



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm)*

## SPECIFIC DESIGN PLAN

**SDP-9804/01**

Application	General Data
Project Name  The Preserve, (formerly known as the Greens at Piscataway, Glassford Village, North and South)  Location  East of the intersection of Livingston Road and Floral Park Road  Applicant/Address  Bailey's Associates L.P. C/O Greenvest L.C 8614 Westwood Center Drive, Suite 900 Vienna, Va. 22182	Date Accepted 08/07/2002
	Planning Board Action Limit N/A
	Plan Acreage 73.76
	Zone R-L
	Dwelling Units 176
	Square Footage N/A
	Planning Area 84
	Council District 09
	Municipality NA
	200-Scale Base Map 217SE03

Purpose of Application	Notice Dates
CONSTRUCTION OF 176 SINGLE FAMILY DETACHED UNITS.	Adjoining Property Owners 07/26/02 (CB-15-1998)
	Previous Parties of Record 10/10/02 (CB-13-1997)
	Sign(s) Posted on Site 10/25/02
	Variance(s): Adjoining Property Owners N/A

Staff Recommendation			Staff Reviewer: LAREUSE, SUSAN
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

October 30, 2002

## MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator

SUBJECT: Specific Design Plan SDP-9804/01  
The Preserve (previously known as the Greens of Piscataway)

The Urban Design staff has reviewed the Specific Design Plan for the subject property and presents the following evaluation and findings leading to a recommendation of approval with conditions.

## EVALUATION

The Specific Design Plan was reviewed and evaluated for conformance with the following criteria:

- a. Conformance to Basic Plan A-9869 and A-9870.
- b. Conformance to Comprehensive Design Plan CDP-9306.
- c. Conformance to Preliminary Plan of Subdivision 4-94017 and 4-96047.
- d. Conformance to the Woodland Conservation and Tree Preservation Ordinance.
- e. Conformance to the *Landscape Manual*.
- f. Referrals

## FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. This revision to Specific Design Plan SDP-9804/01 is for the development of 176 single-family detached homes in the R-L Zone. The Specific Design Plan includes a site plan, a tree conservation plan, a landscape plan, and detail sheets. Architecture is being reviewed with companion case Specific Design Plan SDP-0202.

## 2. Development Data Summary

	EXISTING	PROPOSED
Zone(s)	R-L	R-L
Use(s)	Single family detached	Single family detached
Acreage	73.76 acres	73.76 acres
Lots	176	176
Square Footage/GFA	0	N/A
Dwelling Units:		
Attached	0	0
Detached	176	176
Multifamily	0	0

### Other Development Data

Minimum Lot Area Required	6,000 sq. ft.
Minimum Lot Area Proposed	6,000 sq. ft.
Parking Required	
176 units x 2 spaces	352 spaces
Recreational (4 tennis courts)	16 spaces
TOTAL	368 spaces
Parking Provided	368 spaces
Handicap Spaces Required	1 space
Handicap Spaces Provided	1 space

### BACKGROUND

- 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 Basic Plan was approved with 39 conditions and 11 considerations. The base residential density of the R-L Zone was approved as 818 dwelling units; the maximum residential density in the R-L Zone was approved as 1,000 dwelling units.
- On March 24, 1994, the Prince George's County Planning Board reviewed and approved a Comprehensive Design Plan (CDP-9306) for the subject property known as the Villages at Piscataway, as described in PGCPB No. 94-98(C). The Comprehensive Design Plan (CDP) was approved with 36 conditions. The CDP included the entire 878.7+ acres of land zoned R-L and L-A-C to be developed as a golf course community. The CDP approved 202 single-family detached units and 64 single-family attached units in Glassford Villages.
- On June 23, 1994, the Prince George's County Planning Board reviewed and approved a Master Preliminary Plat of Subdivision (4-94017), Villages at Piscataway, for the entire acreage of the site, as described in PGCPB No. 94-213. The Master Preliminary Plat of Subdivision was approved with 20 conditions.

6. On November 14, 1996, the Prince George's County Planning Board reviewed and approved a Detailed Preliminary Plat of Subdivision (4-96047) for Villages at Piscataway, Glassford Villages, for approximately 74 acres of the site, as described in PGCPB No. 96-301. The Preliminary Plat of Subdivision was approved with 15 conditions. The Preliminary Plat approved 195 single-family detached units and 46 single-family attached units in Glassford Villages.
7. On February 4, 1999, the Prince George's County Planning Board reviewed and approved a Specific Design Plan for Infrastructure, SDP-9804, for the subject property. The Specific Design Plan was approved for 176 single-family detached homes and included a substantial amount of detail. At that time no architecture was approved for the site.
8. The applicant requested a reconsideration of the Specific Design Plan for Infrastructure, SDP-9804, for Greens at Piscataway, Glassford Villages North and South, on December 6, 2001. The Planning Board, at the December 20, 2001, public hearing, approved a waiver of the rules and granted the request to reconsider its action contained in Planning Board Resolution No. 99-31 on SDP-9804. The Planning Board found that the original Condition 4, requiring a security and maintenance agreement, was an error in that it was not an appropriate tool to ensure the continued maintenance and security of the historic site, and that the original Condition 18, requiring a Recreational Facilities Agreement for the Edelen Swim Center, was an error in that the timing of the agreement was inappropriate to ensure the construction and completion of the recreational facility, and agreed that Conditions 4 and 18 should be amended.
9. This Specific Design Plan (SDP-9804/01) for the Greens at Piscataway, Glassford Villages North and South (formerly known as Villages at Piscataway), is located in Planning Area 84, primarily 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 the future Piscataway Road near its intersection with Livingston Road.
10. The Final Plats of Subdivision were reviewed and approved for the subject property on January 10, 2002.
11. The following table lists the land use quantities for the subject property established by CR-60-1993 in the R-L Zone:

a. Land Use Types

R-L Zone (A-9869)

All permitted uses in the R-L Zone.

b. Land Use Quantities

R-L Zone (A-9869)

Gross Acre	858.7 acres
Less One-Half Floodplain	-39.9 acres
Adjusted Gross Acreage	818.8 acres
Base Density of Zone	1.0 du/acre
Base Residential Development	818 du

Approved Basic Plan Density	1.22 du/acre
Maximum Residential Development	1,000 du

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

## BASIC PLAN CONFORMANCE

12. The Specific Design Plan for Glassford Villages, North and South, as modified by the conditions, will be in conformance with the Basic Plan for Zoning Map Amendments A-9869 and A-9870, and with the 39 conditions and 11 considerations of CR-60-1993. Specific conditions that warrant discussion regarding conformance of this Specific Design Plan SDP-9804 with the Basic Plan are considered below:

3. **The alignment of Piscataway Road extended shall be located approximately as shown on the Revised Basic Plan. The exact location shall be determined by 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.**

Comment: The alignment of Piscataway Road was approved by the Prince George's County Planning Board in the approval of SDP-9806 on October 29, 1998. The alignment was coordinated with the State Highway Administration (SHA), the Department of Public Works and Transportation (DPW&T), and M-NCPPC. The alignment corresponds to previously approved plans, including the Comprehensive Design Plan and Preliminary Plats.

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 (Part H, page 7) the text proffered, "pursuant to Condition 4 of the Basic Plan...the boundaries of the archeological survey area are depicted in Figure 10." The survey area subject to the Basic Plan condition is delineated by Figure 10 of the CDP text.

The CDP corrected resolution (PGCPB No. 94-98(C)) acknowledges this requirement to have been met via Finding 5 on page 4 of the resolution, which addresses specific conditions that warrant discussion regarding conformance of the CDP with the Basic Plan. The discussion is as follows:

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

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:

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.**
- b. **The Phase I archeological survey shall be reviewed and accepted by staff of the Historic Preservation Section.**
- c. **The exact boundaries of any areas where Phase II and Phase III surveys will be required will be mapped and agreed upon by the applicant and the Historic Preservation Section.**

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

Comment: Historic Preservation Section staff has reviewed the archeological report on the Villages at Piscataway site as required by Condition 4a. and b of the Comprehensive Design Plan (CDP-9306) approved by the Prince George's County Planning Board on March 31, 1994 (PGCPB No. 94-98). The Historic Preservation Section also reviewed this Specific Design Plan, SDP-9804.

The staff and the applicant believe the reference to "prior to grading of the golf course..." was placed in the condition above simply to assign a timeframe as to when the Phase I archeological survey had to be conducted, not to expand the scope of the study area. This is consistent with the last paragraph of the same condition above, which assigns a timeframe as to when the Phase II and III surveys must be conducted.

In conformance with Condition 4a. and b, the applicant (and predecessors) undertook Phase I and II archeological investigations to address both the requirements of the county and federal requirements. The federal involvement centered on the need for a 404 wetlands permit from the U.S. Army Corps of Engineers (COE), and the permit area was originally much more extensive than the area of concern expressed in Condition 4 of the Basic Plan and the CDP. Accordingly, Phase I and II studies were undertaken over an area much larger than that defined in Condition 4 of the Basic Plan.

In letters dated September 1996 and May 1997, the Maryland Historic Trust (MHT), in its role as State Historic Preservation Office under Section 106 of the National Historic Preservation Act, reviewed the findings of Phase I studies and identified sites warranting Phase II evaluation. Greenhorn and O'Mara completed its Phase II study in early 1998 and copies of the report were submitted to MHT and the Historic Preservation Section. The report addressed the archeological sites identified by MHT. Eleven of the sites were recommended significant and eligible for the National Register. Table 19.1 summarizes these findings and what, if any, agency (county or federal) had regulatory concern. Only the National Register-eligible sites of 470B, 476, 496, 516, 521 and 531 were identified as falling under the area of concern identified in Condition 4 of the Basic Plan and CDP. The site in question within Glassford Village South is 470A. Three sites (470A, 476 and 496) were identified as falling under the area of the wetland permit subject to Section 106 reviewed by the MHT.

Application SDP-9804 was before the Historic Preservation Commission on December 5, 1998. Their finding was that a list of sites for which Phase III investigation is warranted has been pre-

pared and none of these are located within the area of interest defined by Condition 4 of CR-60-1993 or Condition 4 of CDP-9306. This revision to the Specific Design Plan has no impact on the previous finding of conformance.

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

Comment: In the review of the Comprehensive Design Plan, the Planning Board adopted the following condition to ensure that the Historic Property Security Agreement was signed in a timely manner:

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

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

Comment: At the time of the approval of Specific Design Plan SDP-9804, the applicant accepted the following condition of approval:

4. **The applicant shall submit a draft Historic Property Security Agreement to the Historic Preservation Commission for its review and approval. The draft agreement shall include a description of measures to be taken by the applicant to ensure the physical security of the Edelen House Historic Site. The Historic Property Security Agreement between the applicant and M-NCPPC shall be executed and recorded and a note referencing the agreement shall be placed on the first Final Plat for the Greens at Piscataway that is recorded.**

Comment: In letter dated December 6, 2001, Andre J. Gingles, of O'Malley, Miles, Nylen & Gilmore, P.A., on behalf of the applicant, Bailey's Associates Inc., LP, requested that the Planning Board reconsider Condition 4 above. The Planning Board, at the December 20, 2001, public hearing, granted the request to reconsider their action contained in Planning Board Resolution No. 99-31 based on inadvertence and mistake.

Condition 4 above provided for the creation of a Historic Property Security Agreement designed to ensure the short- and long-term maintenance and security of the Historic Site prior to its rehabilitation or restoration as part of the subject development. Such an agreement would have been reviewed and approved by the Historic Preservation Commission and executed between the applicant and The Maryland-National Capital Park and Planning Commission. The Planning Board policy has changed since the adoption of the condition that obviates such agreements.

The Historic Preservation staff provided alternative language to Condition 4 in order to retain the overall preservation intent of the original conditions and to remove the obligation of a Historic Property Security Agreement. The language below is based on, or replicates in part, language in Condition 4 as approved by the Planning Board and language approved by the Planning Board in similar circumstances such as those of Melford Historic Site (71B-16)[PGCPB No. 99-28(a)]—

Maryland Science and Technical Center] and Bowieville Historic Site (74A-18)[PGCPB No. 01-181—Oak Creek Club]. The following conditions were adopted by the Planning Board [PGCPB No. 99-31(A)(C)]:

- 2. The applicant, his heirs, successors and/or assignees shall provide for the continuous occupancy of the Edelen House (the “Property”) within 90 days of approval of the Final Plat by the Planning Board. Applicant shall work with the Historic Preservation staff to ascertain methods of informing prospective purchasers and tenants of the availability of the property.**
- 3. Within 90 days of approval of the Final Plat by the Planning Board, the applicant, his heirs, successors and/or assignees shall provide for the following for the Property:**
  - A Installation of exterior security lighting and a fire/burglar alarm system equipped with motion detectors, window and door sensors.**
  - B. Installation 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 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. Routine maintenance of utilities inclusive of heating, plumbing, and electrical systems.**
  - E. The applicant shall provide evidence of current fire insurance on the house.**
- 4. The applicant, his heirs, successors and/or assignees shall provide the Historic Preservation staff with evidence of items (a) through (e) in No. 2 above, which may include copies of contracts, work orders, completion orders and receipts. Further, 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.**

Comment: The conditions above have been fulfilled to the satisfaction of the Historic Preservation Section. Evidence of the applicant’s attempts to meet Conditions 2 and 3 (above) “within 90 days of the approval of Final Plat” (on or about March 10, 2002) has been provided to the Historic Preservation Commission after the fact (with the submission of this application). Condition 4 (above) requires the applicant to submit to the Historic Preservation Commission semiannual reports on the status of those issues addressed in Conditions 2 and 3 (above) “beginning on or before July 30, 2002.” The applicant has submitted the first of the required semiannual reports (dated July 30, 2002) to the Historic Preservation Commission with the submission of this appli-



cation. The report details the applicant's actions to address approved development conditions and states that:

“Based on the current conditions of the Edelen House, it is the intention of Bailey's Associates to obtain further proposals for the repair and resurfacing of the roof. Furthermore, prior to winter conditions, a full inspection of the heating system will be conducted and necessary action will be taken to insure [sic] its proper working condition. The east wing of the Edelen House is currently occupied as a temporary field office for managing the development of the first phase of the project. In this manner Bailey's Associates can continue to insure [sic] the safety of the house and monitor its condition.”

Comment: The issues above will continue to be monitored through the semiannual reports that will be provided by the applicant in accordance with the No. 4 above. In order to ensure the submittal of these reports, the staff recommends that building permits be held if the dates elapse without pending submission of up-to-date semiannual reports.

**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 to historic Piscataway and to each other. Neo-traditional concepts were also employed in the layout and design of individual villages and of structures in the 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 (approved as part of SDP-9804) is somewhat reflective of the neo-traditional planning concepts represented in the CDP. All streets connect and there is a central green space that is formalized and surrounded on all sides by streets. In regard to unit types, lot sizes and lot frontages, the Specific Design Plan for Infrastructure (SDP-9804) deviated slightly from the previously approved plans. The concept of a neo-traditional village is somewhat lost in the changes, due to larger lot sizes, the deletion of the townhouse component, and larger lot frontages. At the time of the approval of the original SDP-9804 for Infrastructure, the Planning Board included the following conditions in an attempt to continue the concept of the CDP in regard to creating a neo-traditionally designed village:

**15. Prior to signature approval of the Plan, the following modifications shall be made:**

- c. The site and landscape plans shall be revised to show a minimum of 50 percent of the single-family detached lots in the village that are 65 feet or less in width shall have a hedge, fence or wall (as specified on page 26 of the approved CDP text) in the front yard. (This condition does not apply to Glassford Village North.) A significant percentage of all three optional treatments shall be required; however, fences are the preferred option. By the time 50 percent of the permits for the affected lots in the village have been released, at least one-half of the required hedges, fences or walls shall have been installed. At least 50 percent of the model lots shall include this feature.**

**16. Prior to the approval of the paving plans by the DPW&T, the street trees within the right-of-way shall be in general conformance to the Master Plan**

**of Street Trees, particularly in regard to size (2 1/2- to 3-inch caliper) and spacing (approximately 35 feet on center).**

Comment: The conditions above must continue to be part of the approval of the subject plans as demonstration of conformance will occur prior to building permit. In addition, it is the opinion of the Urban Design Section that in order to continue the concept of the neo-traditionally designed village, that two requirements are appropriate.

First, in neo-traditional village design, the distance of the unit to the right-of-way should be minimal. In this case, units should be placed near the street line rather than away from the street. The CDP approved a 15-foot front yard setback minimum. Setting the units back further will result in the more traditional suburban subdivision appearance. The staff recommends that porches be allowed to encroach into the 15-foot setback and the main structure of the homes be setback no further than 20 feet from the right-of-way.

Secondly, staff is of the opinion that a minimum of 25 percent of the units should have porches along the street line. Demonstration of meeting this condition would be fulfilled prior to the issuance of building permits. The plans should be amended prior to signature approval to provide a tracking chart to demonstrate conformance to this condition.

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

Comment: The approved Comprehensive Design Plan text included a discussion of the Historic Piscataway Preservation fund, which fulfilled the conditions of the Basic Plan as follows:

“The applicant has offered to establish a preservation fund for historic Piscataway for the purposes of establishing a funding mechanism to begin the restoration and preservation of historic Piscataway and the Edelen house and to provide a suitable environment for the preserved village. At the time of the first Specific Design Plan approval for residential units, the applicant will establish a nonprofit corporation (the Piscataway Preservation Corporation) to administer the historic Piscataway Preservation Fund.

“The Piscataway Preservation Corporation will be a nonstock member corporation whose members will consist of the following until 60 percent of the residential dwelling units have been sold to homeowners.

- “2 Owners of property within historic Piscataway
- “2 Owners of property within the Villages of Piscataway
- “1 Representative from St. Mary's Church
- “1 Representative from the Historic Preservation Commission
- “1 Representative from the Prince George's Heritage, Inc.
- “8 Representatives of the owner and/or developer of the Villages of Piscataway”

The text continues to explain the administration of the fund. In addition to the language in the text, the Planning Board adopted Condition No. 5 in the approval of the CDP, as stated below:

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

- a. **Funds shall only be given for projects associated with the historic village, which shall be defined as those parcels located on Floral Park Road, between Livingston Road and Piscataway Road, and not included in this application. Significant consideration shall be given in the administration of the fund to preserving historic structures.**
- b. **Projects requiring a Historic Area Work Permit in accordance with the County Historic Preservation Ordinance (Subtitle 29) shall receive approval by the Historic Preservation Commission prior to disbursement of any funds, and shall comply with the Secretary of the Interior's Standards for Rehabilitation and the County's Historic Preservation Ordinance.**
- c. **All meetings of the Piscataway Preservation Corporation shall be open to the public; input from interested parties shall be encouraged.**
- d. **The membership of the Piscataway Preservation Corporation shall be changed to delete a representative of the Prince George's County Executive and to add a representative of Prince George's Heritage, Inc.**
- e. **The Articles of Incorporation, Bylaws, or any other documents which formally establish the rules of procedure for the Piscataway Preservation Corporation shall be reviewed by the Planning Board, or its designee, prior to the disbursement of any funds.**

Comment: The Historic Preservation Commission and the staff recognized that Condition 5(e) above should have been better defined in regard to the timing of the incorporation of the Fund and the following condition was adopted by the Planning Board at the time of SDP-9804:

- 5. **The applicant shall incorporate the Piscataway Preservation Grant and Loan Fund by drafting and filing the Articles of Incorporation and By-laws prior to the approval of the first Final Plat for Glassford Village. These documents shall be reviewed and approved by the Planning Board or its designee (the Historic Preservation Commission) prior to the incorporation.**

Comment: SDP Condition 5 (above) requires the applicant to “incorporate the Piscataway Preservation Grant and Loan Fund...prior to the approval of the first Final Plat for the Glassford Village” (January 10, 2002). Staff is in receipt of documents dated March 18, 2002. These documents were received only as part of the subject application; they were not reviewed by either the Planning Board or the Historic Preservation Commission prior to the approval of the first Final Plat for Glassford Village or the incorporation of the Piscataway Preservation Group as required. Further, the applicant has not demonstrated the necessary approval of the Piscataway Preservation Corporation’s nonprofit [501(c)(3)] status by the Internal Revenue Service.

Staff’s review of the purposes clause of the Piscataway Preservation Corporation’s Articles of Incorporation (part c, page 2) finds that undue emphasis is placed on the use of grant and loan funds for public improvements within the historic village of Piscataway rather than on improvements to existing historic structures within the village. Further, the boundaries of the historic village should be more specifically defined in the Piscataway Preservation Corporation Articles of Incorporation

and By-laws, as appropriate. The applicant has not demonstrated compliance with SDP Condition 5 (above) (by January 10, 2002) as required. The recently submitted Articles of Incorporation and By-laws of the Piscataway Preservation Corporation must be reviewed and approved by the Historic Preservation Commission or the Planning Board prior to the approval of the subject application in order to ensure that approved Planning Board conditions (5 and 9 above) designed to establish a nonprofit preservation organization focused on the historic village of Piscataway can be effectively implemented. Further, in order to facilitate contributions to the Piscataway Preservation Corporation's Grant and Loan Fund, the corporation should obtain at least provisional approval by the Internal Revenue Service of its nonprofit [501(c)(3)] status.

The language of the purposes clause of the Piscataway Preservation Corporation (part c, page 2) should be revised in order to effectively prioritize the use of grant and loan funds for improvements to existing historic structures within the historic village of Piscataway as required by CDP Condition 5 (above). Revised language should 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.

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 all those properties with frontage on Floral Park Road between Piscataway Road and Livingston Road and 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.

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

Comment: The 75 acres of land located on the north side of Floral Park Road will be dedicated at a later date.

- 28. 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.**

Comment: At the time of the CDP, the applicant agreed to increase the land area and to dedicate approximately 36 acres on the south side of Floral Park Road to M-NCPPC for use as a future public park as stated in the condition below:

- 16. The applicant, his heirs, successors and/or assignees, shall dedicate 36+ acres of land located in the southwest quadrant of Floral Park Road and New Piscataway Road, to M-NCPPC for future park use as shown on DPR Staff Ex-**

**hibit B. This dedication excludes the 3.1+ acre parcel created around the Edelen House which will be acquired by a private interest.**

Comment: The Department of Parks and Recreation has indicated that the appropriate timeframe to require dedication will be determined at the time of the Preliminary Plat of Subdivision for future sections of the development. All previously approved Preliminary Plats have expired and new Preliminary Plats will be required prior to any future plans of development.

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

Comment: M-NCPPC declined to accept ownership of the Edelen House. At the time of the CDP, a tentative agreement was reached between the Department of Parks and Recreation, the Historic Preservation Section, and the developer to sell a 3.2-acre tract of land containing the historic Edelen House to a private party who intended to preserve the property and restore it for use as a residence/bed and breakfast. There is a clear rational nexus between requiring the applicant to provide a public benefit feature, i.e., the preservation and restoration of a designated Historic Site, relative to the benefit of deriving density from the site. The applicant has agreed to provide a report of the structural integrity of the house, including any hazardous materials within the structure, to determine how monies should be spent in making the property an attractive real estate investment for reuse. The HPC and the staff recommended the following condition to address this concern, and the Planning Board adopted the condition in the review of the original SDP 9804:

**8. Prior to the release of the 129th building permit for Glassford Villages, the developer shall 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.**

Comment: This condition will continue to apply and is included in the recommendation section of this report.

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

Comment: This condition is reiterated in this SDP (Condition No. 6) in order to ensure the collection of the contribution at the time of review of the building permits.

## **BASIC PLAN CONSIDERATIONS**

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

The approved Type I Tree Conservation Plan, TCPI/09/94, 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 in-

cluding preservation on large lots. The Type I Tree Conservation Plan does not allow woodland conservation areas on lots less than 20,000 square feet in area, does not allow the use of fee-in-lieu, and does not permit the use of an off-site easement.

- 10. The CDP submittal shall include a plan to monitor surface and groundwater resources on the site. The plan shall include a baseline monitoring phase for at least one year prior to grading of the site and a follow-up monitoring phase for two years from the start-up of golf course operations.**

Comment: The Natural Resources Division requested and received updated materials regarding the stream and groundwater sampling program. The engineers have supplied a copy of the updated map showing groundwater and stream test well locations. According to the Prince George's Health Department, the baseline sampling has been completed for the project. Sampling will occur again after grading and then when the golf course is completed and being actively managed with pesticides and fertilizers.

- 11. As part of the CDP submittal, the applicant shall evaluate potential stability problems associated with the Marlboro Clay and other marine clay formations which outcrop along the stream valley system.**

Comment: A geotechnical report was completed for Glassford Village North and submitted to Natural Resources. The report confirmed the occurrence of Marlboro Clay between elevations of 40 and 55 feet above median sea level, and at a thickness of 10 to 30 feet. The clay is at the surface for portions of the site, and groundwater occurs at shallow depths. The report concludes that while the proposed construction is feasible, special considerations for foundations and site development are warranted by the high plasticity soils and shallow groundwater. Recommendations for foundations, floor design, surface and subsurface drainage, utility pipe systems, roadways, site grading, and slope stability are contained in pages 3-8 of the May 6, 1998, geotechnical report for Glassford Village North. A geotechnical engineer should be on site during construction to monitor roadway construction, excavated footings, and grading activities for compliance with these recommendations.

## **COMPREHENSIVE DESIGN PLAN CONFORMANCE**

13. The Specific Design Plan was reviewed for conformance with the approved Comprehensive Design Plan CDP-9306. Specific conditions that warrant discussion regarding conformance (besides those conditions previously discussed relative to the Basic Plan conditions) are considered below:

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

Comment: There is no floodplain on this site. However, the applicant has submitted evidence that the Department of Environmental Resources approved a 100-year floodplain study (FPS-960029) for the entire property.

- 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: The Department of Environmental Resources has reviewed this site and approved the Stormwater Management Concept Approval (#96-8003830).

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

Comment: This condition has been fulfilled.

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

Comment: The applicant met with the Environmental Planning Section on April 17, 1998, to discuss features that could lend themselves to an overall wildlife management plan. The opportunities for wildlife habitat preservation or enhancement are limited for SDP-9804. Woodland and wetland habitat have been preserved in the most logical and beneficial places, and protected by the TCPII or conservation easements. The applicant has designated a wildlife management area surrounding the stormwater pond on Parcel B. Staff is pleased with the design, which includes native trees, shrubs, seed mixes, and boxes for wood duck, bluebirds and bats.

The Natural Resources Division requested the addition of two bluebird boxes along the woodland edge within Parcel A, where the "park sitting areas" are shown. The location and specification for the boxes were added to the landscape plans. Condition No. 14 above was fulfilled in SDP-9804.

- 23. 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 the roadway which connects Parcels B, C, and D.**

Comment: The roadway that will ultimately connect Parcels B, C and D is Medinah Road as shown on the Specific Design Plan. The SDP indicates that certain strategies are proposed within the public right-of-way that will lower speeds in the development. These include traffic calming devices such as a teardrop circle-shaped island and restricting the pavement width in at least two locations on the plans. The SDP-9804 conforms to the condition above.

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

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

Comment: The Master Plan of Street Trees indicates the use of a variety of shade trees within the public right-of-way. This Specific Design Plan correctly reflects the approved Master Plan of Street Trees. The sizes are proposed at 2-1/2- to 3-inch caliper. The average distance between street trees is 35 feet on center. The staff recommends that the Planning Board adopt a condition requesting that DPW&T approve street trees in accordance with the Master Plan of Street Trees. The DPW&T has reviewed the Master Plan of Street Trees and finds it acceptable.

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

Comment: This condition was adopted as a condition of the CDP in order to assure that the planting concepts within the development reflect the neo-traditional design represented by the applicant in the Basic Plan and the Comprehensive Design Plan. The special treatment and planting design is critical to creating a streetscape friendly to the pedestrian.

The proposed Specific Design Plan has changed significantly since the review of the Comprehensive Design Plan and the Preliminary Plat of Subdivision in regard to the lot sizes and frontage. The changes include the deletion of all the previously shown townhouses, increased lot sizes, and frontage. In fact, none of the lot sizes within Glassford Village is proposed with a lot frontage of less than 60 feet. If it had been anticipated by the staff that there would be such a radical deviation from the concepts set forth in the CDP, the staff would have considered modifying the language in the condition above to relate to percentages of lots sized near the smallest widths at the lot frontage. Without the special treatment in the front yards, the characteristics of neo-traditional design will not be conveyed to the pedestrian. Therefore, the staff recommends that the condition above be modified and carried over to the approval of this SDP so that the intent of the design concept carries over to this plan and applies to lots 65 feet wide or less. The result of this recommended condition will be similar in the number of lots affected by the previous condition and, therefore, does not deviate radically from the design committed to by the developer in the earlier phases of plan review.

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



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

Comment: The original Specific Design Plan, SDP-9804 also included the following condition:

- 18. Prior to the approval of the Final Plat of Subdivision for any residential lots within Glassford Village North and South, Recreational Facility Agreements (RFA) for the private recreational facilities shall be recorded. One RFA shall include the facilities within the tennis complex in Glassford Village and the Swimming Center in Edelen Village North, with bonding and construction schedules in conformance with Condition No. 32 of the Comprehensive Design Plan. A separate RFA shall be recorded for the private recreational facilities within Glassford Village North and South for the following facilities:**

**1 Pre-teen lot  
1 Sitting Area**

**Construction shall be completed prior to the release of the 129th building permit for Glassford Villages.**

Comment: In letter dated December 6, 2001, Andre J. Gingles of O'Malley, Miles, Nylen & Gilmore, P.A., on behalf of the applicant, Bailey's Associates, Inc., LP, requested that the Planning Board reconsider Condition 18 relating to the approval of the Specific Design Plan for Infrastructure (SDP-9804) for Glassford Villages North and South of the Greens at Piscataway. The Planning Board, at the December 20, 2001, public hearing, granted the request to reconsider their action contained in Planning Board Resolution No. 99-31 based on inadvertence and mistake. Condition 18 relates to the requirement of recordation of a Recreational Facilities Agreement. The condition was revised to delete the reference to the swimming center in Edelen Village North. According to the CDP condition above, the recordation of the RFA for the swimming center in Edelen Village North should be completed prior to final plat for the subject land area. The condition above also requires the timing schedules for bonding and construction of the swimming

center. Since the 176 lots within Glassford Village North and South are less than the thresholds listed in Condition 32 of the CDP, it is not necessary to require the RFA at this time. The applicant has submitted an RFA for the tennis complex in Glassford Village South and a separate RFA for the development of the tot-lot and the sitting area. The Planning Board approved the request that Condition 18 be revised as follows:

- 18. Prior to the recordation of the Final Plat of Subdivision for any residential lots within Glassford Village North and South, Recreational Facility Agreements (RFA) for the private recreational facilities shall be recorded. One RFA shall include the facilities within the tennis complex in Glassford Village with bonding and construction schedules in conformance with Condition 32 of the Comprehensive Design Plan. A separate RFA shall be recorded for the private recreational facilities within Glassford Village North and South for the following facilities:**

**1 Pre-teen lot  
1 Sitting Area**

**Construction shall be completed prior to the release of the 129th building permit for Glassford Villages.**

Comment: The Recreational Facilities Agreements have been recorded and this condition has been fulfilled.

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

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

Comment: The applicant has submitted details that demonstrate the play equipment within the playgrounds are to be brown, black, beige, or other earth tones in color.

- b. A minimum of one-third of the features in each play area shall be usable by handicapped children and shall be accessible to the handicapped by means of smooth resilient surfacing which is flush with the edges of the play area. (Prior to submission of any affected Specific Design Plan, the applicant shall confer with the Urban Design Review Section on means for fulfilling this condition.)**

Comment: The site plan indicates that the playground provides access to the main structure of the equipment. Depending on the disability of the individual, the structure will be accessible.

- 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 Stormwater Management Pond is located in Glassford Village North and is designed with naturalistic and irregular contours that will result in an aesthetically pleasing design. The pond is designed as a wet pond. The staff recommends that additional landscaping be provided around the pond.

## **PRELIMINARY PLAN CONFORMANCE**

14. The proposed Specific Design Plan is in general conformance to the Preliminary Plans of Subdivision 4-94017 and 4-96047. The Master Preliminary Plan 4-94017 was approved by the Planning Board on June 23, 1994 (PGCPB No.94-213). It was an overall Preliminary Plan that included the total acreage of the CDP and included general building envelopes rather than defined lot layouts. It tested for adequate public facilities and further refined the Tree Conservation Plan TCP I. The Detailed Preliminary Plan 4-96047 was approved by the Planning Board on October 17, 1996 (PGCPB No.96-301). It was a plat for only the Glassford Villages portion of the development. That Preliminary Plan included a total of 227 lots, of which 181 were single-family detached lots and 46 were townhouse lots. The layout and configuration of the lots, street pattern, and open space deviated somewhat from the Comprehensive Design Plan but were found to be in conformance.

The proposed Specific Design Plan has modified the unit types, lot layout and the lot sizes, street pattern, and open space configuration even further than the previously approved Preliminary Plan. The plan deletes all townhouses, so the entire Glassford Villages is shown as single-family detached lots. The street pattern has changed and is of concern in one area. The previously approved plans had shown all single-family detached lots having direct vehicular access and frontage on a public street or were to be served by alleys.

The following conditions of each of the Preliminary Plans 4-94017 and 4-96047 warrant discussion:

### **Preliminary Plan 4-94017**

16. **A soils report shall be submitted with each detailed Preliminary Plat, 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 Plat, 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 assignees, 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: The presence of Marlboro Clay was noted during the preliminary plan stages for the Greens at Piscataway. A geotechnical report was submitted with the original SDP-9804 that verified the location of the clay at top elevations of 45 to 55 feet. Areas of this plan that might be affected by the clay are Lots 1, 3, 4, 5, 6, 7, 8, 9, Block M, and Medinah Ridge Road between the Twin Entry Ponds.

A geotechnical report was completed by Glassford Village North and submitted to the Environmental Planning Section. The report confirmed the occurrence of Marlboro Clay between eleva-

tions 40 and 55 feet above median sea level and at a thickness of 10 to 30 feet. The clay is at the surface for portions of the site, and groundwater occurs at shallow depths. The report concludes that although the proposed construction is feasible, special considerations for foundations and site development are warranted by the high plasticity soils and shallow groundwater. Recommendations for foundations, floor design, surface and subsurface drainage, utility pipe systems, roadways, site grading, and slope stability are contained in pages 3-8 of the May 6, 1998, geotechnical report for Glassford Village North. A geotechnical engineer shall be on site during construction to monitor roadway construction, excavated footings, and grading activities for compliance with these recommendations.

#### **Preliminary Plan 4-96047**

- 6. Prior to approval of a Specific Design Plan for Lots 4-6, 8 and 9, Block N, a geotechnical report assessing soil stability and construction techniques for these lots shall be reviewed by the Natural Resources Division.**

Comment: This condition has been fulfilled. Condition No. 15 is recommended in order to ensure sound construction techniques for these lots.

15. The Transportation Planning Division has reviewed Specific Design Plan SDP-9804/01. The transportation staff finds that the subject application does indeed conform to the approved subdivision plans, the approved Comprehensive Design Plan, and the approved Basic Plan from the standpoint of transportation.

The previously approved SDP-9804 included Condition No. 1, which specified a time by which Piscataway Road extended would be open to traffic, thereby relieving the existing roadway through the historic community nearby. Condition No. 1 stated the following:

**The initial half-section of New Piscataway Road (otherwise known as A-54, the relocation of MD 223 through the subject property) shall be open to traffic between Livingston Road and existing MD 223 at Floral Park Road prior to the issuance of the 129<sup>th</sup> residential building permit within the subject property.**

In reviewing the original SDP-9804, staff determined the following:

- Traffic operations at the Livingston Road/Floral Park Road intersection during the PM peak hour should be considered critical to determining the staging of the construction of Piscataway Road extended.
- The Villages at Piscataway would have, on average, an impact of 42 critical lane volume (CLV) units per 100 residences during the PM peak hour at the critical intersection.
- Considering an analysis of the critical intersection with approved development in 1998, staff determined that 128 residences could be constructed within the Villages at Piscataway site before inadequate traffic operations would be triggered.

The applicant has provided a traffic count at the critical intersection taken in 2002. The attached letter, dated February 26, 2002 (John W. Guckert to Andre Gingles), suggests that, because the critical intersection operates at Level-of-Service (LOS) A under existing traffic, up to 200 residences could easily be accommodated prior to constructing Piscataway Road extended. This conclusion is misleading, however, because the transportation staff's previous recommendation

was based upon background traffic, not existing traffic. Staff has reanalyzed the situation by duplicating the methodology used in 1998 with the current count and has the following findings:

- At the Livingston Road/Floral Park Road intersection, the PM peak hour remains the critical period for determining the staging of Piscataway Road extended.
- Utilizing approved development in the area with two percent growth rates for nonlocal traffic, under background development the critical intersection operates at LOS C, with a CLV of 1,296. While there are a few additional developments approved in the area that were not there in prior analyses, the current analysis is greatly affected by three factors: (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.
- While the average impact of the Villages at Piscataway site would have an average impact on the critical intersection of 42 CLV units per 100 residences, the development at Glassford would have a much more direct impact. For 176 residences, the impact would increase the critical lane volume by 102 because staff would assume that the Glassford development would initially receive its access at Livingston/Floral Park. Based upon staff's current analysis, up to 264 residences could be built before the need for Piscataway Road extended is triggered directly by transportation adequacy.
- Notwithstanding the above finding, the applicant seeks to move the timing of the construction of Piscataway Road extended to 200 residences. Because that is the number proffered by the applicant in a letter to Urban Design Section staff dated May 23, 2002, the Transportation Planning Section will agree to that number. In making this change, however, staff cautions the applicant that within the historic community along Floral Park Road, the road facility will become painfully inadequate as development occurs in the area and that staff should not entertain a further deferral of the construction of Piscataway Road extended. Further deferral would certainly violate the spirit of the proffer to construct Piscataway Road extended which was made at the time of Basic Plan.

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

To summarize, the Transportation Planning Division finds that the subject application does conform to the approved subdivision plans, the approved Comprehensive Design Plan, and the approved Basic Plan from the standpoint of transportation. Furthermore, the transportation staff finds that the development will be adequately served within a reasonable period of time with existing or programmed transportation facilities or with transportation facilities to be provided as a part of the subject development. While the bonding and staging of most off-site transportation facilities is well-defined in previous approvals, this finding is conditional on the staging of New Piscataway Road as follows:

- The initial half-section of Piscataway Road extended (otherwise known as A-54, the relocation of MD 223 through the subject property) shall be open to traffic between Livings-

ton Road and existing MD 223 at Floral Park Road prior to the issuance of the 200th residential building permit within the subject property.

16. The Public Facilities Planning Section has reviewed the Specific Design Plan for adequacy of public facilities and concluded the following:

#### **Fire and Paramedic Service**

The existing fire engine service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service response time of 5.92 minutes, which is beyond the 5.25-minute response time guideline.

The existing ambulance service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service response time of 5.92 minutes, which is within the 6.25-minute response time guideline.

The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service response time of 7.25 minutes. Block M Lots 1-12, Block A Lots 1-4, Block B Lots 1-5 and 14-17, and Block C Lots 1-6 are within the 7.25-minute response time guideline. All other lots are beyond the 7.25 minutes response time guideline.

These 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.

The existing paramedic service located at Allentown Road Fire Station, Company 47, is beyond the recommended travel time guideline to service a portion of the subject development. The nearest fire station Accokeek, Company 24, is located at 16111 Livingston Road, which is 5.92 minutes from the development. This facility would be within the recommended response time for paramedic service.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that a fire suppression system be installed in all residential structures in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws.

#### **Police Services**

The proposed development is within the service area of District V-Clinton. The staff of the Historic Preservation and Public Facilities Section have concluded that the existing police facilities will be adequate to serve the residential development.

#### **Public Schools**

Staff concludes that APF findings for schools previously given in the SDP for infrastructure are still valid. The following condition, which was included in the approved SDP-9804, still applies:

Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a school fee of \$470.00 per dwelling unit to Prince George's County, which shall be placed in an account to relieve overcrowding at Henry Ferguson Elementary School. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a school fee of \$310.00 per dwelling unit to Prince George's

County, which shall be placed in an account to relieve overcrowding at Gwynn Park High School.

17. This Specific Design Plan conforms to the requirements of the *Landscape Manual* that apply to this Specific Design Plan.
18. This Specific Design Plan will have no impact on provisions for draining surface water to prevent adverse effects on the subject property or any adjacent property as per the Stormwater Management Concept approval (968002830) by the Department of Environmental Resources.
19. The Environmental Planning Section recommends approval of SDP-9804/01 and TCPII/98/99-01 subject to the conditions listed at the end of this memorandum.

### **Background**

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). A Type I Tree Conservation Plan (TCPI/9/94) was also approved.

On June 23, 1994, the Prince George's County Planning Board reviewed and approved a Master Preliminary Plat 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 Prince George's County Planning Board reviewed and approved a Detailed Preliminary Plan of Subdivision (4-96047) for Villages at Piscataway, Glassford Villages, for approximately 74 acres of the site, as described in PGCPB No. 99-31(A)(C). The Type I Tree Conservation Plan (TCPI/9/94) as revised by PGCPB No. 94-213 was reapproved.

On February 14, 2002, the Prince George's County 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. A Type II Tree Conservation Plan (TCPII/98/99) was approved.

### **Site Description**

This Specific Design Plan for the Greens at Piscataway, Glassford Villages North and South, is located in Planning Area 84, primarily 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, about 18 percent of the site is wooded. 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. No species listed by the State of Maryland as rare, threatened or endangered are known to occur in the in the general region. According to the sewer service and water service maps produced by DER, the property is in categories S-3 and W-3. The Prince George's County Soils Survey indicates that the principal soils on the site are in the Beltsville, Bibb, Othello, and Sassafras soils series. Marlboro Clay is known to occur on the site. The site is in the Developing Tier according to the *General Plan*.

The Environmental Planning Section reviewed the plans for approved conditions. Their memorandum provides a detailed discussion of all previously approved conditions.

### **Environmental Review**

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

A Forest Stand Delineation was approved with CDP-9306. A revised Forest Stand Delineation was approved 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) 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 does not allow woodland conservation areas on lots less than 20,000 square feet in area, does not allow the use of fee-in-lieu, and does not permit the use of an off-site easement. The Type II Tree Conservation Plan (TCPII/98/99) shows woodland conservation areas on lots less than 20,000 square feet in area.

The Type II Tree Conservation Plan (TCPII/98/98) includes a tracking chart. The tracking chart does not include two additional approved Type II Tree Conservation Plans. TCPII/99/99 was approved with SDP-9805 for Twin Entry Ponds, Greens at Piscataway, and TCPII/100/98 was approved with SDP-9806 for the Piscataway Road right-of-way and Bailey Pond.

TCPII/98/98 contains a chart indicating species, diameter, and general vigor for 12 specimen trees and an indication if they are to be saved or removed. Trees #3 (pin oak), #4 (willow oak), and #5 (willow oak) are located in a proposed woodland conservation area with the closest disturbance at least 30 feet away from a trunk. This is adequate protection. Trees #114 (sycamore) and #116 (willow oak), proposed to be removed, grew in open fields. The critical root zone of any field-grown tree is typically greater than the area contained within the drip line. Neither approaches the current county champion in size. Tree #125 (willow oak) and tree #126 (sycamore) are proposed to be saved within a homeowners' open space. The approved TCP shows only fencing at the limit of the drip line as protection. Because grading will occur very close to each of the trunks, root pruning should be used prior to any grading that creates a cut; care should be taken to avoid compacting any fill in the critical root zone. About one foot of cut is proposed in the vicinity of tree #115 (willow oak). Once again, root pruning should be used.

Recommended Condition: Prior to certification of the Specific Design Plan, the Type II Tree Conservation Plan shall be revised to:

- i. Remove woodland conservation areas from lots less than 20,000 square feet in area.
- ii. Calculate all woodlands on lots less than 20,000 square feet in area as "cleared."
- iii. Revise the tracking chart to account for a and b,
- iv. Revise the tracking chart to include TCPII/99/98 and TCPII/100/98,



- v. Revise the Preservation Notes to state which trees are to receive the stress reduction methods provided,
  - vi. Use the revision boxes on each plan sheet to describe revisions were made, when, and by whom.
- b. The site contains significant natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. Streams, wetlands and floodplain have been reviewed during prior applications. During the review of 4-96047, variation requests for impacts to wetlands and wetland buffers were granted. Conservation easements for remaining wetland areas have been established on the Final Plats for Greens at Piscataway (5-01133 through 5-01144). The applicant has obtained wetlands 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.

Comment: No further action is required.

- c. Marlboro Clay is known to occur on the site. A soils report was submitted with 4-96047. That study indicated that Marlboro Clay occurs on the site between elevations of 40 to 55 feet. A more detailed study was submitted with SDP-9804. Because of the elevation of the clay and local topography, slope failure is not an issue. Footers for foundations cannot be set in Marlboro Clay. Marlboro Clay is unsuited as a subbase material for roads. The recommendations contained on pages 4 and 5 in the geotechnical report, dated June 24, 1998, are contained on page 21 of the Specific Design Plan. These recommendations adequately address the technical solutions for development on Marlboro Clay.

Recommended Condition: The geotechnical report information contained on sheet 21 of 21 of the Specific Design Plan shall be attached to the sediment control plans.

Recommended Condition: The following note shall be placed prominently on all grading plans:

“A geotechnical engineer must be present on the site to monitor roadway construction, excavated footings and grading activities for compliance with the recommendations contained on sheet 21 of 21 of the Specific Design Plan.”

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

As noted in Condition 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.

Comment: Previous Condition 5 of PGCPB No. 94-98(C) should be carried forward and addressed by the Historic Preservation Commission.

- e. The Prince George's County Soils Survey indicates that the principal soils on the site are in the Beltsville, Bibb, Othello, and Sassafras soils series.

Comment: The Department of Environmental Resources may require a soil study at the time of building permit. This information is provided for the applicant's information only.

The Environmental Planning Section recommends approval of SDP-9804/01 subject to the following conditions:

- a. Prior to certification of the Specific Design Plan, all slopes exceeding 15 percent shall be identified and located on the plan.
- b. The geotechnical report information contained on sheet 21 of 21 of the Specific Design Plan shall be attached to the sediment control plans.
- c. The following note shall be placed prominently on all grading plans:

“A geotechnical engineer must be present on the site to monitor roadway construction, excavated footings and grading activities for compliance with the recommendations contained on sheet 21 of 21 of the Specific Design Plan.”
- d. The applicant, his heirs, successors and/or assigns shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the Specific Design Plan, Tree Conservation Plan, Landscape Plan, and plans for recreational facilities.

The Environmental Planning Section recommends approval of TCPH/98/99-01 subject to the following condition:

- a. Prior to certification of the Specific Design Plan, the Type II Tree Conservation Plan shall be revised to:
    - i. Remove woodland conservation areas from lots less than 20,000 square feet in area,
    - ii. Calculate all woodlands on lots less than 20,000 square feet in area as “cleared,”
    - iii. Revise the tracking chart to account for a. and b,
    - iv. Revise the tracking chart to include TCPH/99/98 and TCPH/100/98,
    - v. Revise the Preservation Notes to state which trees are to receive the stress reduction methods provided,
    - vi. Use the revision boxes on each plan sheet to describe revisions were made, when, and by whom.
20. The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the *Landscape Manual*.
21. The development will be adequately served within a reasonable period of time with existing or

programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

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

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE SDP-9804/01 and TCPII/98/99-01 subject to the following conditions:

1. The initial half-section of Piscataway Road extended (otherwise known as A-54, the relocation of MD 223 through the subject property) shall be open to traffic between Livingston Road and existing MD 223 to Floral Park Road prior to the issuance of the 200<sup>th</sup> residential building permit within the subject property.
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 e. below, which may include copies of contracts, work orders, completion orders and receipts. 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.
  - a. Installation of exterior security lighting and a fire/burglar alarm system equipped with motion detectors and window and door sensors.
  - b. Installation 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 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. Routine maintenance of utilities inclusive of heating, plumbing, and electrical systems.
  - e. The applicant shall provide evidence of current fire insurance on the house.

If the required reports are not submitted in a timely fashion, no additional building permits will be issued following the due dates of the semiannual report until such time that the report is submitted to the Historic Preservation staff.

4. Prior to the issuance of building permits in Glassford Village North, Lots 1-14, Block M, the applicant shall submit a revision to the SDP to address the following:

- a. The architectural plans and elevations for new construction in Glassford Village North (adjacent to the historic village of Piscataway) shall reflect neo-traditional concepts and shall be reviewed and approved by the Historic Preservation Commission.
  - b. The final landscape plans and planting schemes for Glassford Village North shall reflect neo-traditional concepts and shall be reviewed and approved by the Historic Preservation Commission.
  - c. Subject to the approval of the Department of Public Works and Transportation (DPW&T), the public rights-of-way in Glassford Village North shall be planted in a naturalized manner compatible with the character of the historic village.
  - d. The new section of Piscataway Road shall be screened from the adjacent historic village with traditional plant materials and hedgerows compatible with the character of the historic village.
  - e. Subject to the approval of the Department of Environmental Resources (DER), the proposed landscape plans for stormwater management facilities within the historic village shall be revised to include more indigenous and native plant material for this historic rural setting. The plant selections shall be revised and more appropriate species selected. Wetland-type plant material shall be planted around the entirety of pond edges. Plantings shall be arranged in clusters with more plants located at the water's edge to more appropriately reflect the village's historically agricultural setting.
  - f. A final detailed plan, including the content and character of the commemorative and interpretive features located on Parcel A, Block M, shall be approved by the Historic Preservation Commission.
5. Prior to the release of the 129th building permit for Glassford Villages, the developer shall 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.
  6. 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.
  7. 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.

8. 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.
9. Prior to the issuance of the first building permit for the development, the applicant shall demonstrate that the Piscataway Preservation Corporation has received approval of at least provisional nonprofit [501(c)(3)] status from the Internal Revenue Service.
10. Prior to signature approval of the Plan, the following modifications shall be made:
  - a. Single-family detached lots in the village that are 65 feet or less in width at the street line shall have a hedge, fence or wall (as specified on page 26 of the approved CDP text) in the front yard. (This condition does not apply to Glassford Village North.) A significant percentage of all three optional treatments shall be required; however, fences are the preferred option. By the time 50 percent of the permits for the affected lots in the village have been released, at least one-half of the required site and landscape plans shall be revised to show that a minimum of 50 percent of the single hedges, fences or walls shall have been installed. At least 50 percent of the model lots shall include this feature.
11. Prior to the issuance of the first building permit, the applicant shall demonstrate approval of the paving plans by the DPW&T and the street trees within the right-of-way shall be in general conformance to the Master Plan of Street Trees, particularly in regard to size (2 ½- to 3-inch caliper) and spacing (approximately 35 feet on center).
12. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a school fee of \$470.00 per dwelling unit to Prince George's County, which shall be placed in an account to relieve overcrowding at Henry Ferguson Elementary School. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a school fee of \$310.00 per dwelling unit to Prince George's County, which shall be placed in an account to relieve overcrowding at Gwynn Park High School.
13. Prior to certification of the Specific Design Plan, the Type II Tree Conservation Plan shall be revised to:
  - a. Remove woodland conservation areas from lots less than 20,000 square feet in area,
  - b. Calculate all woodlands on lots less than 20,000 square feet in area as "cleared,"
  - c. Revise the tracking chart to account for a. and b,
  - d. Revise the tracking chart to include TCPII/99/98 and TCPII/100/98,
  - e. Revise the Preservation Notes to state which trees are to receive the stress reduction methods provided,

- f. Use the revision boxes on each plan sheet to describe revisions were made, when, and by whom.
- 14. Prior to certification of the Specific Design Plan, all slopes exceeding 15 percent shall be identified and located on the plan.
- 15. The following note shall be placed prominently on all grading and sediment control plans:

“A geotechnical engineer must be present on the site to monitor roadway construction, excavated footings, and grading activities for compliance with the recommendations contained on sheet 21 of 21 of the Specific Design Plan.”
- 16. The applicant, his heirs, successors and/or assigns shall display in the sales office, all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the Specific Design Plan, Tree Conservation Plan, Landscape Plan, and plans for recreational facilities.
- 17. The applicant shall receive a joint Federal/State Wetland Permit for wetland and/or wetland buffer disturbance prior to issuance of grading permits for areas of wetland impact.
- 18. Prior to the issuance of a building permit for a residential unit on Lot 9, Block H a revision to the Specific Design Plan shall be reviewed and approved by the Planning Board or its designee. The revised plan shall indicate an alternative parking compound within 500 feet of the tennis complex with a walkway providing access to the complex. A legal arrangement shall ensure permanent availability and shall be recorded in land records. A minimum 30-foot-wide landscape buffer, comparable to the requirements of Section 4.7 of the *Landscape Manual*, shall be provided between the single-family detached home and the tennis courts. Fencing around Lot 9, Block H will be required.
- 19. Prior to the certificate of approval, notes shall be added to indicate that all units shall be set back no more than 20 feet. Porches are allowed to encroach into the 15-foot minimum front yard setback.
- 20. The applicant, his heirs and/or successors shall demonstrate, by means of a tracking chart, that a minimum of 25 percent of the units shall have front porches.