regulations does not apply to this preliminary plan of subdivision. The property does not include any PMA. The Subdivision Regulations specifically defines the PMA as environmental features within the Patuxent River Watershed. This property is not located within the Patuxent River Water shed but is located with in the Potomac River Watershed. Section 24-131(b)(8) is not applicable to this property.

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 5 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.

The *Prince George’s County Soils Survey* indicates that the principal soils on the site are in the Aura, Beltsville, Bibb, Elkton, Galestown, Othello, and Sassafras soils series. Condition 17 of PGCPB No. 94-213, File No. 4-94017, June 24, 1994 was specifically included to require future review of areas where highly erodible soils occur on slopes in excess of 15 percent. Aura, Beltsville, Elkton, and Othello soils are highly erodible. This information is provided for the applicant’s benefit. No further action is needed as it relates to this Preliminary Plan of Subdivision review. The Prince

George's County Department of Environmental Resources may require a soils report during the permit process review.

3. **Community Planning**—The subject property is located within the limits of the 1993 *Master Plan for Subregion V*, in Planning Area 84 in the Piscataway/Danville Community. The 2002 General Plan locates this property within the Developing Tier. The 1993 SMA for Subregion V classified the property in the R-L and the L-A-C Comprehensive Design Zones.

The land use recommendation for the property is for Suburban Estate and Low Density Planned Neighborhoods, Neighborhood Activity Center, and Semi-Rural Living Areas. This preliminary subdivision application generally conforms with the land use recommendations of the 1993 *Subregion V Master Plan and SMA* and is not inconsistent with the 2002 *General Plan Development Pattern Policies* for the Developing Tier.

This proposed development concept generally conforms to the land use concepts of the master plan and the comprehensive design zones approved as part of the SMA. Subsequent comprehensive design plan (CDP) reviews addressed master plan land use issues pertaining to the subject property. The subdivision proposal should thus be compared to the development concepts of the approved CDP.

4. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the above referenced preliminary plan application for conformance with the requirements of Basic Plans A-9869/A-9870, Comprehensive Design Plan CDP-9306, Adopted and Approved Subregion V Master Plan, the Land Preservation and Recreation Program for Prince George's County and current zoning and subdivision regulations as they pertain to public parks and recreation. The following is a discussion of the conditions relating to the Department of Parks review.

The Basic Plan 9869/A-9870 (CR-60-1993) Conditions 27, 28, 30 state:

27. **The developer, his successors, and/or assigns, shall dedicate to the M-NCPPC for public park use, 75± acres of land on north side of Floral Park Road as shown on the amended Basic Plan.**

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

All land to be conveyed to M-NCPPC shall be subject to the conditions in the document "Conditions for Conveyance of Parkland to the M-NCPPC."

The Comprehensive Design Plan CDP-9306 PGPB No.94-98(C) Considerations 16 and 34 state:

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

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

The Adopted and Approved Subregion V Master Plan identifies the Piscataway Creek Stream Valley Park on the subject property, and Section 24-134 of the Prince George's County Subdivision Regulations requires the mandatory dedication of 39.5 acres of parkland suitable for active and passive recreation.

The applicant is proposing to dedicate 75 acres of parkland on the north side of Floral Park Road toward the master-planned Piscataway Creek Stream Valley Park. Parcel R is primarily comprised of the 100-year floodplain and is proposed for conveyance for the fulfillment of Condition 27 of CR-60-1993, as modified by Condition 15 of CDP-9306 PGPB No. 94-98(C), which required the conveyance of 75± acres to M-NCPPC. The applicant agreed to provide a 25-acre park/school site on the south of development adjacent to Danville Road for the fulfillment of Condition 28 of CR-60-1993, as modified by Condition 16 of CDP-9306 PGPB No.94-98(C). The park/school site conveyance trigger has been agreed to by the Board of Education as discussed in Condition 25.b. of CDP-9306 PGPB No.94-98(C). M-NCPPC will convey to BOE Lot 1, Block J, at the time that BOE determines the need for the land for the construction of an elementary school. Lot 1, Block J, is proposed to be conveyed to M-NCPPC at the time of final plat for that property along with all lands to be conveyed to M-NCPPC. The proposed layout and configuration of the park/school site (Lot 1, Block J) has been reviewed and found to meet the needs of the Board of Education (BOE).

During CDP-9306 review, new Piscataway Road was shifted south to provide an environmental setting for the historic village of Piscataway and historic Edelen House and provide additional parkland. The parkland on the south of Floral Park Road was increased from 25 acres to 36 acres.

The originally submitted Preliminary Plan 4-02107 proposed a new alignment of Piscataway Road, which created unusable parkland in the vicinity of historic village. After numerous meetings with the applicant and the Planning Department staff, a mutually acceptable compromise was agreed to which calls for the creation of a 25-acre park/school site. The applicant and staff developed a concept plan for the future development of the park/school site. The concept plan includes a pad site for a school building, a 155-space parking lot, school playground and play area, 2 soccer fields, football field, baseball field, youth baseball field, shelter and connecting trail system. The plan has been reviewed by the Board of Education and the Department of Parks, who have found the concept acceptable. The park/school site will be dedicated to M-NCPPC at the time of final plat. A portion, approximately 14.7± acres, will then be conveyed by M-NCPPC to BOE at their request. BOE has determined a need for the construction of an elementary school in this vicinity and is in the planning stages of development.

The applicant has submitted an exhibit showing the future park/school site development layout, which is generally acceptable to the Department of Parks and Recreation. However, the plan shows the stormwater management (SWM) facility in the area previously proposed for a soccer field by the applicant. The applicant has indicated that the SWM pond will be relocated away from the developable area of park/school site. It should be further noted that Condition 30 of CDP-9306 states that the SWM ponds shall be designed to fit harmoniously into the site and shall be designed as an amenity with special attention to appearance of inlet and outlet structures, to pond edge

treatment, landscaping, location of trails, elimination of rip-rap channels where possible, and other aesthetic considerations.

In summary, staff believes that the dedication of 75± acres toward the master-planned Piscataway Creek Stream Valley Park and provision of a 25± acres park/school site will satisfy master plan recommendations, the intentions of Basic Plans A-9869/A-9870, conditions of Comprehensive Design Plan CDP-9306, and current zoning and Subdivision Regulations as they pertain to public parks and recreation in the planned community.

The Department of Parks and Recreation (DPR) recommends that the preliminary plan of subdivision be revised to reflect and label exhibits of DPR relating to the park/school site and the proposed layout and delineation of the land area to be conveyed to BOE. Exhibit A reflects the dedication of Parcel R (75± acres), Exhibit B reflects the dedication of Lot 1, Block J (25± acres), and Exhibit C reflects the conceptual layout of the park/school site and the delineation of the 14.7± acres of land to be dedicated to BOE upon demand.

5. **Trails**—The Adopted and Approved Subregion V Master Plan recommends three master plan trail facilities that impact this site. The master plan recommends a trail facility along Floral Park Road, a trail in or adjacent to the PEPCO right-of-way, and a master plan bikeway along Danville Road. These and other pedestrian-related issues have been addressed in previous approvals, including Basic Plans A-9869, A-9870, CDP-9306 and SDP-9804. CDP-9306 recommends an eight-foot-wide, asphalt trail along the subject property's frontage of Floral Park Road from Piscataway Road to the entrance into Bailey Village (Condition 6). CDP-9306 also recommended the provision of the master plan trail along the PEPCO right-of-way (Condition 7). This appears to be reflected in the submitted preliminary plan with the provision of Parcels F and G.

SDP-9804 recommends an eight-foot wide, asphalt master plan trail along the north side of Piscataway Road relocated which has not been delineated along the entire roadway on the preliminary plan and should be reflected.

The Class III bikeway along Danville Road can be addressed by the placement of Share the Road signage and the provision of wide, asphalt shoulders along the subject property's frontage. In conformance with Condition 8 of CDP-9306, Class III bikeway signage is also recommended along Street A and Medinah Ridge Road.

Finally, in keeping with the modified grid street pattern and village concept, sidewalks are recommended along both sides of all internal roads. This is consistent with prior approvals and should safely facilitate pedestrian movement within the site.

With regard to trails, the proposed preliminary plan is in conformance with the Adopted and Approved Subregion V Master Plan, Basic Plans A-9869 and A-9870, CDP-9306, and SDP-9804, subject to conditions.

6. **Transportation**—The development under this preliminary plan is proposed to be 25,500 square feet of nonresidential space and 836 residences. This plan does not include the development of 174 detached single-family residences within the villages of Glassford North and Glassford South.

This site was originally reviewed as master preliminary plan of subdivision 4-94017. Staff reviewed a traffic study for the purpose of making an adequacy finding for a level of development consistent

with the Basic Plan and CDP approvals at that time. Although the original master preliminary plan has expired, staff believes that there is sufficient information available to make the needed findings now. Therefore, the Planning Board's normal requirement for a traffic study, based on the size of the subject development, was waived. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

Growth Policy - Service Level Standards

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any Tier subject to meeting the geographical criteria in the *Guidelines*.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The original preliminary plan reviewed for this site, 4-94017, expired prior to approval and recordation of final plats. While this site is technically subject to new findings of transportation adequacy, there are a number of factors to consider at this time:

- a. The site was previously reviewed for 1,140 residences. The total of the approved Glassford portion of the site and the current application is 1,010. Also, the site was previously reviewed for 45,000 square feet of office/retail space, and the current plan allows for approximately 25,500± square feet of office/retail space. Therefore, the subject application does not represent an increase in development over the development quantity previously approved.
- b. The Planning Board has generally allowed subdivisions in similar circumstances to move forward provided that prior conditions needed to address adequacy considerations are carried forward and provided that significant transportation changes have not occurred that would result in different assumptions and new findings. Circumstances in the area are further discussed below, and the conditions on Preliminary Plan 4-94017 are recommended to be carried forward with this application.
- c. The construction of 1,140 residences and 45,000 square feet of office/retail space within the Preserve at Piscataway (formerly known as the Villages at Piscataway and/or the Greens at Piscataway) has been assumed in all recent traffic impact studies in the area. As noted under the first determination above, it appears that the entire Preserve at Piscataway site will yield slightly fewer residences and about half of the commercial space that was previously

assumed.

During staff's review of SDP-9804/01 in November 2002, traffic information was provided by this applicant for the purpose of slightly altering the staging of the construction of Piscataway Road extended. The applicant provided a 2002 traffic count at the Livingston Road/Floral Park Road intersection, which was considered to be the critical intersection for triggering this improvement. In its review of the available traffic data, the Planning Board found that the construction of Piscataway Road extended could be slightly altered. While a finding stating such was not directly made, this finding does suggest that no transportation changes that would affect the original findings for 4-94017 have occurred.

There has been very little new development approved in the immediate area since 1994, and three factors affect the original analysis in a positive way: (a) actual growth rates in traffic have not kept pace with assumed historical rates of traffic growth; (b) St. James Village from a mix of 800 residences and a small retail center to 205 residences; and (c) Braemar (previously Berry Woods) has been reduced from 222 residences to 54 residences.

In recognition that there is a prior subdivision for this site and that the development for the subject property remains unchanged from the prior subdivision, staff finds the subject application would generate no net trips relative to prior applications for the site. Consequently, there would be no net impact on the critical intersections in the area as identified during the review of preliminary plan 4-94017.

Prior plans have included a number of transportation-related conditions. The development of this site should be in accordance with CR-60-1993, CDP-9306 and Preliminary Plan of Subdivision 4-94017 (now expired). There are several transportation-related conditions associated with each of these approvals, and they are summarized below:

CR-60-1993:

Condition 3: The alignment of Piscataway Road extended has been coordinated with the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T). The alignment, as shown on the preliminary plan, is acceptable to the transportation staff; however, the transportation staff would defer to SHA and DPW&T for any final comments regarding the design of the roadway and any specific treatments in the vicinity of the historic site. Piscataway Road extended, which is shown as A-54 on the Subregion V Master Plan, is planned as a divided arterial facility. Although the master plan recommends a roadway of between four and six lanes, no traffic forecasts have ever indicated a need for more than four lanes along A-54 in this area. The subject application is consistent with the future function of this road.

Condition 11: Relating to the extension and design of Piscataway Road and the discussion of design issues which occurred between the Urban Design and Historic Preservation Sections, along with the highway agencies and trails staff, at the time that that SDP-9804 was reviewed in 1998/1999.

Condition 16: Relating to conditions of required road improvements; discussed above.

Condition 17: Relating to the alignment of A-54 (also termed Piscataway Road extended); has been coordinated with the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T).

Condition 18: Relating to street dedication; has been appropriately proposed along all road facilities

and will be required at the time of final plat.

Condition 19: Relates to a trip cap and the application conforms to this trip cap condition.

Consideration 2: The alignment of Piscataway Road extended has been coordinated with the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T).

The alignment is acceptable to the transportation staff; however, the transportation staff would defer to other disciplines within the Planning Department, along with SHA and DPW&T, for any final comments regarding impacts on the historic setting and their impact on the design of the roadway.

CDP-9306:

Condition 20: This condition provides transportation improvements that must be constructed during the initial phase of the project. While the actual construction is enforceable at the time of building permit, there are traffic signal warrant studies that are required to be submitted prior to SDP approval. All traffic signal warrant studies were submitted when SDP-9804 was approved. Also, another nearby developer has recently updated the signal warrant studies, and they have been reviewed by the appropriate agencies.

Condition 21: This condition provides transportation improvements for later phases of the project, and will be enforced at the appropriate times.

Condition 22: All master plan transportation facilities within the area of the subject plan will be dedicated.

Condition 23: Traffic calming treatments along Medinah Ridge Road and Road A will be reviewed with future specific design plans. Staff supports the use of the traffic circles shown on the plan, subject to final designs being approved by DPW&T.

The Basic Plan approval for this site requires that the site be developed using neo-traditional concepts. From the standpoint of transportation, neo-traditional design emphasizes concepts of grid pattern development, walkability, and compactness. Given the general layout of the site and the environmental features, while walkability is important, the sheer size of the site makes walking between neighborhoods within the site difficult, and so the use of a grid or modified grid pattern of circulation is the paramount factor in determining that neo-traditional principles are in use.

In using a modified grid pattern, however, care must be taken to ensure that roadways within the subdivision remain safe and adequate. Neo-traditional design should not suggest a mass waiver of the roadway standards. These standards are developed by transportation professionals with the intent of providing safe and adequate access for all persons who use the roadways. County vehicles that maintain and plow the roadways, trash trucks, and other vehicles that provide essential neighborhood services must be able to use the roadways, even as residents and guests use the roadways for parking of passenger vehicles.

Staff has had concerns with the layout of this site from the standpoint of access and circulation. These concerns were reinforced by comments contained in an extensive memorandum from DPW&T dated May 16, 2003. Staff has met with the applicant and DPW&T to attempt to resolve these comments, and while the plan will require some ongoing modifications, staff believes that modifications can be made without substantive revisions to the plan. The greatest staff concern with these required modifications is conformance to the neo-traditional design established by the CDP and

that the modification will not require any greater impacts to the environmental parameters established by the Planning Board at the time of approval of this preliminary plan, if approved.

The memorandum from DPW&T included 34 separate comments that are discussed and addressed below. The first 13 comments are standard comments by DPW&T that are addressed by Subtitle 23 (the Road Code) of the Prince George's County Code. The next 21 comments refer to specific pages of the preliminary plan. The final two comments are general comments. The nonstandard comments specific to this development are addressed below:

Referring to Sheet 4 of the preliminary plan:

14. This comment notes that the 90-degree (or less) turns on Road D, Road X, and Road Z are not acceptable.

Comment: The primary issue is that within a 50-foot right-of-way with a 26-foot paved section and parking on both sides poses an access concern. Access in this circumstance could be difficult for passenger vehicles and will be acutely difficult for larger emergency vehicles and service trucks. Therefore, the plan must be revised to reflect a transition at the turns to a 60-foot maximum right-of-way and a 36-foot paved section, subject to approval of the design by DPW&T.

15. This comment requires that the traffic circle at Medinah Ridge Road and Road D be designed with better channelization.

Comment: DPW&T needs to review more of the details of the design. DPW&T believes that the design for the traffic circle can be accomplished within the current right-of-way or with slight modifications to the right-of-way.

16. This comment indicates that the placement of the townhouses along the public roadways is not acceptable.

Comment: Townhouses generate a sizable demand for on-street parking, and the placement of townhouse driveways along a public street leaves very little opportunity for on-street parking, resulting in widespread parking problems within the community. The applicant did indicate, however, that the townhouse lots will be designed with garages fronting on private alleys. With that consideration, DPW&T indicated that the use of the public streets adjacent to the townhouses would be acceptable.

Referring to Sheet 5 of the preliminary plan:

17. This comment raises the concerns previously in (16) and (14) above, and can be addressed by similar means.

Referring to Sheet 6 of the preliminary plan:

20. This comment raises the concerns in (15) above, and can be addressed by similar means.
22. This comment indicates that the radius of curvature along Road F does not meet the minimum standard.

Comment: This type of curve includes a similar concern to that for a 90-degree turn, as discussed in comment (14), but is slightly different in its operation. DPW&T offered several options for a redesign of the nonstandard curves:

- 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 under comment (14) above.
- c. Redesign the roadway to utilize cul-de-sacs instead of the continuous curving roadway.

Sheet 7

23. This comment is addressed further under (28) below.
25. This comment indicates that DPW&T will require dedication and improvements at the intersection of Danville Road and Road J. This is subject to Subtitle 23 requirements and is will be addresses by DPW&T.
26. This comment raises the concerns in (16) above, and can be addressed by similar means.
27. This comment raises the concerns in (15) above, and can be addressed by similar means.
28. This comment raises the concerns in (22) above regarding Road L (and, as noted during the discussion, Road M on Page 7 and Road C on Page 4). Road L and the other two circumstances noted must be redesigned using the set of options described in (22) above.

Sheet 8

29. This comment indicates that DPW&T will require dedication and improvements at the intersection of Danville Road and Road V. This is subject to Subtitle 23 requirements. OK.
30. This comment indicates that the dimensions for Road CC are mislabeled. The plan should be revised to indicate the correct right-of-way width of 60 feet.

Sheet 9

31. This comment indicates that the dimensions for Roads AA and CC are mislabeled. The plan should be revised to indicate the correct right-of-way width of 60 feet.

Sheet 10

32. This comment identifies the DPW&T Standard to be used to construct Floral Park Road. Dedication shown on the plan is adequate.

General

33. The requirement for a traffic study has been discussed earlier in this memorandum and was discussed with DPW&T. DPW&T was concerned that the new application would not be

subject to the same conditions that were imposed upon preliminary plan 4-94017. However, since the staff recommendation will be carrying the conditions on the old preliminary plan forward, DPW&T agreed that a new traffic study was not necessary.

34. This comment indicates that the plans should horizontal curve alignment data for review; this information was omitted at several locations, and should be shown for the purpose of facilitating review.

A final issue concerns the private street connecting Road B3 and Road B4 on Sheet 5. DPW&T believes that this connection should be redesigned as a public street. This redesign should be subject to the same requirements as identified above under comments (14), (16), and (22).

An additional comment concerns the rights-of-way along Road Q (and, as noted during the discussion, Road P), which is proposed to serve adjacent properties to the south. There are actually three separate tax parcels noted in the official tax records, Parcels 85, 86, and 60. Parcels 85 and 86 have identical ownerships and would be served via Road V from Danville Estates, which has an acceptable right-of-way of 60 feet. Parcel 60 is located in the Rural Tier and outside of the area in the current 10-year water and sewer plan, and can be developed under its existing R-A zoning. While residential development may be limited, the site could be developed with other permitted uses in the R-A Zone (church, eleemosynary institution, day care center) as long as these uses can satisfy their well and septic needs on-site. Given the range of possibilities for development, staff recommends that Parcel 60 be served by a 50-foot right-of-way street and recommends that Road P be revised from 50-foot right-of-way as proposed on the preliminary plan to a right-of-way of 60 feet. Since both Road Q and Road P would serve the same parcel, Road Q may not be necessary to extend to the abutting property line with Parcel 60. In addition, the 90-degree turn at the intersection of Road Q and Road T should be subject to the same design requirements as noted under comment (14 above).

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required by the Subdivision Regulations if the application is approved with conditions.

7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded the following:

Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	836 sfd	836 sfd	836 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	200.64	50.16	100.32
Actual Enrollment	4,651	4,598	8,393
Completion Enrollment	82	66	132
Wait Enrollment	39	15	29
Cumulative Enrollment	53.28	25.32	50.64
Total Enrollment	5,025.92	4,754.48	8,704.96
State Rated Capacity	4,492	5,114	7,752
Percent Capacity	111.89%	92.97%	112.29%
Funded School	N/A	N/A	Surrattsville addn.

Source: Prince George's County Planning Department, M-NCPPC, January 2003

This recommendation is based on the originally submitted preliminary plan that proposed 836 lots. These findings are subject to change in accordance with the provisions of CR-23-2001 and CR-38-2002 and will be revised to reflect the number of lots approved by the Planning Board in the Planning Board's preliminary plan resolution if the subdivision is approved.

The affected elementary, and high school clusters percent capacities are greater than 105 percent. There is no Funded School in the affected elementary school cluster. The Surrattsville addition is the Funded School in the affected high school cluster. Therefore, this subdivision can be approved with a six-year waiting period.

Based on this information, staff finds that the subdivision may be approved subject to conditions, in accordance with Section 24-122.02.

- 8. Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:

Residential

- a. 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.
- b. 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.

- c. 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 *Adopted and 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. Since this is a matter of existing law, no condition is necessary.

Nonresidential

- a. 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-minute travel time guideline.
- b. 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-minute travel time guideline.
- c. 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.
- d. 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-minute travel time guideline.

The above findings are in conformance with the *Adopted and 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 (HP&PFP) has concluded that the entire development is beyond the recommended response times from existing facilities which provide ambulance service. This finding is based on using the existing road system and existing stations.

The staff of the HP&PFP found that the planned Brandywine Special Study Area Emergency Services Facility will be the first new station that will provide ambulance and paramedic service to this development. The cost of the emergency services facility is \$1,533,000. In order to mitigate the ambulance response time deficiencies, staff recommends that the applicant participate in providing a fair-share contribution toward the construction of the Brandywine Special Study Area Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$1,275,000),

ambulance (\$129,000) and paramedic (\$129,000) divided by the total amount of residential and employment population within the entire service area in 2006 (10,024). The service area includes those areas that will be served by the planned facility. The fair share fee is \$479 per dwelling unit for this development.

2006 service area population/workers	10,024	
Station Cost	\$1,533,000/10,024= \$152.93 per person x 3.13 (household size)=	\$479 per dwelling unit
\$479 x 836 dwelling units =		\$400,444 (Residential)
\$152.93 per employee x 46 employees =		\$7034.78 (Commercial)
\$152.93 per employee x 4 employees=		<u>\$611.72</u> (Historic)
		\$408,090 (Total)

The total of four workers is based upon the rate of one employee per 750 square feet for the 2,500 square feet of historic/institutional structures. (Note: The factor of one employee per 750 square feet is based upon analysis of similar uses by the Information Management Division.) The total of 46 employees is based upon the rate of 1 employee per 500 square feet for the 23,000 square feet of retail commercial area.

9. **Police Facilities**—The proposed development is within the service area for Police District IV-Oxon Hill. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Preserve at Piscataway development. This police facility will adequately serve the population generated by the proposed subdivision.

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 6/30/2002, the County had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 69 sworn personnel.

10. **Health Department**—The Health Department notes that abandoned wells and septic tanks may exist within the limits of the property. Any abandoned wells or septic tanks must be properly discarded. The preliminary plan should be revised to provide an accurate account of these facilities located on the property.

The plan proposes to locate the golf course in an area containing a significant amount of wetlands. This is a concern because of the potential use of herbicides, fertilizers and pesticides that may be detrimental to the wetlands and/or ground water. This is of specific concern because of the excessively gravelly soils in the area, high groundwater tables and associated springs. Appropriate safeguards will be evaluated at the time of review of the SDP.

11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #96-8003830, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
12. **Historic**—The Preserve at Piscataway is the subject of development conditions established by the approved Basic Plan (CR-60-1993) and an approved Comprehensive Design Plan (PGCPB No. 94-98). Both approvals established actions and timing mechanisms to ensure the preservation of the

Edelen House (Historic Site 84-23-06) and the enhancement and preservation of the historic resources within the adjacent historic village of Piscataway.

The most recent application affecting the historic village of Piscataway and the Edelen House (Historic Site 84-23-06) is Specific Design Plan 9804-01 for Glassford Village, North and South (PGCPB No.02-254). That application included only 74± acres of the Preserve at Piscataway and 176 single-family dwellings. However, the location of the application, adjacent to both the historic village and the Historic Site, required the applicant to address conformance with historic preservation and archeology conditions of the approved basic plan and the approved comprehensive design plan. As a result, the Planning Board's approval of SDP-9804-01 includes a discussion of basic plan and comprehensive design plan conformance and provides new condition language to reflect the status of issues at that time.

The Planning Board's approval of SDP 9804-01 established a set of conditions to reflect the status of approvals regarding both the historic village of Piscataway and the Edelen House (Historic Site 84-23-06). Those conditions are equally applicable to the subject application, which impact the same historic resources.

Conditions found in SDP 9804-01 as approved include (according to their numbering within PGCPB Resolution No. 02-254):

- 2. 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.**
- 3. 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 up-dated 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 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 is restored or adaptively reused.

5. **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.**
6. **The language of the purposes clause of the Articles of Incorporation of the Piscataway Preservation Corporation (part c, page 2) shall be revised to more effectively prioritize the use of grant and loan funds for improvements to existing historic structures within the historic village of Piscataway. Revised language shall read as follows:**
 - (c) **Included among the charitable purposes for which the Corporation is organized, as qualified and limited by subparagraphs (a) and (b) of the Article THIRD are the following: administration of funds received for the purposes of beginning the restoration and preservation of the historic village of Piscataway. The funds shall be utilized in a variety of ways, including, but not limited to the construction of public improvements along Floral Park Road and throughout historic Piscataway; however, significant consideration shall be given in the administration of the fund to preserving historic structures and priority shall be given to the provision of low-cost loans and small grants for the preservation of historic buildings within the village.**
7. **As appropriate, the Articles of Incorporation and/or By-laws of the Piscataway Preservation Corporation shall be revised to more specifically reference the boundaries of the historic village of Piscataway in a manner consistent with prior Planning Board approvals. Specifically, the historic village of Piscataway shall be defined to include (1) all those properties with frontage on Floral Park Road between Piscataway Road and Livingston Road; and (2) the St. Mary's Church Historic Site on Piscataway Road, and to exclude the Edelen House Historic Site, which is part of the subject application.**
8. **The applicant shall demonstrate that the Piscataway Preservation Corporation has received approval of provisional nonprofit 501(c)(3) status from the Internal Revenue Service, if relevant.**

The subject preliminary plan application proposes a new alignment for the new segment of Piscataway Road, cutting through the previously approved 6.7-acre environmental setting of Edelen House (Historic Site 84-23-06). The current environmental setting, designated by the Historic

Preservation Commission through its review of earlier development applications (CDP-9306 and 4-94017), was established on February 15, 1994.

The intent of the environmental setting is to: (1) provide an adequate buffer for the Historic Site within the surrounding development; (2) enable the Historic Site to retain at least a portion of its historically agricultural context; and (3) to provide for a continued visual and physical connection between the Historic Site and the adjacent historic village of Piscataway. The Environmental Setting currently consists of two parcels; Parcel M-3 includes the main house and several minor outbuildings within 3.2 acres. To the north, the remaining portion of the environmental setting consists of Parcel M-2 (3.5 acres), which includes the entry drive leading to Floral Park Road, which is flanked by agricultural fields. The proposed revised environmental setting for the Edelen House (Historic Site 84-23-06) is approximately 3.3 acres. This represents a loss of almost half of the previously designated acreage.

As mitigation for both the loss of acreage associated with the environmental setting of the Edelen House and the visual and physical separation of the Historic Site from the historic village, and the impact of the proposed relocation of the new section of Piscataway Road on both the Historic Site and the adjacent historic village, the applicant has proffered the creation of an *Edelen House Improvement Disbursement Fund* in the amount of \$150,000.

The purpose of the fund is to provide for improvements to the main house to help ensure its preservation throughout the development process and afterward. The improvements to be carried out through the fund would be specifically focused on historic and architectural issues associated with the Edelen House itself, the primary feature within the environmental setting. These improvements would include, but not be limited to, repairs to exterior features such as roofs, doors, windows, and wood and masonry elements, and the installation of plumbing, heating, electrical, water and sewer services.

The conditions affecting the historic village of Piscataway and the Edelen House (Historic Site 84-23-06) that were approved by the Planning Board as part of SDP-9804-01 are equally relevant to the subject application and should be carried forward with any subsequent applications.

The applicant's proposal to revise the environmental setting will impact the character of the Historic Site by: (1) substantially altering the agricultural features associated with the current configuration and, (2) interrupting the visual and physical connection between the Edelen House and the historic village of Piscataway. The proposed revision also changes that character of the adjacent property, not only with the introduction of a substantial new divided roadway, but also with the introduction of the modern stormwater management facility associated with the adjacent "neo-traditional" Bailey Village component of the Preserve at Piscataway. However, because of the applicant's commitment to integrate the Historic Site into the Bailey Village portion of the development, the Historic Preservation Commission approved a reduced environmental setting consisting of a 3.3±-acre parcel surrounding the Edelen House.

In order to be effective mitigation of these substantial modifications to the Edelen House environmental setting (and surroundings) should address these impacts. Specifically, the revised environmental setting should be buffered from the adjacent new section of Piscataway Road with traditional landscaping and plant materials, and the proposed stormwater management facility north of the environmental setting should be designed to appear as a natural rather than artificial body of water. The pond should possess an organic outline, gentle slopes and traditional plantings, and compatibly designed structural features.

The applicant's proffered *Edelen House Improvement Disbursement Fund* is the result of cost savings associated with the proposed realignment of the new section of Piscataway Road. The road is a required element of the proposed development and its relocation is made possible by the revision of the Edelen House environmental setting. Therefore, it is appropriate to use cost savings resulting from the realignment to establish a fund of this type to aid in the long-term preservation of the Historic Site. In order to be effective, the timing mechanisms associated with establishment and administration of the *Edelen House Improvement Disbursement Fund* should be short-term deadlines rather than long-term ones because of the lengthy course of the development.

In order to ensure compliance with approved basic plan and approved comprehensive design plan conditions, and to ensure the short and long-term preservation of the Edelen House and its effective integration within the Bailey Village section of the Preserve at Piscataway, the Historic Preservation Commission recommends the following:

- a. Conditions 2, 3, 5, 6, 7 and 8 of SDP-9804-01 (PGCPB No. 02-254) Glassford Village North and South, as approved by the Planning Board through PGCPB Resolution No. 02-254, are carried forward as listed above.
- b. At the time of submittal of the first SDP for Preliminary Plan 4-03027, the applicant, his heirs, successors and/or assignees shall:
 - (1) 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.
 - (2) 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.
- c. Prior to the submittal of the 177th residential building permit for the development or 12 months from the date of the Planning Board's adoption of this preliminary plan, whichever is earlier, the applicant, his heirs, successors and/or assignees shall complete all agreed-upon improvements to the Edelen House Historic Site (84-23-06) to be paid for through disbursements from the Edelen House Improvement Disbursement Fund. As evidence of the completion of the improvements, the applicant shall provide the Historic Preservation Commission with a description of the work and itemized receipts.

- d. Prior to approval of the SDP for Piscataway Road and the related stormwater management facility, the applicant should give special consideration to: (1) the provision of adequate and appropriate buffering of the Edelen House (Historic Site 84-23-06) from the adjacent new section of Piscataway Road, and (2) the design of the stormwater management facility adjacent to the Edelen House (Historic Site 84-23-06) as a natural-appearing body of water with an organic outline, gentle slopes and traditional plantings, and compatibly designed structural features.
- e. The final plat of subdivision that includes the Edelen House shall carry a note indicating that the 3.3±-acre parcel surrounding the Edelen House (84-23-06) is the “Environmental Setting” for the Historic Site.

13. **Urban Design Review**—The Preliminary Plan was reviewed and evaluated for conformance with Basic Plan A-9869, A-9870 and Comprehensive Design Plan CDP-9306.

This proposal is for the development of 836 units in the R-L Zone and L-A-C Zone. The development of 140 units, including 42 single-family detached, 56 single-family attached and 42 multifamily, are identified on the plans within the L-A-C Zone. The development of 696 dwelling units in the R-L Zone, including 525 single-family detached and 171 single-family attached units, have been provided. The total overall number of units including those lots approved under 4-96047 is identified as 1,010 units for the development, including 176 units previously approved as final plats for the development of Glassford Villages, North and South. This preliminary plan includes units that were previously platted as part of the Glassford Village development, as a resubdivision as discussed in the Overview Section of this report.

The property consists of two zones, the R-L and the L-A-C. 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. The ratio of single-family detached to attached units is 80/20. In addition, a maximum of 9,000 square feet of the commercial land uses allowed in the R-L Zone may be developed in accordance with the Comprehensive Design Plan that stated that each village could be approved with development of commercial uses up to 3,000 square feet. The preliminary plan proposes a golf course clubhouse and a community center, but has not indicated the proposed square footage for either. The plans should be revised to indicate the proposed commercial square footage within the R-L-zoned property.

The basic plan approved the base residential density of the **L-A-C Zone** as 132 dwelling units and the maximum residential density as 140 dwelling units. The comprehensive design plan (CDP) was approved for the maximum density with the following justification associated with the granting of density increments for the site:

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

This Preliminary Plan proposes the 140 dwelling units within Bailey village, but does not provide for the full size of the village square or green shown on the CDP. A village green has been shown, but it is only 12,512 square feet; slightly more than half of the space shown on the approved CDP.

Further, it should be noted that the CDP provided for the approximately half-acre open space in a rectangular configuration, bordered on each side by a street. The preliminary plan design is such that the village green is simply left-over space that is not suitable for development, unlike the original version of a clearly designed village green that was a focal point for the 140 dwelling units within the village and the associated commercial development.

The preliminary plan should be revised to enlarge the open space component to the size that was approved in the CDP, and the configuration of the village should be either surrounded by streets in a clear grid pattern or, if one side is adjacent to development and not bordered by the street, then a structure fronting on the open space with a pedestrian connection should be provided. Further, at the time of specific design plan the architectural elevations should provide a pedestrian-friendly architectural detail. The other alternative would be to reduce the density to 132 units.

The basic plan also approved the base commercial of 58,806 square feet of the commercial land uses allowed in the L-A-C Zone. The maximum commercial development in the L-A-C Zone was established as 70,000 square feet; however, the proposal at the time of the comprehensive design plan limited the commercial development to 45,000 square feet. The preliminary plan does not clearly indicate the proposed square footage for the development of the commercial space within the L-A-C; it only indicates that it is 12-14,000 square feet. The preliminary plan should be revised to include the square footage of the Edelen House in order to identify possible future commercial uses that may occupy the structure.

BASIC PLAN CONFORMANCE (A-9869 and A-9870)

The proposed preliminary plan, if modified by the recommended 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 Preliminary Plan with the Basic Plan are discussed below:

- 3. The alignment of Piscataway Road extended shall be located approximately as shown on the Revised Basic Plan. Prince George's County and the SHA, taking into consideration the ability of the applicant or Prince George's County or the SHA to obtain any necessary rights-of-way, shall determine the exact location.**

Comment: The Prince George's County Planning Board, in the approval of Specific Design Plan SDP-9806 on October 29, 1998, approved the previously proposed alignment of Piscataway Road. The alignment was coordinated with the State Highway Administration (SHA), the Department of Public Works and Transportation (DPW&T), and M-NCPPC. As long as the new alignment has been referred to the corresponding agencies for review, there is no conflict with this condition to revise the alignment from the previously approved Specific Design Plan.

- 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.**

Comment: At the time of CDP submittal the text proffered, "pursuant to Condition 4 of the Basic Plan...the boundaries of the archeological survey area are depicted in Figure 10." Figure 10 of the CDP text delineated the survey area subject to the basic plan condition. The CDP resolution

(PGCPB No. 94-98(C)) acknowledged this requirement to have been met, which stated that the applicant proposed boundaries for the area proposed for a Phase I archeological survey and the Historic Preservation Section accepted the proposed boundaries of the area. In the review of the CDP by the Planning Board, the following condition was adopted in order to assure that the basic plan condition above was adhered to; CDP-9306 requires:

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 assignees, shall complete the Phase I archeological survey for the entire archeological survey area.**

Comment: This condition has been completed.

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

Comment: This condition has been completed.

- 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 assignees, and shall be reviewed and accepted by staff of the Historic Preservation Section.

Comment: Historic Preservation Section staff reviewed the *Phase II Evaluation of 14 Archeological Sites Within the Proposed Greens of Piscataway Development, Final Report – 1999* (two volumes) in accordance with the condition above.

Only the following sites of 470B, 476, 496, 521 and 531 were identified as requiring additional Phase III investigation if disturbed during the development of the site. The subject preliminary plan identifies all of the sites covered by the area of the basic plan and CDP. The last clause of Condition 4 of the CDP has been reiterated as a condition of approval of this plan to ensure that the applicant, his heirs, successors and/or assignees complete the required surveys and they are reviewed and accepted by staff of the Historic Preservation Section prior to commencement of grading operations on-site.

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

Comment: In the review of the comprehensive design plan, the Planning Board adopted conditions that were subsequently revised at the time of Specific Design Plan SDP-9804/01 (detailed analysis of this issue can be found in PGCPB No. 02-254). This condition has been incorporated into the review of the plans at the time of SDP review and is addressed in Conditions 2 and 3 of SDP-9804/01, which is recommended by the Historic Preservation Commission to be adopted as conditions in the approval of this preliminary plan. As conditions to the preliminary plan, the issue above will continue to be monitored through the semiannual reports that will be provided by the applicant.

8. The majority of the Commercial uses proposed for the L-A-C shall be retail.

Comment: This condition has been included in the approval of this preliminary plan in order to assure that at the time of the specific design plan the commercial uses are identified for conformance to the basic plan.

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

Comment: The CDP was generally faithful to the neo-traditional concepts approved in the basic plan regarding the relationship of the new villages. In order to reinforce the neo-traditional concepts mandated by the basic plan, the Planning Board included architectural standards and conditions in the approval of the CDP. The layout of the lots shown on the preliminary plan reflects the neo-traditional planning concepts represented in the CDP; most streets connect in a grid pattern and there is a central, formalized green space surrounded on all sides by streets.

Surrounding the village greens are townhouses with garages served by rear load alleys. There are pockets of areas that do not reflect the neo-traditional design, but those areas are generally away from the main spine road and will provide for a wide variety of housing types within the development.

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

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

Comment: The two conditions above were addressed when the Planning Board approved the Specific Design Plan for Infrastructure SDP-9806 in October 1998 for the previous alignment of Piscataway Road. The applicant has committed to constructing the initial half section of the roadway prior to the issuance of the 177th residential building permit (per Condition 1 of PGCPB No. 02-254). The specific design plan for the realigned Piscataway Road will need to be revised prior to the issuance of any permits for the development of the new roadway alignment.

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

Comment: This preliminary plan revises the layout of the golf course from the previously approved layout as shown on the CDP. The revisions to the golf course are related to the redesign of Piscataway Road and impacts to environmental features. The applicant has submitted an errant golf ball study, but based on previous review of golf course communities it has become clear that greater detail will be required to determine the impact of errant golf balls. The additional detail will be determined at the time specific design plan, when the topographic conditions can be taken into account. The CDP recognized this fact and included the following condition to be fulfilled at the time of specific design plan; CDP-9306 requires:

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

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

Comment: This condition continues to remain valid so no additional condition on the preliminary plan will be required at this time.

- 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: This condition has been incorporated into the review of the plans at the time of SDP review and is addressed in Condition 3.(f) of SDP-9804/01, which is recommended by the Historic Preservation Commission to be adopted as conditions in the approval of this preliminary plan.

- 32. The two southernmost portions of the site (cross-hatched area in drawing attached to Subregion V Master Plan/SMA public hearing exhibit #247) which consist of approximately 253 acres, shall contain no more than 126 single family detached units.**

Comment: This area is shown as Danville Village on the preliminary plan and proposes 126 single-family detached lots.

- 34. The applicant shall show a floating symbol for an elementary school site (10 Acres) to be located in the general vicinity of the lot-density "North/South Danville Estates" development pod. The exact location of the school site shall be decided upon consultation with the BOE at CDP. The applicant shall be permitted to transfer the displaced low-density residential units to the 20± acre school site currently shown on the Basic Plan. The number of dwelling units transferred shall not exceed the number being displaced.**

Comment: In the evaluation of this preliminary plan of subdivision the Board of Education and the Department of Parks and Recreation determined that the subject property was appropriate for a school site. By combining the required 25±-acre park site and the 10±-acre school site required above, a greater community need could be served and a greater acreage for the school site could be realized. The proposed 25±-acre park/school site can now support athletic fields that can be utilized by a larger population, fulfilling a greater community need than could have been accomplished by two separate facilities.

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

Comment: At the time of the review of the CDP in 1994, it was determined that the Fire Department was not interested in the site. At the time of review of SDP-9004 in 1999, it was determined that the Fire Department was not interested in a site at this location at that time. Again through the review of this preliminary plan, the Fire Department was consulted and they determined that there is no need for a station on this site.

- 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 was incorporated into the review of the plans at the time of SDP review for Glassford Village and is addressed in Condition 5 of SDP-9804/01, which is recommended by the Historic Preservation Commission to be adopted as conditions in the approval of this preliminary plan. This condition has been recommended with this preliminary plan as recommended by the Historic Preservation Commission.

COMPREHENSIVE DESIGN PLAN CONFORMANCE

The subject preliminary plan was also reviewed for conformance with the approved Comprehensive Design Plan, CDP-9306. The relocation of Piscataway Road has a substantial impact on the issue of conformance with the comprehensive design plan (CDP). The change in the layout of Piscataway Road has major impacts on the historic environmental setting, the previously proposed parkland north of Piscataway Road, and the design and layout of the golf course.

In other aspects, the plan layout substantially conforms to the approved CDP. The preliminary plan respects the neo-traditional layout of the residential component of the previously approved plans. The use of the village greens as open space elements placed on the main spine road has been retained, and the village greens are flagged with townhouses served by alleys. These elements of the CDP allow for a finding of conformance to the previously approved plans. However, there are few areas where the plan layout causes concern that warrants discussion. The following discussion is based on a village-by-village reference:

- a. **Glassford Villages North and South**—The plan proposes to redesign a small portion of the previously platted lots within Glassford Village. The revision consists of moving the previously located tennis courts within Glassford Village South to the east, slightly removed from the village itself and closer to the parking facility provided and assumed to be shared with the golf course club house. The location of the tennis courts is acceptable and issues relating to the view from the street will be addressed at the time of the specific design plan. The preliminary plan also proposes to create new lots where the tennis courts were previously shown, establish a new public road lined with additional lots, and add lots to an area that was clearly left as open space on the previously approved plans to avoid having the rears of units visible from Piscataway Road. These changes are being proposed in the areas previously approved under Specific Design Plan SDP-9804/01 for the development of Glassford Villages North and South.

The recreational facilities are currently the subject of a previously approved preliminary plan and final plat. At the time of review of the SDP that includes the tennis courts, a determination should be made if a revision to the recorded recreational facilities agreement (RFA) should occur. All subsequent final plats should note the recorded document for implementation purposes.

Staff object to the addition of the lots that back up to the golf course in Glassford Village South where a clear view of the rear of units can be seen from the realigned Piscataway Road. This area was approved on the CDP without lots because of the clear visibility from new Piscataway Road. The current configuration fronts units where the rear yards might be visible from Piscataway Road. The staff recommends that the proposed added lots (1 thru 9, Block Q) be deleted or relocated at the time of review of the specific design plan.

- b. **Edelen Village South**—The staff is in general agreement with the proposed development for Edelen Village South, however, a few minor changes are suggested to this area. Lots 18 thru 22, Block B, should be joined together to take advantage of the flatter land area available at the proposed circle, if the Department of Public Works and Transportation will approve driveways at that location. This change is more desirable from an environmental standpoint by avoiding steep slopes and will provide an architectural terminus to Medinah Ridge Road.

Staff also suggest that the private street configuration of Block C be created as a “T” rather than the “J” design as currently shown. The open space shown on the corner of Block C should be eliminated, and Lots 13-19 should be revised from attached units to single-family detached lots, as that is the predominant house type along the spine road in that area. In exchange for this design, the applicant has requested that the single-family detached lots shown as Lots 1-9, Block E, be allowed to be converted to single-family attached units. The staff has no objection to this request and conditions have been included in the Recommendation section of this report.

- c. **Edelen Village North**—Townhouse Lots 1-8, Block A, should be eliminated or relocated unless a minimum 50-foot-wide tree preservation area is provided in order to buffer the rear of lots from Road A. Conditions have been included in the Recommendation section of this report.

- d. **Bailey Village**—The layout of Bailey Village has created a number of concerns relating to the interrelationships of the various residential components (including townhouses, single-family detached homes on small lots, and the multifamily units), the Historic Edelen House, the commercial component and the landmark building. Eliminating dead-end streets and eliminating a cul-de-sac in order to reduce excessive paving near the Historic Edelen House could improve the overall street layout and open space. The preliminary plan should be revised in accordance with Staff Exhibit A.

The grid street pattern serves townhouses and small single-family detached units at the perimeter of the village and the commercial and multifamily units in the central portion of Bailey Village. The residential units are fronting on the public streets with garage access from private alleys at the rear of the units. Two public streets dead-end near the right-of-way of Floral Park Road. There is a private street connection between the two dead-end streets; however, staff believe that a better layout would be to revise the private street connection to a public street. This would allow for better access for emergency vehicles as well as eliminating dead-end streets at the front of the development visible from Floral Park Road. The preliminary plan should be revised to indicate this change prior to signature approval. At the time of the specific design plan, sufficient architectural design of the rear of the townhouse units fronting on Floral Park Road should be provided so it is suitable along a public street. The second concern over the street layout within Bailey Village relates to the proposed cul-de-sac near the Historic Edelen House. This cul-de-sac is not an appropriate element in neo-traditional design, and clearly not within Bailey Village, where the density is the highest on the site and commercial development will create the village center. The use of a cul-de-sac in this area to serve only four single-family detached units will create an excessive amount of paving. Staff recommend that Lots 1-4, Block C, should be reoriented to front on Road B1 and the cul-de-sac deleted.

- e. **Lusby Village West**—The plan layout provides for a mixture of single-family detached and attached dwellings. Urban Design staff has no objection to the layout; however, at the time of specific design plan, the lots located at the entrance to the development (Lot 1, Block B and Lot 1, Block A) should be large enough to orient the front facade of the units toward the entrance road. This concept is applicable to the overall development at each of the entrances.
- f. **Lusby Village East**—The master preliminary plan and subsequent TCPI approved large lot development in this area. A single-loaded (lots only on one side) public street was provided with lots ranging in size compatible with Danville Estates (20,000 square feet). The applicant's plan now proposes ¼-acre lots along this property line, and the issue of compatibility should be addressed.

The proposed lots abutting the southern property line range in size from approximately 8,110 to 10,050 square feet. The adjacent property is zoned R-A, which requires a minimum lot size of two acres. While the location of the lots adjacent to the R-A-zoned land is considered transitional and can therefore accommodate lots that are smaller than two acres, a minimum lot size of 20,000 square feet should be provided. Specifically Lots 5-19, Block A and Lots 6, Block D and Lots 5-9, Block E, need to be made larger.

- g. **Danville Estates**—This village represents the type of large lot, single-family detached development referenced as one of the purposes of the R-L Zone (Section 27-514.08 of the Zoning Ordinance). This section is clearly compatible with the surrounding R-A-zoned land.

A portion of the development is proposed to be a 25-acre school/park site that will provide a valuable community feature to the development, the surrounding community, and the county.

Specific conditions that warrant discussion regarding conformance to the comprehensive design plan (besides those conditions previously discussed relative to the basic plan conditions) are considered below:

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

Comment: A specific design plan was approved for the alignment of Piscataway Road. That plan should be revised with the new layout in accordance with the condition above.

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

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

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

Comment: This condition was fulfilled with the approval of the final plats for Glassford Villages, a total of 176 lots, which could not be platted until such time as the issues above were resolved. Staff would note that with the approval of the subject preliminary plan, two lots have been reduced in the overall 176 lots approved under the previous preliminary plan and that land area is included in the subject preliminary plan. The applicant provided the following language in the private covenants:

- “1. The owner of a residential unit on the Property shall be entitled to purchase one membership in the golf course to be developed on the Property.**
- “2. Each such member shall have the right to preferential starting times as determined from time to time by the golf course management.”**

A condition should be added to the approval of the preliminary plan requiring that the recorded covenants be provided as evidence indicating the preferential membership terms and that a note referencing the covenants be required on the final plats of subdivision.

- 2.f. The provision of alleys with access to detached garages shall be encouraged (if allowed by Subtitle 24, Subdivisions, and other applicable provisions of the County Code) for single-family attached units. If alleys are allowed, the use of front-loaded garage townhouse units shall be prohibited on the main spine roads, the village greens, and in Bailey Village. If alleys are not allowed, the use of front-loaded garages shall be prohibited on the village greens and within Bailey Village.**

Comment: The preliminary plan is designed for the use of alleys to serve the single-family attached units within the R-L and the L-A-C Zones. This concept is in keeping with the originally approved plans; however, as stated above, it was recognized at the time of the approval of the CDP that the use of alleys would require a legislative amendment (in the L-A-C Zone only) to the Subdivision Regulations. No such amendment has occurred as of the writing of this report. Staff recognize this issue as a major problem with the subject plan because the current layout without the use of alleys would result in a “garage dominated” streetscape. This would be typical of suburban development but antithetical to neo-traditional design. Staff expect the introduction of legislation to amend the Subdivision Regulations prior to the submittal of any specific design plans that would involve the proposed use of alleys. If this issue is not resolved prior to the submittal of a specific design plan for the development of townhouses, then the condition above will be applicable.

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

Comment: The preliminary plan proposes open space parcels along Danville Road that are 65 to 110 feet in width. Through the review of the SDP, specific edge treatments will be determined in keeping with this condition. In addition, careful consideration should be taken in the review of the proposed golf maintenance area at the intersection of Danville Road and Floral Park Road for conformance with CR-60-1993, Consideration 1, and whether it should remain at that location.

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

Comment: This condition is no longer applicable because the new plan of development relocates the proposed parkland away from the vicinity of the Edelen House and the stormwater management pond.

- 28. The design of Bailey Village should be compatible with the height, scale, building mass, directional expression, roof shapes, building materials and architectural details found in the historic village of Piscataway. Particular attention should be given to the view of Bailey Village from Floral Park Road and Piscataway Road. The view from this area shall not be exclusively the view of large blocks of townhouse units, either fronts or backs.**

Comment: The view of the development from Floral Park Road is of major concern to the staff. The preliminary plan reflects two sticks of townhouse units fronting on Floral Park Road with the vehicular access to the rear of the units. This layout is acceptable to staff. However, the preliminary plan also reflects a conceptual layout for the commercial development proposed within Bailey Village. That layout shows a parking lot directly adjacent to Floral Park Road. Staff recommend that the development located directly adjacent to the roadway be evaluated from a visual standpoint at the time of the specific design plan. Full view of the major parking facility should be avoided if possible. The use of architecture to screen the view into major parking compounds from Floral Park Road and the interior streets will be encouraged.

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

Comment: The proposed stormwater management pond located at the intersection of Floral Park Road and proposed Piscataway Road will be highly visible. Careful integration of the pond into the site and its relationship to the historic structure is especially important. Staff recommend that the applicant be required to submit the technical design plans for the stormwater management pond for review at the time of the SDP to ensure an aesthetic review, which will be coordinated with the Department of Environmental Resources. Further discussion relating to the proposed stormwater management pond(s) on Lot 1, Block J, are found in Finding 4 of this report relating to the park/school site.

- 35. The developer will provide free of charge a parcel of land within the Bailey Village to a religious group or other non-profit organization. The land shall be conveyed subject to covenants requiring that the building contain a sanctuary or meeting room large enough to accommodate a minimum of 200 persons seated and that the building have the following characteristics:**
- a. The building shall not exceed thirty-six (36) feet in height. The building shall contain a spire, clock tower, bell tower or similar architectural feature, which may exceed the thirty-six (36) foot height limit.**
 - b. The exterior of the building shall be constructed entirely of natural materials and shall be of a scale, color and architectural style that are compatible with the structures in the Bailey Village and the existing village of Piscataway.**
 - c. Any parking for the institutional/civic use, located along new Piscataway Road, shall be carefully and thoroughly screened from new Piscataway Road with walls and landscaping and shall also be screened per the standards for any other parking lot located in Bailey Village.**

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

a group to construct and own the civic/institutional building in Bailey Village shall be documented as follows:

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

- (1) Its efforts to find a group, organization or entity to construct and own the civic/institutional building, or**
- (2) The efforts of the group, organization or entity to raise money get permits and complete construction.**

Comment: This condition needs to be considered during the review of the preliminary plan because it affects the layout of the commercial area within Bailey Village. A redesign should provide for a parcel of land, which meets the criteria above, that is to be conveyed in the future to a third party. The applicant's proposal for a religious use or nonprofit organization (to be determined) is to be accommodated on the second floor of the same building as the retail use. The plans indicate that the architecture of the retail building will be designed to reflect the institutional use.

The applicant's proposal clearly does not meet the letter or the intent of the CDP condition. Since the CDP clearly envisioned this building to be a landmark and on a fee-simple lot, its location in relationship to the layout of the village should be prominent. Staff recommend that the condition above be fulfilled by providing one acre of land within Blocks B or E on the plan for the location of the landmark building.

Staff has evaluated the development scenario of the condition above relating to the gross floor area required, associated parking and lot coverage and have determined that one acre should provide for the construction of the facility as calculated below:

- 1,400 square feet would be necessary for the meeting area (200 seats) based on the Fire Marshall occupancy limits of seven square feet per person. Area for the vestibule, hallways, aisles and restrooms would require an additional 1,400 square feet.
- 36 feet in height at two stories, second story for offices or other necessary/required facilities to support the use would require an additional 2,800 square feet on the second floor.
- Parking, at a ratio of 1 space for every 4 seats, would require 50 parking spaces. The estimated second floor accessory uses may be calculated at a ratio of 1 space for every 500 square feet of gross floor area, which would require an additional 2.8 to 6 spaces. A possible total of 56 parking spaces may be required.
- A parking lot approximately 18,500 square feet in size may be required when considering necessary green space, ingress/egress, and an average of 300 square feet per space (9.5 feet x 19 feet for the space in addition to 9.5 feet x 11 feet for half of the drive aisle).

- The building footprint (2,800 square feet) and the parking lot (18,500 square feet) total 21,300 square feet.
- Based on normal lot coverage of 50 percent of the site for an institutional use, a lot size of one acre is appropriate. This is also acceptable when reviewing the minimum size of a site for a church in a comparable Euclidian zone. Under one acre is only permitted as a special exception use.

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

Comment: This requirement is fulfilled with this preliminary plan of subdivision.

Staff notes that the development of corner lots in a large development can affect the overall appearance of the project. Urban Design recommends some variation in lot size in order to create diversity in the development. At the time of specific design plan, lot sizes on corner lots should be large enough to site single-family detached units so that they front on the main spine road throughout the development.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. To provide a lot table and parcel table with gross square footages.
 - b. To provide clarification as to acreage discrepancy.
 - c. To correct the north arrow on each sheet that is incorrectly orientated.
 - d. To provide the ownership and parcels designation of all abutting properties.
 - e. To provide reference on the coversheet to Glassford Village North and the number of lots approved.
 - f. To reflect DPR Exhibits A, B and C, and provide a note that the preliminary plan was revised to include those exhibits.
 - g. To revise the Major Parcel Disposition table to accurately reflect the description on the plan of the land to be dedicated to M-NCPPC.

- h. To delineate the master plan trail along the entire frontage of the north side of Piscataway Road relocated, east of Floral Park Road.
- 2. Prior to signature approval of the preliminary plan, the plan should be revised to address the following layout and use issues that may affect the proposed lotting pattern:
 - a. The plans should be revised to enlarge the open space provided in the village green for Bailey village by approximately 21,600 square feet, or reduce the density to the base density of the basic plan of 132 units. If the village green is provided in accordance with the size provisions of the CDP, then the configuration of the village shall be 1) surrounded by streets in a clear grid pattern as was provided for on the CDP, or 2) one side of the village green shall be bordered by a retail or institutional use building with a substantially designed pedestrian connection provided, or 3) some other equally functional design as agreed upon by the applicant and staff. In any case, the village green shall not be bordered by a parking lot.
 - b. The plans shall be revised to indicate the proposed commercial square footage within the R-L zoned property.
 - c. The plans shall clearly indicate the proposed square footage for the development of the commercial space within the L-A-C Zone and shall include square footage of the Edelen House in order to accommodate future commercial use within the structure.
 - d. Proposed Lots 1-9 of Block Q within Glassford Village South shall be deleted.
 - e. Townhouse Lots 1-8 of Block A shall be eliminated or relocated unless a minimum 50-foot-wide tree preservation area is provided in order to buffer the rear of lots from Road A.
 - f. The private street connection between two public streets within Bailey Village shall be changed to a public street and the plan revised in conformance with Staff Exhibit A.
 - g. The private street configuration of Block C shall be redesigned to created a “T” rather than the “J” design as currently shown. The open space shown on the corner of Block C shall be eliminated, and Lots 13-19 shall be revised from attached units to a minimum size 6,000-square-foot, medium-size, single-family detached lots. In exchange for this design, the applicant may revise the single-family detached lots shown as Lots 1-9, Block E, to be converted to single-family attached units.
 - h. Lots 1-4, Block C, shall be reoriented to front on Road B1 and the cul-de-sac deleted in conformance with Staff Exhibit A.
 - i. Lots 5-19, Block A, Lot 6, Block D, and Lots 5-9, Block E, within Lusby Village East shall be a minimum of 20,000 square feet in size.
 - j. The plans shall to be amended to indicate how many lots are proposed within each village at the time of signature approval of the plans to assist in the future review of the specific design plans and the final plats of subdivision.
 - k. The plans shall be revised to provide one acre of land within either Block B or E for the location of the landmark building.

- l. The following streets need to be labeled with correct right-of-way widths:
 - (1) On Sheet 8, Road CC
 - (2) On Sheet 9, Road AA and Road CC
 - m. The plans shall be revised to display horizontal curve alignment data at all needed locations.
 - n. On Sheet 7, revise the right-of-way for Road R to indicate a right-of-way of 60 feet between Road A and adjacent Parcel 60.
 - o. On Sheet 7, delete the extension of Road Q to Parcel 60. Redesign the 90-degree turn at the intersection of Road Q and Road T, to reflect a transition to a 60-foot maximum right-of-way within the turn and a 36-foot paved section, subject to approval of the design by DPW&T.
4. 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.
5. 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.
6. The specific design plan for the realigned Piscataway Road shall be revised prior to the issuance of any permits for the development of the new roadway alignment.
7. An errant golf ball study shall be submitted at the time the specific design plan review for land adjacent to the golf course.
8. Prior to approval of any final plat of subdivision the recorded covenants for the preferential membership terms shall be submitted and a note shall be added to the plats referencing the covenants.
9. The following items shall be addressed prior to the approval of the SDP that includes the following:
 - a. The architectural elevations of the building located adjacent to the village green within Bailey Village shall be designed such that they provide a pedestrian-friendly architectural detail.
 - b. The applicant shall submit for review the technical design plans for the stormwater management pond located at the intersection of Floral Park Road and Piscataway Road so that the visual appearance can be assessed.
 - c. The rears of townhouse units fronting on Floral Park Road within Bailey Village shall incorporate architectural detailing with sufficient interest to be suitable along a public street.

- d. The single-family detached units located along the main spine road through the development should front on the spine road.
 - e. The residential lots located at each entrance shall be large enough to accommodate the fronting of the unit toward the entrance road.
 - f. The development located directly adjacent to Floral Park Road should be evaluated from a visual standpoint. Full view of the major parking facility should be avoided if possible. The use of architecture to screen the view into major parking compounds and large blocks of townhouses from Floral Park Road and the interior streets should be encouraged.
 - g. The applicant shall submit the technical design plans for the stormwater management pond located adjacent to Edelen House for review at the time of the SDP.
 - h. The majority of the commercial uses proposed for the L-A-C Zone shall be retail.
 - i. To evaluate the necessity of a revision for the existing RFA for the relocated tennis courts, previously associated with Glassford Village South. Subsequent final plats shall carry a note addressing the revised or new RFA, if one is required.
10. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
11. Prior to the approval of final plats that contain Road U and Road V, Block B; Lot 1, Block J (park/school site); and Block A of Lusby Village East, the applicant, his heirs successors and/or assignees shall provide evidence of the agreement to remove and replace the existing farm road with internal public street access for those properties utilizing the existing farm road.
12. At the time of final plat the applicant, his heirs, successors and or assignees shall dedicate to The Maryland-National Capital Park and Planning Commission 100± acres (Parcel R and Lot 1, Block J). Lands to be dedicated shall be subject to the following:
- a. An original, special warranty deed for the property to be conveyed (signed by the Assessment Supervisor, Washington Suburban Sanitary Commission) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the 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 final plat.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits that 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 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 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 permits.

- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to the issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance prior to final plat approval.
 - g. No stormwater management facilities or tree conservation or utility easements 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.
 - h. The applicant, his successors and/or assigns shall submit a letter to the Subdivision Section, DRD, prior to final plat indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance.
13. Upon request by the Board of Education and at such time as funds are allocated for the construction of elementary school on the 25-acre park/school site, the Department of Parks and Recreation shall convey a portion of park/school site, approximately 14.7± acres, to the Board of Education for the construction of an elementary school.
14. Stormwater Management Pond #12 shall be relocated on adjacent HOA land or in an area acceptable to DPR away from the planned recreational facilities on the park/school site. It shall be designed to serve the future needs of the school and park. The pond shall be designed as a recreation amenity. It shall be a wet pond with the special attention to appearance of inlet and outlet structures, to pond edge treatment, landscaping, location of trails, and other aesthetic considerations. Construction drawings for the SWM facility shall be reviewed and approved by Park Planning and Development staff prior to SDP approval
15. The applicant, his heirs, successors and/or assignees shall provide for the continuous occupancy of Edelen House Historic Site 84-23-06. Applicant shall work with the Historic Preservation staff to ascertain methods of informing prospective purchasers and tenants of the availability of the property.
16. 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 and 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, 2003) until the Historic Site (Edelen House Historic Site 84-23-06) is restored or adaptively reused.
- 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.
17. 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.
18. The language of the purposes clause of the Articles of Incorporation of the Piscataway Preservation Corporation (part c, page 2) shall be revised to more effectively prioritize the use of grant and loan funds for improvements to existing historic structures within the historic village of Piscataway. Revised language shall read as follows:

Included among the charitable purposes for which the Corporation is organized, as qualified and limited by subparagraphs (a) and (b) of the Article THIRD are the following: administration of funds received for the purposes of beginning the restoration and preservation of the historic village of Piscataway. The funds shall be utilized in a variety of ways, including, but not limited to the construction of public improvements along Floral Park Road and throughout historic Piscataway; however, significant consideration shall be given in the administration of the fund to preserving historic structures and priority shall be given to the provision of low-cost loans and small grants for the preservation of historic buildings within the village.

As appropriate, the Articles of Incorporation and/or By-laws of the Piscataway Preservation Corporation shall be revised to more specifically reference the boundaries of the historic village of Piscataway in a manner consistent with prior Planning Board approvals. Specifically, the historic village of Piscataway shall be defined to include (1) all those properties with frontage on Floral Park Road between Piscataway Road and Livingston Road; and (2) the St. Mary’s Church Historic Site on Piscataway Road, and to exclude the Edelen House Historic Site 84-23-06, which is part of the subject application.

19. 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.
20. Development of this property shall be in conformance with approved Stormwater Management Concept Plan #96-8003830.
21. 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.”
22. 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.
23. 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.
24. 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.”
25. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/9/94-02, shall be revised to:
 - a. Revise the specimen tree table to indicate which trees cannot be currently located and the proposed disposition of each tree that can be located
 - b. Show all existing specimen trees on the plan
 - c. Revise the limit of disturbance with regard to approved variation requests
 - d. Recalculate the worksheet
 - e. Have the revised plan signed and dated by the qualified professional who prepared the plan
26. Prior to signature approval of the preliminary plan and TCPI, the plans shall be revised as follows.

- a. The plans shall show minimal impacts to the expanded stream buffer on Lusby Village West, Lots 7-15, Block G, and the lots shall be designed to avoid all encumbrances by conservation easements.
 - b. The plans shall show minimal impacts to the expanded stream buffer on Lusby Village West, Lots 7-20, Block E, and the lots shall be designed to avoid all encumbrances by conservation easements.
 - c. The plans shall show minimal impacts to the expanded stream buffer on Lusby Village West, Lots 12-14, Block D, and the lots shall be designed to avoid all encumbrances by conservation easements.
 - d. The plans shall show no impacts to the expanded stream buffer for the construction of Lusby Village East, Lots 5-8, Block B, and the lots shall be designed to avoid all encumbrances by conservation easements.
 - e. The plans shall show no impacts to the expanded stream buffer for the construction of Edelen Village North, Lots 16-22, Block A, and the lots shall be designed to avoid all encumbrances by conservation easements.
 - f. The plans shall show no impacts to the expanded stream buffer for the construction of the Edelen Village North swimming pool, pool parking lot, associate private street, and Lot 1, Block B.
 - g. The plans shall show no impacts to the expanded stream buffer for the construction of Edelen Village North, Lots 11-22, 26-35, and lot 38, Block B, and the lots shall be designed to avoid any encumbrance by conservation easements.
 - h. The plans shall show no impacts to the expanded stream buffer for the construction of Edelen Village North, Lots 49-60, Block B, and the lots shall be designed to avoid any encumbrance by conservation easements.
27. The applicant, his heirs, successors and/or assignees 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 is \$479 per dwelling unit and shall be paid prior to the approval of each permit, and the fair share fee for commercial/historic uses is \$7,646.50 and shall be paid prior to the issuance of the first building permit for nonresidential uses.
 28. No building permits shall be issued for this subdivision until the percent capacity, as adjusted pursuant to the School Regulations, at all the affected school clusters are less than or equal to 105 percent or 6 years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.

29. The applicant, his heirs, successors and/or assignees shall construct an eight-foot-wide, asphalt Class II trail along the subject property's entire frontage of Floral Park Road from Piscataway Road to the entrance road to Bailey Village, unless modified by the operating authority at the time of issuance of street construction permits.
30. 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 Danville 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 Public Works and Transportation declines the signage, this condition shall be void. If road frontage improvements are required by DPW&T, seven- to ten-foot-wide asphalt shoulders are recommended to accommodate bicycle traffic (CDP-9306 Consideration 20).
31. 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 Public Works and Transportation declines the signage, this condition shall be void.
32. 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 Public Works and Transportation declines the signage, this condition shall be void.
33. 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.
34. The applicant, his heirs, successors and/or assignees shall construct an eight-foot-wide, asphalt trail along the subject property's entire frontage of the north side of Piscataway Road relocated east of Floral Park Road, unless modified by the operating authority at the time of issuance of street construction permits.
35. The applicant, his heirs, successors and or assignees shall provide standard sidewalks along both side of internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
36. 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.
37. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.

38. Prior to the issuance of any building permit on the subject property (except for the golf course, the Edelen House and for model homes), the following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with the State Highway Administration (SHA) or the Department of Public Works and Transportation (DPW&T):

- a. MD 210 and Livingston/Swan Creek Road
 - Provide a 200-foot westbound channelized right-turn lane along Livingston Road.
 - Provide a fourth northbound shared through/right-turn lane along MD 210 beginning 500 feet south of Livingston Road and extending approximately 2,800 feet north of Livingston Road.
 - Provide a fourth southbound through lane along MD 210 beginning 500 feet north of Swan Creek Road and extending approximately 2,800 feet south of Swan Creek Road.
 - Provide exclusive through and a shared through/left-turn lane on the westbound approach of Livingston Road.
- b. MD 223 and Livingston Road/site access
 - Provide, at minimum, exclusive through, right-turn and left-turn lanes on all approaches to the intersection.
 - Install a signal, if deemed warranted by SHA.
- c. MD 223 and Floral Park Road
 - Provide an exclusive 110-foot left-turn lane along westbound Floral Park Road.
 - Provide an exclusive 150-foot left-turn lane along southbound MD 223.
 - Install a signal, if deemed warranted by SHA.
- d. Livingston Road and Old Fort Road South
 - Install a traffic signal, if deemed warranted by DPW&T.

All improvements shall be constructed in accordance with the design standards of the responsible highway agency. The applicant, his heirs, successors and/or assigns, shall submit acceptable signal warrant studies for all proposed signals prior to the approval of Specific Design Plans for any portion of the subject property (except for Parcels G1-G5), with the signals to be installed by the applicant, his heirs, successors and/or assigns, at any time during this project that the responsible highway agency deems the signal to be warranted.

39. Prior to issuance of the 781th residential building permit, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA or DPW&T:

- a. Livingston Road and Old Fort Road
 - Provide an exclusive 225-foot left-turn lane along southbound Livingston Road.
 - Provide an exclusive 225-foot right-turn lane along northbound Livingston Road, if a traffic signal is installed at this location.
- b. Livingston Road and Washington Lane
 - Provide a southbound through lane along Livingston Road beginning 300 feet north of Washington Lane and extending approximately 800 feet south of Washington Lane.

- Widen the northbound approach to provide a left-turn bypass lane along Livingston Road, if a traffic signal is installed at this location.
 - Install a signal, provided it is deemed warranted.
- c. MD 223 and Gallahan Road
- Install a traffic signal, provided said signal is deemed warranted by SHA.
- d. MD 223 and the site entrance
- Install a traffic signal, provided said signal is deemed warranted by SHA.

All improvements shall be constructed in accordance with the design standards of the responsible highway agency. The applicant, his heirs, successors and/or assignees shall submit signal warrant studies for all proposed signals prior to the approval of Specific Design Plans for any residential development beyond 780 units, with the signals to be installed by the applicant, his heirs, successors and/or assigns, at any time during this project that the responsible highway agency deems the signal to be warranted.

40. Prior to issuance of the 1,010th residential building permit, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA or DPW&T:

- a. Livingston Road and Farmington/Berry Road
- Install a signal, provided it is deemed warranted by DPW&T.
 - Provide an exclusive 225-foot left-turn lane and a 225-foot right-turn lane along northbound Livingston Road.
 - Provide an exclusive 250-foot right-turn lane and a 450-foot left-turn lane along southbound Livingston Road.
 - Provide an exclusive 315-foot right-turn lane and a 250-foot left-turn lane along eastbound Farmington Road.
 - Provide an exclusive 350-foot right-turn lane along westbound Berry Road.
- b. MD 210 and Farmington Road
- Provide a free-right lane along westbound Farmington Road with a 700-foot acceleration lane along northbound MD 210.
 - Provide an exclusive 160-foot left-turn lane along eastbound Farmington Road.
 - Provide a second left turn lane on southbound MD 210.
- c. MD 210/Old Fort Road South
- Provide a fourth southbound through lane shared with the right-turn lane on MD 210, and extend this lane 800 feet south of Old Fort Road South.

All improvements shall be constructed in accordance with the design standards of the responsible highway agency. The applicant, his heirs, successors and/or assignees shall submit signal warrant studies for all proposed signals prior to the approval of specific design plans for any residential development beyond 990 units, with the signals to be installed by the applicant, his heirs, successors and/or assignees at any time during this project that the responsible highway agency deems the signal to be warranted.

41. The applicant, his heirs, successors and/or assignees shall construct the relocation of MD 223 (A-54) through the subject property along the right-of-way shown on the submitted plan in accordance with

SHA and/or DPW&T design standards. The construction of the initial half-section of the A-54 facility shall commence prior to issuance of any building permits (except for the golf course, the Edelen House and for model homes) on the subject property.

42. The applicant, his heirs, successors and/or assignees shall dedicate the following facilities (to the extent they are located on the subject property) in accordance with DPW&T or SHA requirements:
 - a. MD 223 (A-54)—arterial—120-foot right-of-way
 - b. Floral Park Road (east of A-54)—collector—80-foot right-of-way
 - c. Livingston Road—collector—80-foot right-of-way
 - d. Danville Road—rural collector—80-foot right-of-way
43. 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
 - b. Road A, as labeled on the plan
44. 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 (sheet 4 of 4-03027)
 - (2) Road B2 (sheet 5 of 4-03027)
 - 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)
 - (2) Road A and Medinah Ridge Road (sheet 6 of 4-03027)
 - (3) Road A and Road J (sheet 7 of 4-03027)
 - 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 7a 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)

- (2) Road F (sheet 6 of 4-03027)
 - (3) Road L and Road M (sheet 7 of 4-03027)
 - d. All townhouses fronting on public streets shall, if a garage is provided, have the garage fronting on and receiving access from a private alley.
 - e. The plans shall be revised to display horizontal curve alignment data at all needed locations.
 - f. On Sheet 5, redesign the private street connecting Road B3 and Road B4 as a public street. This redesign should be subject to the same requirements as identified above under conditions 7a and/or 7c.
45. All applicable conditions of approval of A-9869, A-9870 and Comprehensive Design Plan CDP-9306 as expressed in CR-60-1993 and PGCP Resolution 94-98(C) shall apply to Preliminary Plan 4-03027.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/9/94-02 AND VARIATION(S) TO SECTION 24-130 OF THE SUBDIVISION REGULATIONS