

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on February 2, 2006, regarding Comprehensive Design Plan CDP-0503 for Renard Lakes the Planning Board finds:

1. **Request:** The comprehensive design plan as proposed by the applicant includes a maximum of 408 dwelling units (328 single-family detached and 80 single-family attached) on approximately 167.84 acres. The housing will be organized into four development pods and located on buildable areas of the site separated by natural environmental features on the site (including the lakes, stream valleys and steep slopes) while connected by a comprehensive vehicular and pedestrian network. A community amenity complex consisting of a clubhouse, swimming pool and tennis courts will be located centrally in the community at the terminus of the main entrance road, overlooking the lakes. The development is accessed only from the south via an entrance onto Dyson Road. There is no direct vehicular access to the project site from the north, east or west due to environmental constraints.
2. **Location:** The subject property, consisting of 164.84 acres, is located on the west side of US 301 (Crain Highway), north of its intersection with Dyson Road. Access to the property is proposed along Dyson Road. The property has approximately 1,200 feet of frontage along Dyson Road.

3. **Surroundings:**

The property is surrounded by the following uses:

North—PEPCO transmission line right-of-way and R-O-S (Reserved Open Space) zoned land owned by the Maryland Veterans Commission.

East—Developed and vacant properties in the I-1 (Light Industrial) Zone and US 301, Robert Crain Highway, beyond the industrial properties.

South—Dyson Road and commercial uses in the C-M (Commercial-Miscellaneous) Zone along the south side of Dyson Road.

West—Piscataway Creek Stream Valley Park owned by MNCPPC, zoned R-O-S and R-R (Rural Residential). The county recycling drop-off facility is located on the 3.7± acre, southernmost R-R parcel (P.22) across from Missouri Avenue. The M-NCPPC Police Fire Arms Range is located on the north central portion of the 182.1± acre R-O-S Parcel (P.98).

The Subregion V master plan places the property in the Gwynn Park neighborhood of the North Village of the Brandywine community. Piscataway Creek and the PEPCO transmission line right-of-way to the north, US 301 to the east, and MD 5 to the west define the triangular shaped neighborhood.

4. **Previous Approvals**—On November 3, 2005, the Planning Board reviewed the amended Basic Plan application A-9970 and recommended that the plan be approved with conditions (PGCPB No. 05-229). On December 28, 2005, the basic plan was approved by the Zoning Hearing Examiner and was filed with the District Council. The District Council, for a final decision, must review this zoning case. The date of that hearing has not yet been determined.

According to the Planning Board resolution, the request to rezone 167.84 acres of I-1 (Light Industrial) zoned property to the R-S (Residential Suburban) Zone at a dwelling unit density range of 1.6-2.6 dwellings per acre is **proposed** with the following land use types and quantities:

Total area (gross)	167.84 acres
Land in the 100-year floodplain	21.65 acres
Net acreage (gross AC-1/2 floodplain)	157.02 acres
R-S base density	1.6 DU/AC
R-S maximum density	2.6 DU/AC
Proposed basic plan density:	251–405 units
Proposed land use types and quantities:	
Single-family detached units	328 units
Single-family attached units	80 units
	408 total units

Findings Required by Section 27-521 of the Zoning Ordinance (Findings 5-13 below):

Findings 5-13 below are required by Section 27-521 before the Planning Board may approve a comprehensive design plan.

5. The comprehensive design plan for the subject site must be found to be in conformance with the conditions of Zoning Application A-9970. The Planning Board reviewed the plan and made a recommendation to the Zoning Hearing Examiner that the following conditions be adopted as part of the approval of the rezoning case:

1. **The Basic Plan shall be revised to show the following revisions:**

Land Use Types and Quantities:

- **Total area: 167.84 acres**
- **Land in the 100-year floodplain: 21.65 acres**

- **Net Area (gross less half the floodplain): 157.02 ± acres**
- **Density Permitted under the R-S Zone: 1.6–2.6 du/ac**
- **Permitted Dwelling Unit Rang: 251 to 408 dwellings**

Proposed Land Use Types and Quantities:

- **Single-family detached and attached units**
- **Public Active Open Space**
- **Passive Open Space**
- **Recreational Facilities**

Comment: The plan demonstrates conformance to the land use type and quantities as stated in the basic plan.

- 2. Applicant shall submit a preliminary plan of subdivision for the proposed development.**

Comment: This is a requirement of law and Preliminary Plan 4-05048 is currently under review by the staff.

- 3. A bufferyard shall be provided along the western property line. The bufferyard shall include a wall of which the height, material and design shall be determined during the Comprehensive Design Plan phase of the review. The width of the bufferyard shall also be determined during Comprehensive Design Plan phase of review.**

Comment: A bufferyard and wall along the western property line has not been provided on the comprehensive design plan. In addition, no specifications or drawings of the proposed wall have been submitted. Therefore, the plan does not conform to the Basic Plan. A proposed condition of approval below will remedy this deficiency.

- 4. An approved Natural Resources Inventory shall be required as part of any application for a Comprehensive Design Plan.**

Comment: A Natural Resources Inventory (NRI), NRI/030/05, with a signature of approval, was submitted with this application.

- 5. As part of any application for a Natural Resources Inventory, a soils study shall be submitted. The study shall clearly define the limits of past excavation and indicate all areas where fill has been placed. All fill areas shall include borings, test pits, and logs of the materials found. Borings and test pits in fill areas shall be deep enough to reach undisturbed ground.**

Comment: The Natural Resources Inventory was signed on July 18, 2005. A soils study, dated August 31, 2005, was subsequently submitted. The report includes a map showing the locations of 30 test pits, includes logs for each site and has laboratory analyses of representative samples. In addition, the report contains recommendations for the future development of the site based upon the soils described in the report. Soils are discussed in detail in the Environmental Review section below.

- 6. A Phase I noise study shall be required as part of any application for a comprehensive design plan. The comprehensive design plan and TCPI shall show all unmitigated 65 dBA Ldn noise contours associated with traffic-generated noise.**

Comment: Both Phase I and Phase II noise studies were submitted. The mitigated 65 dBA Ldn noise contours associated with traffic-generated noise is shown on the TCPI. Traffic-generated noise is discussed in detail in the Environmental Review section below.

- 7. At the time of Comprehensive Design Plan, the applicant will be responsible for providing alternative intersection improvement designs at the two intersections of Dyson Road at the southbound and northbound lanes of U.S. 301.**

Comment: Staff has not received any comments from the State Highway Administration or from the applicant's traffic consultant that alternative intersections designs at the two intersections of Dyson Road at the southbound and northbound lanes of US 301 have been provided. This is an off-site improvement. The applicant's traffic consultant has not completed this item. Therefore, the plan does not conform to the Basic Plan. A proposed condition below will remedy this deficiency.

- 8. Unless modified at the time of Comprehensive Design Plan or Preliminary Plan, at the time of building permit the applicant shall be required to provide improvements at the intersection of U.S. 301 and MD 381 (Brandywine Road). These improvements include:**

- **Widening the eastbound MD 381 (Brandywine Road) approach from the existing one left turn lane and one through/right lane to one left turn lane, one through lane, and one right turn lane.**
- **Modifying the westbound MD 381 approach from the existing one left turn lane, one through lane, and one right turn lane to one left turn lane, one through lane, and one through/right turn lane.**
- **Widening the westbound MD 381 (Brandywine Road) approach to provide an additional receiving lane. This will accommodate the second westbound MD 381 through lane.**

- **The applicant will be responsible for any additional signage, pavement markings, and traffic signal modifications at the intersection of MD 381 and U.S. 301.**

Comment: This condition will be reiterated in the approval of this plan.

9. **At the time of building permit the applicant shall be required to provide geometric improvements at the intersections of U.S. 301 Southbound/Dyson Road and U.S. 301 Northbound/Dyson Road. These additional or alternative geometric improvements will be identified by the applicant and agreed to by the State Highway Administration. At the time of Specific Design Plan the applicant will be required to conduct traffic signal warrant studies at these two intersections and will be responsible for the construction of traffic signals at both locations if required by the State Highway Administration. The applicant will be responsible for any additional signage and pavement markings, and the lengthening of turn lanes on U.S. 301 and Dyson Road as required by SHA and/or DPW&T.**

Comment: This condition will be reiterated in the approval of this plan.

10. **At the time of submission of the final plat the applicant will be responsible for the dedication of 40 feet from the master plan centerline of Dyson Road.**

Comment: The Comprehensive Design Plan takes into account the 40-feet from centerline. This condition will be reiterated in the approval of this plan.

11. **At the time of building permit the applicant will be required to provide for an acceleration lane, deceleration lane, and a left turn lane at the site's proposed access point along Dyson Road if this location is approved by DPW&T or at a nearby access point on Dyson Road approved by DPW&T.**

Comment: This issue will be addressed at the time of building permit and does not relate to the review of the CDP. However, the condition will be carried over on this plan.

12. **At the time of Comprehensive Design Plan review, the plan shall reflect the location of the service road recommended by SHA to serve and provide future access to properties along U.S. 301. This roadway will connect to the realigned Dyson Road to the west of U.S. 301. Needed dedication of public right-of-way will be determined at the time of preliminary plan of subdivision.**

Comment: The applicant has provided an aerial photograph that depicts a service road along US 301 that will provide future access to properties along US 301 and adjacent to the proposed residential development. SHA has agreed to this service road that will use the existing southbound lanes of US 301 once the roadway is relocated to the east. This is an off-site improvement. Therefore this condition has been met.

13. **Applicant shall make disclosures to the purchasers of the proposed community regarding the location of the existing gun range and recycling center at the time of contract. Copies of the disclosure shall be retained by purchaser(s) and seller as part of the contract.**

Comment: This condition will be reiterated in the approval of this plan.

Considerations:

1. **The Comprehensive Design Plan shall avoid impacts to sensitive environmental features. If avoidance is not possible, the impacts shall be the minimum necessary to support the development concept as a whole and shall be located where previous impacts have occurred, to the fullest extent possible. To avoid permanent impacts to the stream system for a road crossing, an entrance serving the isolated eastern portion of the site shall be fully investigated and utilized if possible.**

Comment: The Transportation Planning staff suggests the following:

1. The Transportation Planning staff has not seen SHA comments on this plan, but staff does not believe that SHA would allow a new full-movement access from the site directly onto US 301 even on a temporary basis. Therefore, the access to the 84 townhouse units will need to be via the stream crossing. Consideration of an emergency access onto US 301 would require consideration and recommendations from the public safety agencies and concurrence from SHA.
 2. The Transportation Planning staff conducted an informal traffic study of the internal traffic loading on the streets shown on the plan assuming the one access point on Dyson Road. The roadway widths appear to meet the criteria in the DPW&T Neighborhood Traffic Management Program except for the main access roadway. From the point where the average daily traffic volume would exceed 3,000, the roadway section needs to be 52 feet in width rather than 36 feet as shown on the plan, with a transition length of 188–375 feet between the sections. The point, at which the project volume would exceed 3000, appears to be at the south intersection of Loop C and Public Street C. Public Street C would need to be 52 feet in width from this point south to Dyson Road, with a transition of 188–375 feet extending north from this point where the 36 foot roadway would begin.
2. **At the time of Comprehensive Design Plan, the applicant shall consider a second egress/access point to the proposed site, along the existing road to Piscataway Creek Stream Valley Park on the western edge of the property. This roadway should have a right-of-way width of 60 feet.**

Comment: The Transportation Planning staff initially considered the possibility of a second egress/access point to the subject property from the western boundary, but the existing egress/access is not a public road and is accessed by a private driveway on M-NCPPC property. It is anticipated that the Department of Parks and Recreation would not be in favor of converting this private drive leading to the firing range into a public right-of-way.

6. The proposed comprehensive design plan would result in a development with a better environment than could be achieved under other regulations because the project will provide for on-site recreational facilities in addition to what would be required through the mandatory dedication requirements. These recreational facilities are substantial and will be valuable features of the development that are not likely to have materialized under conventional regulations.
7. Approval is warranted by the way in which the comprehensive design plan includes design elements, facilities and amenities. Among the distinctive design elements of the plan is the integration of a substantial central recreational area to be owned and operated by the future homeowners association. This facility, as well as the extensive trail system, will satisfy the needs of the residents, employees or guests of the project.
8. Land uses and facilities covered by the comprehensive design plan will be compatible with each other in relation to:

- a. Amounts of building coverage and open space.

The proposed building coverage on each lot ranges from 40 to 60 percent for the three categories of single-family detached lots. This will ensure adequate open space in the lotted areas comparable to that provided in other contemporary residential developments. Significant open space will be provided elsewhere on the site for use by the homeowners.

- b. Building setbacks from streets and abutting land uses.

The CDP proposes residential standards for setbacks from streets including a minimum of 15 feet for attached units and only 20-foot setbacks are proposed for single-family detached units. This is an inadequate setback in the areas of the plan that should be sensitively designed to mimic surrounding development in the R-E Zone and for the large lot component section of the project. In the R-E Zone the minimum required setback is 25 feet. Staff recommends that a condition be adopted that on lots greater than 10,000 square feet, the setback should be a minimum of 25 feet.

- c. Circulation access points.

The proposed plan will have adequate circulation access points to the surrounding road

network. One vehicular access point to the site is proposed—one entrance from Dyson Road.

9. Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability. As each of the residential development pods is constructed, the necessary infrastructure to support it will be built. The recreational facilities will be constructed in phases for which the staff recommends a construction phasing plan, as stated in Condition 19.
10. The staging of the development will not be an unreasonable burden on available public facilities as required by Section 27-521 of the Zoning Ordinance if the application is approved subject to the proposed conditions in the recommendation section of this staff report. The subject application was referred to the Public Facilities Planning Section, and in a memorandum (Harrell to Estes) dated January 6, 2006, the following information was provided in support of this conclusion:

Fire and Rescue

The Prince George's County Planning Department has determined that this plan is within the required 7-minute response time for the first due fire station Brandywine, Company 40, using the 7 Minute Travel Times and Fire Station Locations map provided by the Prince George's County Fire/EMS Department.

The Fire Chief has reported that the current staff complement of the Fire/EMS Department is 100 percent, which is within the standards stated in CB-56-2005 and he has reported by letter, dated 12/1/2005 that the department has adequate equipment to meet the standards stated in CB-56-2005.

The required fire and rescue facilities have been determined to be adequate and the population of the development will not place an unreasonable burden upon development or public facilities.

Police Facilities

The Prince George's County Planning Department has determined that this plan is located in District V. A determination of police district is made at this stage. All tests for adequacy of police services are conducted during the preliminary plan for subdivision because the test is time and date sensitive.

Public Schools

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,161 per dwelling if a building is located between I- 495 and the District of Columbia; \$7,161 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area

Transit Authority; or \$12,276 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

An adequate public facility schools test will be conducted at the time of subdivision application.

TRANSPORTATION

The subject application was referred to the Transportation Planning Section and in a memorandum (Masog to Estes) dated January 11, 2006, the following information was provided in support of this conclusion:

The applicant prepared an initial traffic impact study dated March 11, 2005. A revised traffic study, dated August 29, 2005, was submitted along with additional traffic counts. 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*.

Traffic Analysis

The applicant proposes, and the submitted traffic study analyzed the impacts of 345 single-family dwelling units and 84 townhouse units. Only one access point to the site is proposed on the north side of Dyson Road. The traffic study includes the signalized intersections of US 301/Frank Tippet Road and US 301/MD 381/Brandywine Road and the unsignalized intersections of US 301/Dyson Road. There are two Dyson Road intersections at US 301, where the northbound and southbound lanes of US 301 are divided by a wide median strip. These intersections were analyzed separately.

With the development of the subject property, the traffic consultant concluded that two unsignalized intersections within the study area would have side street vehicle delays exceeding 50.0 seconds, an unacceptable operating condition. These include the intersections of southbound US 301 and Dyson Road and northbound US 301 and Dyson Road. The signalized intersection of US 301 and MD 381 (Brandywine Road) would also exceed the threshold for signalized intersections as defined in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The site is 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.

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 traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

- US 301 SB/Dyson Road (unsignalized)
- US 301 NB/Dyson Road (unsignalized)
- US 301/Frank Tippet Road (signalized)
- US 301/MD 381/Brandywine Road (signalized)

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume		Level of Service	
	(AM & PM)		(AM & PM)	
US 301 SB/Dyson Road	49.4*	200.7*	--	--
US 301 NB/Dyson Road	275.9*	39.7*	--	--
US 301/Frank Tippet Road	874	1,090	A	B
US 301/MD 381/Brandywine Road	1,456	1,196	E	C
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Background developments included 1,178 single-family units, 340 apartments, 839 townhouse units, 1,297,500 square feet of office, 1,900,500 square feet of warehouse, 4,270,000 square feet of industrial, 2,484,000 square feet of heavy industrial, and 107,850 square feet of medical/office space. Background traffic along the study area roads was also increased by two percent each year to account for overall growth up to the design year 2008. This is the expected year of full buildout. Given these assumptions, background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
US 301 SB/Dyson Road	999.0*	999.0*	--	--
US 301 NB/Dyson Road	999.0*	999.0*	--	--
US 301/Frank Tippet Road	1,386	1,384	D	D
US 301/MD 381/Brandywine Road	1,795	1,571	F	E
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Under background traffic conditions the average vehicle delay exceeds 50.0 seconds at the unsignalized intersections of US 301 SB/Dyson Road and US 301 NB/Dyson Road. The level of service is unacceptable at the signalized intersection of US 301/MD 381 within the study area.

The site is proposed for development as a residential subdivision, with 345 single-family dwellings and 84 townhouse units. The trip rates were obtained from the Guidelines. The resulting site trip generation would be 318 AM peak hour trips (64 in, 254 out), and 378 PM peak hour trips (246 in, 132 out). With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
US 301 SB/Dyson Road	999.0*	999.0*	--	--
US 301 NB/Dyson Road	999.0*	999.0*	--	--
US 301/Frank Tippet Road	1,425	1,434	D	D
US 301/MD 381/Brandywine Road	1,816	1,598	F	E
US 301/MD 381/Brandywine Road**	1,611	1,563	F	E
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

**With the applicant's proposed improvements.

Under total traffic conditions the average vehicle delay exceeds 50.0 seconds at the unsignalized intersections of US 301 SB/Dyson Road and US 301 NB/Dyson Road. The level of service is unacceptable at the signalized intersection of US 301/MD 381/Brandywine Road within the study area, well above threshold levels, i.e., a critical lane volume (CLV) of 1,450 or better and Level of Service (LOS) D.

Proposed Improvements

The applicant's traffic consultant recommends several improvements to the intersections of US 301 and MD 381 (Brandywine Road) and US 301 and Dyson Road.

US 301 Southbound/Dyson Road

Widen the eastbound Dyson Road approach from the existing one through/right lane to one through and one through/right lane, and signalize the intersection.

US 301 Northbound/Dyson Road

Widen the eastbound Dyson Road approach, this is within the US 301 median strip, from the existing one left/through lane to two exclusive left turn lanes and one through lane, and signalize the intersection.

US 301/MD 381 (Brandywine Road)

Widen the eastbound MD 381 (Brandywine Road) approach from the existing one left turn lane and one through/right lane to one left turn lane, one through lane, and one right turn lane. Modify the westbound MD 381 approach from the existing one left turn lane, one through lane, and one right turn lane to one left turn lane, one through lane, and one through/right turn lane. Widen the westbound MD 381 (Brandywine Road) approach to provide an additional receiving lane. This would accommodate the second westbound MD 381 through lane.

Operating Agency Comments

The State Highway Administration concurred with the proposed improvements at the intersection of US 301 and MD 381 (Brandywine Road). However, the State Highway Administration, (see the letter dated October 6, 2005), recommended that the applicant explore alternative geometric designs at the intersection of US 301 and Dyson Road. It is now the State Highway Administration's policy to require applicants seeking to access state highways to explore alternative geometric designs at unsignalized intersections.

The State Highway Administration recommends that the applicant develop alternative intersection improvements at the southbound and northbound intersections of US 301 and Dyson Road if the intersections remain unsignalized. Staff notes that the Dyson Road intersections and

the southbound and northbound lanes of are approximately 400 feet apart. The *US 301 Access Control Study Final* (March 1999), done for the State Highway Administration, recommends a future grade separation at this location. The study recommends that Dyson Road be grade-separated and realigned from its existing location to the north. The existing portion of Dyson Road on the east side of US 301 would be used for local access. At the proposed site of Renard Lakes, Dyson Road would be realigned slightly to the north. The study also recommends that a service road be constructed on the west side of US 301 to serve several parcels along the west side of US 301 and to the northeast of proposed Renard Lakes. The service road would tie into realigned Dyson Road.

The applicant proposes, as part of the CDP application, that the existing southbound lanes of US 301 be used to provide future local access to properties along the west side of US 301 and to the northeast of Renard Lakes. When US 301 is reconstructed and/or widened, this portion of the existing southbound lanes of US 301 would become a local road. The proposed local road would end with a cul-de-sac to the north and then proceed south to Dyson Road near its intersection with existing US 301. The State Highway Administration concurs with this recommendation.

Several letters (June 6, July 18, and September 12, 2005) were received from the Department of Public Works and Transportation.

July 18—“The proposed access to the subdivision is from Dyson Road, at a location too close to the intersection with US 301. Therefore, this access is not acceptable and it should be located further away from the intersection. It may be possible to extend the road, which runs along the west side of the property to Dyson Road to serve as the main access to the proposed subdivision.”

“An access study shall be conducted by the applicant and reviewed to determine the adequacy of access point(s) and the need for acceleration/deceleration and turning lanes.”

“Installation of a traffic signal at the intersection of US 301 and Dyson Road shall be installed, if warranted. If the signal is not warranted at the present time, a full signal installation fee-in-lieu contribution from the developer for future installation of a signal will be required.”

September 12—“In addition to the recommended improvements indicated in the study, the developer should also be required to provide for acceleration, deceleration, and a left-turn lane at the site’s access along Dyson Road.”

All of the comments received from the operating agencies are below.

Master Plan Comments

The Subregion V Master Plan (1993) lists Dyson Road as a four-lane collector roadway between A-63 (Brandywine Employment Spine Road) and Cherry Tree Crossing Road. It is currently two lanes in the vicinity of the site. Dedication of 40 feet from the master plan centerline of Dyson Road would be required at the preliminary plan stage.

US 301 (F-10) is listed in the Subregion V Master Plan (1993) as a six-to eight-lane freeway. This roadway would be realigned as a dual highway to the east. The existing southbound lanes of US 301 would provide local access to adjacent properties.

Site Plan Comments

Only one access point is shown along Dyson Road. This entrance point is approximately 600 feet from the southbound lanes of US 301. An additional entrance point should be considered along the park access road to the west of the site. This road serves the Piscataway Creek stream valley park. However, since the approval of the Basic Plan, staff has learned that the Department of Parks and Recreation is opposed to the use of the park access road as a secondary access point for the proposed residential development.

A secondary emergency only access road is depicted between Parcel 116 and Parcel 30 on the Warren property. The applicant apparently owns this small parcel and emergency access, if necessary, will be provided through this parcel via US 301. There is a median break on US 301 at this location so that emergency vehicles could easily access the property from the southbound and northbound lanes of US 301.

The current proposal is for a total of 429 single attached and detached residential units. Proposed Public Street "C" is depicted as the main residential roadway serving the development. This street should have a minimum pavement width of 36 feet. Staff anticipates that some queuing of vehicles may occur during the AM peak hour. There may be some queuing along Dyson Road from US 301 as well as internally from Dyson Road along proposed Public Street "C." It is possible traffic queues could block proposed Public Street "B" as well as adjacent driveways along Public Street "C" during the AM peak hour.

An access study should be conducted by the applicant and reviewed by SHA and DPW&T to determine the adequacy of any proposed access points and the need for acceleration/deceleration lanes, road widening along Dyson Road, and other improvements at the site entrance.

Zoning Map Amendment and A-9970 Decision

This decision by the Office of the Zoning Hearing Examiner, dated December 28, 2005, contains several transportation-related conditions required at the time of the Comprehensive Design Plan:

Condition 7:

At the time of Comprehensive Design Plan, the applicant will be responsible for providing alternative intersection designs at the two intersections of Dyson Road at the southbound and northbound lanes of US 301.

Staff Response: Staff has not received any comments from the State Highway Administration or from the applicant's traffic consultant that alternative intersections designs at the two intersections of Dyson Road at the southbound and northbound lanes of US 301 have been provided. This is an off-site improvement. The applicant's traffic consultant has not completed this item.

Condition 12:

At the time of Comprehensive Design Plan review, the plan shall reflect the location of the service road recommended by SHA to serve and provide future access to properties along US 301. This roadway will connect to the realigned Dyson Road to the west of US 301. Need dedication of public right-of-way will be determined at the time of preliminary plan of subdivision.

The applicant has provided an aerial photograph that depicts a service road along US 301 that will provide future access to properties along US 301 and adjacent to the proposed residential development. SHA has agreed to this service road, which will use the existing southbound lanes of US 301 once the roadway is relocated to the east. This is an off-site improvement. Therefore this condition has been met.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the proposed development will not be an unreasonable burden on transportation facilities that are existing, under construction or for which 100 percent construction funding is contained in the county CIP or the state CTP. Therefore, the transportation staff finds that the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met if the application is approved with proposed Conditions 3 through 7 below.

11. The plan incorporates the applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance and in Section 27-433(d) (relating to the proposed townhouses) to the degree feasible in the type of general, schematic plan represented by the subject CDP.
12. The comprehensive design plan was submitted with a proposed Type I Tree Conservation Plan (TCP I/25/05). As explained in Finding 14 below, the Environmental Planning Section is able to recommend approval of TCPI/25/05 only if it is approved subject to the proposed conditions in the recommendation section of this staff report.

Referral Responses

13. **Environmental Planning:** The Environmental Planning Section has provided in a memorandum (Stasz to Estes) dated January 5, 2006, that the Environmental Planning Section recommends

approval of this application subject to the conditions noted in this memorandum.

The 171.86 property in the I-1 Zone is located northwest of the intersection of US 301 and Dyson Road. There are streams, wetlands and 100-year floodplains and associated areas of steep slopes with highly erodible soils and areas of severe slopes on the property. US 301 is a nearby existing source of traffic-generated noise. The proposed development is not a noise generator. According to the "Prince George's County Soil Survey" the principal soils on the site are in the Aura, Beltsville, Bibb, Chillum, Croom, Galestown, Leonardtown, Made Land, Ochlockonee, Rumford, Sandy Land and Sassafra series; however, portions of the site were mined for sand and gravel after the publication of the "Prince George's County Soil Survey." Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. No designated scenic or historic roads are affected by this development. This property is located in the Piscataway Creek watershed in the Potomac River basin. The site is in the Developing Tier according to the approved General Plan.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

- a. During the review of A-9970, the Environmental Planning Section recommended that an approved Natural Resources Inventory (NRI) be submitted as part of the CDP. A signed Natural Resources Inventory (NRI), NRI/030/05, was submitted with this application. 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 on page 139:

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

For the purposes of this review, the Natural Reserve includes all expanded stream buffers

and isolated wetlands and their buffers. An approved NRI clearly defines the limits of the Natural Reserve.

The Green Infrastructure Plan indicates the presence of Regulated Areas and Evaluation Areas on the site. The Regulated Areas contain the same features as the Natural Reserve as defined in the Subregion V Master Plan. The Evaluation Areas are the forested areas contiguous with the Regulated Areas. Although Chapter 5 of the CDP text describes in general terms compliance with the Master Plan, the text fails to demonstrate compliance with the Green Infrastructure Plan. Conformance with the Green Infrastructure Plan is discussed below in the review of the Type I Tree Conservation Plan.

This site contains areas where the existing stream system has been compromised by previous sand and gravel mining. These areas will be reclaimed when the sand and gravel mining use ends; however, these are also areas that should be considered for any future impacts that may be needed such as for road crossings and utility installation.

Impacts to significant environmental features are required to be protected by Section 24-130 of the Subdivision Regulations and will require variation requests in conformance with Section 24-113 of the Subdivision Regulations. The design should avoid any impacts to streams, wetlands or their associated buffers unless the impacts are essential for the development as a whole. If there are existing stream crossings, these should be used. Staff generally will not support impacts to sensitive environmental features that are not associated with essential development activities. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), street crossings, and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Variation requests for the proposed impacts will be reviewed with the Preliminary Plan of Subdivision.

Recommended Condition: At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffers and isolated sensitive areas and their buffers, excluding those areas where variation requests have been approved during the review of the preliminary plan of subdivision, and be reviewed by the Environmental Planning Section prior to certification of the plat. The following note shall be placed on the plat:

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

Recommended Condition: The preliminary plan of subdivision shall ensure that no part

of any conservation easement is on any residential lot.

Recommended Condition: Prior to the issuance of any permits that 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.

- b. According to the "Prince George's County Soil Survey" the principal soils on the site are in the Aura, Beltsville, Bibb, Chillum, Croom, Galestown, Leonardtown, Made Land, Ochlockonee, Rumford, Sandy Land and Sassafras series; however, portions of the site were mined for sand and gravel after the publication of the "Prince George's County Soil Survey."

Due to the unknown nature of the soils and the limitations associated with these areas, a soils report addressing the soil structure, soil characteristics and foundation stability is required. The study shall at a minimum clearly define the limits of past excavation and indicate all areas where fill has been placed. All fill areas shall include borings, test pits, and logs of the materials found. Borings and test pits in fill areas shall be deep enough to reach undisturbed ground.

A soils report dated August 31, 2005, was submitted. The report includes a map showing the locations of 30 test pits, includes logs for each site and has laboratory analyses of representative samples. In addition, the report contains recommendations for the future development of the site based upon the soils described in the report.

Staff have reviewed the report in detail and determined that with proper reclamation, the proposed layout of streets and lots can be safely accomplished.

Discussion: This information is provided for the applicant's benefit. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

- c. US 301 is the nearest source of traffic-generated noise and is designated as a freeway in the Subregion V Master Plan. Section 24-121(a)(4) of the Subdivision Regulations requires that residential lots adjacent to existing or planned roadways of arterial classification or higher be platted to a minimum depth of 150 feet and that adequate protection and screening from traffic nuisances be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line for new residential structures.

For residential uses, outdoor activity areas must have noise levels of 65 dBA Ldn or less to be in conformance with the state noise standards. The outdoor activity areas on the impacted lots are the areas within 40 feet of the rears of the affected houses. Both Phase I

and Phase II noise studies were submitted. The mitigated 65 dBA Ldn noise contour associated with traffic-generated noise is shown on the TCPI.

A Phase II Noise Study was submitted. The methodology for calibration of noise measuring devices is consistent with standard approved practices. The study clearly demonstrates the need for a noise attenuation structure. The mitigated 65 dBA Ldn noise contour is shown on the TCPI. Figure 6 of the August 25, 2005, noise study shows the required installation of noise attenuation structures along the rear lot lines of Lots 5-15; however, the TCPI does not show the clearing required to install the structure. All noise attenuation structures must be constructed on HOA property. The details of the structures should be further evaluated as part of the detailed site plan.

Recommended Condition: A revised Phase II noise study shall be submitted with the specific design plan. The revised noise study shall show the mitigated 65 dBA Ldn noise contours at ground level and at the second-story level on the TCPII. The locations of all proposed berms, walls and/or other type of constructed noise barriers shall be shown on the Type II TCP. No portion of any noise wall shall be on any residential lot. The TCPII shall show sufficient clearing to install and maintain all noise mitigation structures. The location and appearance of the required noise attenuation structures shall be reviewed and approved with the Specific Design Plan and Type II Tree Conservation Plan.

- d. The Phase I Noise Study, dated March 4, 2005, also analyzed potential noise impacts from the existing shooting range that abuts the west boundary of the property. The study indicates that there is no significant noise impact from that activity. Although the noise generated does not exceed Maryland noise standards, there may be a nuisance affect.

Comment: The noise generated by gunfire on the adjacent property does not exceed state noise standards.

- e. The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site is more than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type I Tree Conservation Plan, TCPI/25/05, has been submitted and reviewed

The revised plan proposes clearing 60.45 acres of the existing 84.07 acres of upland woodland, clearing 0.59 acres of the existing 8.56 acres of woodland in the 100-year floodplain and shows on the plan some off-site clearing. The woodland conservation threshold for this property is 29.24 acres. The worksheet on the plan indicates a woodland conservation requirement of 49.15 acres; however, this is a slight underestimate because proposed off-site clearing was not included in the calculation. The plan proposes 19.45 acres of on-site preservation, 3.23 acres of on-site planting and the use of fee-in-lieu for the remaining 26.50 acres.

The TCPI submitted with this application fails to meet the woodland conservation threshold on-site. No woodland conservation areas should be provided on any lot because the lots are so small and the required grading is extensive. The TCPI should provide at least 40 feet of cleared area behind every residential structure to provide useable rear yards and a safe distance between the proposed houses and woodland preservation areas. The worksheet fails to account for off-site clearing shown on the plan. Figure 6 of the August 25, 2005, noise study shows the required installation of noise attenuation structures along the rear lot lines of Lots 5-15; however, the TCPI does not show the clearing required to install the structure. All noise attenuation structures must be constructed on a parcel and not on residential lots. The Standard Notes on sheet 1 of 3 are not consistent with the required notes.

Fee-in-lieu is the last of eight options provided by the “Prince George’s County Woodland Conservation and Tree Preservation Policy Document” to meet woodland conservation requirements. Other options must be explored before fee-in-lieu can be used.

As noted earlier, conservation easements should not be located on small residential lots; this will provide an opportunity to increase on-site preservation. There are also areas of expanded stream buffers that could be planted.

The Green Infrastructure Plan indicates the presence of Regulated Areas and Evaluation Areas on the site. The Regulated Areas contain the same features as the Natural Reserve as defined in the Subregion V Master Plan. The Evaluation Areas are the forested areas contiguous with the Regulated Areas. With the recommended changes, the TCPI will be in conformance with the Green Infrastructure Plan.

Recommended Condition: Prior to certification of the CDP, the Type I Tree Conservation Plan shall be revised to:

- (1) Provide, at a minimum, the woodland conservation threshold on-site through additional preservation and on-site planting
- (2) Ensure that all noise attenuation structures are constructed on HOA property
- (3) Show the clearing required to install noise attenuation structures
- (4) Ensure that conservation easements will not be on residential lots
- (5) Provide at least 40 feet of cleared area behind every residential structure without clearing any part of any stream buffer
- (6) Recalculate the woodland conservation requirement

- (7) Plant additional areas of expanded stream buffers that are not currently wooded or cleared because of required mining reclamation
- (8) Provide off-site woodland conservation, not fee-in-lieu, only as needed
- (9) Replace the Standard Notes with the following:
 - (a) This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements CDP-0503. The TCPI will be modified by a Type I Tree Conservation Plan in conjunction with the review of the preliminary plan of subdivision and subsequently by a Type II Tree Conservation Plan in conjunction with the approval of a detailed site plan, a specific design plan, and/or a grading permit application.
 - (b) The Type II Tree Conservation Plan will provide specific details on the type and location of protection devices, signs, reforestation, afforestation, and other details necessary for the implementation of the Woodland Conservation Ordinance on this site.
 - (c) Significant changes to the type, location, or extent of the woodland conservation reflected on this plan will require approval of a revised Type I Tree Conservation Plan by the Prince George's County Planning Board.
 - (d) Cutting, clearing, or damaging woodlands contrary to this plan or as modified by a Type II Tree Conservation Plan will be subject to a fine not to exceed \$1.50 per square foot of woodland disturbed without the expressed written consent from the Prince George's County Planning Board or designee. The woodlands cleared in conflict with an approved plan shall be mitigated on a 1:1 basis. In addition, the Woodland Conservation replacement requirements ($\frac{1}{4}$:1, 2:1, and/or 1:1) shall be calculated for the woodland clearing above that reflected on the approved TCP.
 - (e) Property owners shall be notified by the developer or contractor of any woodland conservation areas (tree save areas, reforestation areas, afforestation areas, or selective clearing areas) located on their lot or parcel of land and the associated fines for unauthorized disturbances to these areas. Upon the sale of the property the owner/developer or owner's representative shall notify the purchaser of the property of any woodland conservation areas.
- (10) Have the revised plan signed and dated by the qualified professional who prepared the plan.

Recommended Condition: 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/25/05), 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.”

15. **Parks and Recreation:** The Park Planning and Development Division of the Department of Parks and Recreation will provide a memorandum (Asan to Estes) at the Planning Board hearing indicating that the Department of Parks and Recreation and the applicant have established a verbal agreement for a monetary contribution. A proposed condition regarding the monetary contribution is provided below.

Comment: These conditions are included in the recommendations section of this report.

16. **Community Planning:** The Community Planning Division has provided a memorandum (Hunter to Estes) dated January 5, 2006, in which it was found that the Basic Plan is in conformance with the 2002 General Plan Development Pattern policies for the Developing Tier. It is also determined that the Basic Plan is in conformance with the policies of the 1993 Subregion V Master Plan for residential development.

Master Planning Issues

The Planning Board reviewed A-9970 requesting rezoning from the I-1 Zone to the R-S Zone, and by Resolution No. 05-229 determined that the proposed rezoning was in accordance with the General Plan’s goals and policies of the Developing Tier. A Developing Tier designation indicates those areas where the county anticipates and encourages new development in contiguous and compatible growth patterns. The specific enumerated goals in the Developing Tier which support this map amendment are to maintain a pattern of low-to moderate-density land uses (except in Centers and Corridors), reinforce existing suburban residential neighborhoods and to preserve and enhance environmentally sensitive areas.

The Planning Board found that the Residential Planning Guidelines on page 86 of the master plan specifically encourage the type of development proposed by the applicant. The density proposed for Renard Lakes is also in full accordance with ranges set forth on page 86 of between 1.6 and 7.9 dwelling units per acre for single-family attached and detached units. The Basic Plan also fulfills a number of the objectives of the master plan for Living Areas including: the removal of

incompatible uses (i.e., sand and gravel mining and an asphalt mixing plant) within living areas, preservation of natural and scenic assets as an integral part of residential areas to enhance the character, quality and livability of the subregion, and to provide a wide range of housing opportunities and neighborhood choices which meet the needs of different age groups, family sizes, lifestyles and incomes.

The master plan design guidelines (pp. 52, 54) that pertain to review of residential uses on this site include:

- 1. Living area should contain no uses or activities which are incompatible with the residential activities.**
- 5. Living areas should be preserved and upgraded where appropriate, through the use of conservation and rehabilitation programs, and the environmental deficiencies should be corrected either through rehabilitation or removal.**
- 10. Buffering in the form of landscaping, open space, attractive fencing, and/or other creative site planning techniques should be utilized to protect residential areas from commercial, industrial and other incompatible uses.**
- 13. Residential and related uses fronting on major highways and scenic roads should conform to a particularly high standard of design both as individual structures and as they blend in among other buildings.**
- 14. Developers shall be encouraged to preserve natural amenities such as streams, flood plain and wooded areas, and to incorporate these natural features into the environmental pattern of residential areas to serve as open space and to define and link together the living areas.**
- 15. Housing shall be prohibited in unsafe areas such as wetlands, flood plains, and unstable soils, and should be designed to minimize storm water runoff, erosion and sedimentation.**
- 16. Recreation areas, school facilities and activity centers should be designed or redesigned upon future expansion or renovation, to serve as social focal points in residential areas.**
- 18. Residential structures should be designed in harmonious relationships to one another, to the terrain, to adjacent roadways, and should be situated to create interesting, useable spaces.**

19. **Homes should be located to minimize site disturbance. Wherever possible, they should not be placed in the center of open fields or on ridge lines. They should be sited at the edges of fields and in wooded areas with minimum tree cutting to minimize visual impact. Treed areas between the home and the street should be retained.**
 22. **Multifamily development should have direct access to arterial or collector roads and should not have primary access through single-family residential streets.**
 23. **Living areas should include appropriate sites for senior citizen housing and related facilities in locations which can provide a human scale through adequate outdoor space, and can be serviced by social and welfare programs. Ideally they should be located at sites, which can provide convenient connections to shops, public transportation and other needs of the elderly. The best options are in the immediate vicinity of recommended activity center shopping areas.**
 25. **Homes should be sufficiently set back from roads in order to preserve scenic viewsheds and to maintain the rural character. The views from the road should be protected through provision of landscaping where necessary.**
17. **Historic Preservation:** The Planning and Preservation Section (Berger and Bienefeld to Estes) dated December 13, 2005, makes the following conclusions regarding the comprehensive design plan:

Background

The subject application is a comprehensive design plan for 167.84 acres to include single-family and townhouse lots in the R-S comprehensive design zone. The subject property is adjacent to the John Townshend Gravesite (Historic Resource 85A-005). The gravesite is located to the west of the subject property on the M-NCPPC Park Police Firearms Range. The gravesite is one of at least 10 burials in the Townshend-Robinson family graveyard. John Townshend's grave marker, the last one remaining in the cemetery, reads "John Townshend, 1765-1846." A field survey conducted in 1997 noted the location of other graveyards on the M-NCPPC property. These included graveyards associated with the Townshend-Robinson family, the families' slaves, and tenant farmers who lived on the property in the 19th and 20th centuries.

Findings

- a. The subject property was historically known as Holly Grove after it passed from the Townshend family to the Robertson family in the 19th century. The property included a mid-19th century farmhouse, agricultural outbuildings and apparently two slave dwellings. While the farmhouse, tobacco barns, stable and outbuilding were located near Dyson Road, the location of the slave dwellings is not known.

- b. The applicant has completed a Phase IA Archeological Survey. Due to the results of the background research, pedestrian survey, and extensive disturbance of the landscape, URS (consultant for the applicant) recommends no further archaeological investigations for the Renard Lakes property. Department of Parks and Recreation archaeology staff concurs with this recommendation. The final report incorporated comments from Mr. Frank Robinson, a Robertson family descendant. Mr. Robinson provided the applicant's consultant with extensive background information on the history of the property. No further archeological investigation is required.

Conclusions

- a. The subject application will have no impact on the John Townshend Gravesite (Historic Resource 85A-005), and no impact on the other cemeteries known to be located on the adjacent M-NCPPC property.
- b. Additional background information on the history of the subject property was included in the final version of the Phase IA report. In addition, Mr. Frank Robinson, a Robertson family descendant, should be consulted on historically appropriate street names for the subdivision and on the location of specimen trees and other notable features of the property.
- c. No further archeological investigation of the subject property is required.

Recommendation

- a. The applicant should consult with Historic Preservation staff and Robertson family descendants to develop historically appropriate street names for the community, and to develop markers or signage describing the history of the area.
18. **Trails:** The trails planning staff of the Transportation Planning Section reviewed the comprehensive design plan for conformance with the Countywide Trails Plan and the master plan. In a memorandum (Shaffer to Estes) dated January 9, 2006, staff stated that the following master plan trail facilities impact, or are in the vicinity of the subject site:
- a. A proposed Class II Trail along Dyson Road
 - b. A proposed trail within the adjacent Pepco right-of-way
 - c. A proposed trail along A-613

The trail along A-613 will be completed at the time of road construction. The GIS master plan right-of-way layer indicates that this planned road is just to the west of the subject property. No recommendations are made at this time regarding this proposal. The trail facility will be provided as part of road construction, and it appears the road will be off the subject site.

No recommendations are made regarding the planned trail within the Pepco right-of-way. Due to liability concerns, Pepco does not want to encourage or promote trail use within the right-of-way at this time.

The Adopted and Approved Subregion V Master Plan designates Dyson Road as a planned trail corridor. Several previously approved subdivisions along Dyson Road have required the construction of this master plan trail. These include the approved preliminary plans for 4-99048, 4-03130, and 4-04093. Upon its completion, this trail will provide safe bicycle and pedestrian access to the nearby Gwynn Park High School, Gwynn Park Middle School, and a portion of the Piscataway Creek stream valley park.

An internal trails network is shown at the conceptual level on the submitted CDP. The network provides connections to many portions of the subject site. However, there are several portions of the development that are not connected to the network of trails, adjoining portions of the development, and the proposed recreational facilities. One of the culs-de-sac in the southern portion of the property (labeled as Public Road A on the preliminary plan) does not include a connection to the trail network or to adjoining streets, and is largely removed for the recreational facilities being provided. In addition connections between some of the culs-de-sac could improve the overall walkability of the development. Because of this, staff supports the addition of several trail segments that would greatly enhance the overall usability of the trails:

- A trail connection between Public Road A and Public Road B (as labeled on the preliminary plan).
- A complete trail around the proposed lake. This additional trail segment would greatly increase the attractiveness of the trail at the pond, would provide a loop trail opportunity for residents wanting a short walk around the pond, and improve the overall connectivity of the culs-de-sac with the rest of the development.

The trails should complement the internal sidewalk network and provide a variety of options for residents walking in the development. Staff supports the trail network shown on the CDP with the additions mentioned above, and has recommended that trail network for the preliminary plan 4-05048 be amended to be consistent with what is shown for the CDP. It should also be noted that extensive M-NCPPC parkland abuts the subject site to the west. This site is utilized as a firing range.

Due to the density of the residential development being proposed (including townhouses), staff recommends standard sidewalks along both sides of all internal roads, unless modified by DPW&T. The subject application includes a large number of lots that are smaller than 10,000 square feet, with the majority being less than 15,000 square feet. This density, plus the location of nearby existing school facilities, makes the provision of sidewalks desirable.

RECOMMENDATION:

In conformance with the Adopted and Approved Subregion V Master Plan and prior approvals along the Dyson Road corridor, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

- a. Construct the eight-foot-wide master plan trail along the subject property's entire frontage of Dyson Road (the ultimate 80-foot right-of-way), unless modified by DPW&T.
- b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.
- c. All internal HOA trails shall be asphalt. The eight-foot width proposed on the submitted preliminary plan is acceptable. If wet areas must be traversed, suitable structures (bridging or boardwalk) shall be provided.
- d. Provide additional trail connections from the culs-de-sac in the southern portion of the subject site. Additional trail connections that should be provided include:
 - (1) The fitness trail should be extended the entire way around the lake. This additional segment would not only improve connectivity between streets within the development (labeled as Public Street B and Public Street E on the preliminary plan), but would also provide a recreational trail opportunity linking the entire distance around the pond. If this trail segment is feasible, it would likely involve some bridging or boardwalk across the area of wetlands, and careful siting at the base of the Lots 21 and 22.
 - (2) A trail connection between Public Street A and Public Street B. Street B should also include a trail connection to the trail around the lake. This trail should be accommodated on an open space window between lots where it connects to Public Streets A and B. This HOA land can be accommodated between Lots 19 and 20 on Public Street A and between Lots 23 and 24 on Public Street B.
 - (3) All trails shall be accommodated on either HOA land or dedicated parkland. No trails or trail connectors shall be shown on private lots.

Density Increment Analysis

19. The base density allowed by the Basic Plan is 1.6 dwelling units/acre, which results in 251 dwelling units. In order to achieve the proposed 408 dwelling units, the applicant must earn a 61.5 percent density bonus based on public benefit features provided. The following summarizes the applicant's proposal regarding the public benefit features and the staff's response to their proposal:

(1) For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed: 25% in dwelling units.

- Applicant requests 15.3 percent (38 units) with the following justification:

“8.65 acres of quality open space are being provided, which does not include the tree conservation or afforestation areas subject to woodland conservation easements. Pursuant to Sec. 27-107.01, “Open Space” is defined as: “(a)reas of land not covered by “Structures,” “Driveways,” or “Parking Lots.” “Open Space” may include such things as decorative fencing, fountains, sculptures, statues, lawn furniture, gazebos, screening, lawn or natural terrain, picnic areas (including covered pavilions), lakes, streams, and ponds.

“In order to qualify for the full density increase of 25% the applicant would have had to provide 14.14 acres of open space. Based on the 8.65 acres of open space provided, the plan qualifies for an increase of 15.3% in the number of dwelling units.”

Comment: The applicant has provided documentation that illustrates the 8.6 acres of open space requested. Staff agrees with the applicant and recommends the granting of the 15.3 percent density increment (38 units) as requested.

(2) For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosion action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed: 2.5% in dwelling units.

- Applicant requests 2.5 percent (6 units) with the following justification:

“The rehabilitation of the extensive mined areas on-site including numerous depressions which hold runoff and stormwater, the stabilization and re-vegetation of large portions of the site to reduce current unchecked erosion, the removal of large stockpiles of asphalt and concrete tailings from sensitive environmental areas of the subject property as well as the reclamation and transformation of the existing wash ponds into attractive central open space features all combine to

qualify the development for a 2.5% increase in dwelling units.”

Comment: The application proposes, in the amended comprehensive design plan text, certain actions to satisfy this requirement and obtain a density increment of 2.5 percent.

Staff agrees that because of the past mining activities on the property, the stream systems on the property may require restoration and streambank stabilization and other forms of restoration. In order to obtain density increments under Section 27-514.10(b)(2), the areas of stream and pond restoration need to be identified and quantified. In order to do this, a stream corridor assessment (SCA) or other analysis of existing conditions must be performed. Areas in need of restoration or other treatments to improve stabilization or water quality must be identified and quantified, and variation requests need to be approved by the Planning Board to allow for the impacts associated with the restoration.

To receive the density increments proposed under Section 27-514.10(b)(2), the following conditions should be attached to the approval:

Prior to certificate approval of the CDP, a stream corridor assessment shall be conducted to evaluate areas of potential stream stabilization, restoration, or other tasks related to overall stream functions. All of the streams on-site shall be walked and an SCA report with maps and digital photos shall be provided. Similar assessments shall be performed for ponds and other areas proposed for restoration. Documentation shall be provided to ensure that none of the work proposed is required as a condition of permit approval of any state or other agency.

At time of preliminary plan approval by the Planning Board, all variations needed for the stream restoration work shall be duly requested and documentation provided for review. A minimum of three project sites shall be identified and the restoration work shall be shown in detail on the applicable specific design plan. Prior to certification of the CDP, the applicant shall provide necessary analysis and a conceptual proposal acceptable to the Environmental Planning Section to expend no less than \$150,000 on the stream and pond restoration work.

With this condition, staff agrees with the applicant and recommends the granting of the 25 percent density increment (6 units) as requested.

(3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed: 5% in dwelling units.

- Applicant requests 5 percent (12 units) with the following justification:

“Sidewalks on at least one side of all of the internal streets and a hiker-biker trail network which connects the various neighborhood pods to the open spaces and the recreational facilities have been provided. This pedestrian network qualifies Renard Lakes for the 5% increase in dwelling units.”

Comment: The staff agrees with the applicant and recommends the granting of 5 percent density increments (12 units). The applicant is proposing a pedestrian trail system consisting of approximately 8,100 linear feet of eight-foot-wide trail, as indicated on the comprehensive design plan. The pedestrian trail system will connect all of the pods of development so that all residents will have access to the central recreational area without having to get into vehicles and drive to that facility. However, there are several portions of the development that are not connected to the network of trails, adjoining portions of the development, and the proposed recreational facilities. One of the culs-de-sac in the southern portion of the property (labeled as Public Road A on the preliminary plan) does not include a connection to the trail network or to adjoining streets and is largely removed for the recreational facilities being provided. In addition connections between some of the culs-de-sac could improve the overall walkability of the development. Because of this, staff supports the addition of several trail segments that would greatly enhance the overall usability of the trails:

- A trail connection between Public Road A and Public Road B (as labeled on the preliminary plan)
- A complete trail around the proposed lake. This additional trail segment would greatly increase the attractiveness of the trail at the pond, would provide a loop trail opportunity for residents wanting a short walk around the pond, and improve the overall connectivity of the culs-de-sac with the rest of the development.

(4) For recreational development of open space, an increment factor may be granted, not to exceed: 10% in dwelling units.

- Applicant requests 10.0 percent (25 units) with the following justification:

“Private recreational open spaces have been provided throughout the community, including tot lots, the six lane 25 meter outdoor swimming pool, sitting areas, and open play areas for the use of the residents. Off street parking for fifty (50) vehicles is being provided in proximity to the pool and tennis courts to serve these facilities. The project qualifies for the requested 10% increase in dwelling units.”

Comment: Staff agrees with the applicant but only recommends 8 percent density increment (20 units). The applicant will provide the following recreation

facilities (in addition to the trail component discussed above):

- (2) Open play area
- (1) Community building
- (1) Community pool
- (1) Tot-lot
- (1) Preteen lot
- (1) Double tennis court
- (1) Parking compound (approximately 50 spaces)
- (2) 6-Activity Fitness Stations
- (2) Sitting Areas
- (2) Picnic Areas

The plan demonstrates a central recreational area that will be the main gathering point for the community. The plan includes a community building, pool facilities and double tennis courts with parking. This configuration is acceptable; however, staff will not include the community building in the calculation of the density increment as it is being calculated for the activity center (item 6) density increment.

(5) For public facilities (except streets and open space areas), an increment may be granted, not to exceed 30 percent in dwelling units.

- Applicant requests 30 percent (75 units) with the following justification:

“The applicant has proffered to contribute Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) to The Maryland-National Capital Park and Planning Commission, Department of Parks and Recreation for safety and noise improvements to the adjacent police firing range. This contribution shall entitle the applicant to an increase in density of up to 30%.”

Comment: Staff acknowledges the applicants proffer and will recommend the granting of 30 percent [75 units] density increment as requested, which is the maximum increment allowed in this category. The Department of Parks and Recreation should provide a memorandum of understanding in writing accepting the monetary contribution, prior to certification of the CDP. The monetary contribution will also be subject to a timetable for payments agreed to by the Department of Parks and Recreation prior to certification of the CDP.

(6) For creating activity centers with space provided for quasi-public services (such as churches, daycare centers for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed: 10% in dwelling units.

- Applicant requests 10 percent (25 units) with the following justification:

“The proposed two thousand five hundred (2,500) square foot club house/ community center will contain ample programmable space for public and community meetings which will qualify Renard Lakes for an increase in allowable dwelling units of 10%.

Comment: Staff suggests that a community building provide 2,500 square feet to house meeting rooms and additional auxiliary spaces. Staff agrees with the granting of a ten percent density increment [25 units].

(7) For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed: 5% in dwelling units.

- Applicant requests 2.5 percent (6 units) with the following justification:

“The community site plan preserves the opportunities for individual homebuyers to pursue alternative energy sources including solar. Evergreen and deciduous plant material will also be designed in such a way as to provide shade in the summer while allowing passive solar gain in the winter. Active and passive solar design has also been incorporated into the site plan and architectural design of the community center building and the outdoor swimming pool. All of these features qualify the development for a density increase of 2.5%.”

Comment: Staff disagrees with the applicant and does not recommend the granting of the 2.5 percent density increment as requested. The applicant has not demonstrated the architectural solar design necessary to quantify the density increments requested for the active or passive solar design of the community center building and outdoor swimming pool. No density increment will be accepted for the active/passive solar energy design request.

Summary: As outlined in the staff's analysis, the applicant is providing enough public benefit features to earn a total of 72 percent in density increments, which is equivalent to 181 dwelling units. The applicant is asking for the theoretical maximum number of dwelling units allowable on this property, 408 dwelling units. This only requires 153 additional dwelling units above the base density, which allows the applicant to achieve the maximum level of density increments recommended for approval by the Planning Board on the rezoning case, A-9970.

Development Standards

20. The comprehensive design plan proposes the following development standards, which shall govern development for all specific design plans within the subject comprehensive design plan:

Renard Lakes Standards Proposed

	SFA	SFD		
Lot Size	1,800 sq. ft.	6,000-12,999 sq. ft.	13,000-19,999 sq. ft.	20,000+ sq. ft.
Minimum width at front street R-O-W	**	50 feet*	50 feet*	50 feet*
Minimum width at front BRL	**	50 feet*	60 feet*	70 feet*
Minimum frontage on cul-de-sacs	**	30 feet*	30 feet*	35 feet*
Maximum lot coverage	**	60%	50%	40%
Minimum front setback from R-O-W	15 feet	20 feet	20 feet	20 feet
Minimum side setback	None	5 feet	5 feet	8 feet
Minimum rear setback	None	20 feet	20 feet	20 feet
Minimum corner setback to side street R-O-W	10 feet	15 feet	15 feet	15 feet
Maximum residential building height	40 feet	35 feet	35 feet	35 feet
Approximate percentage of total lots	20	60	10	10

*Minimum lot frontage for flag lot configurations shall be 25 feet.

** Minimum 400 square feet of total yard area shall be provided on each lot.

Note: Extensions and projections, such as chimneys, bay windows, etc., may extend up to three feet into the above setbacks, if the projection is no more than ten feet long measured along the building.

Comment: The Urban Design staff has reviewed the standards above and generally agree with the applicant’s proposal in conjunction with minor modifications in order to create compatibility with surrounding existing and proposed I-1, C-M, R-E, R-O-S, and R-R properties, as stated in the purposes of the R-S Zone, Section 27-511.03.

21. The staff also recommends that the following architectural standards be required at the time of specific design plan review:

- a. The most visible side elevations of single-family detached or attached units on corner lots and other lots whose side elevation is highly visible to significant amounts of passing traffic shall have a minimum of three architectural features such as windows, doors and masonry fireplace chimneys, and these features shall form a reasonably balanced and harmonious composition.

- b. All single-family detached dwellings shall have no less than 2,200 square feet of finished living area.
 - c. No two houses directly adjacent to each other or across the street from one another should have the same elevation.
 - d. Brick end walls should be used on highly visible end units of townhouses, to be determined at the time of the specific design plan.
22. The Urban Design Section staff has a concern about the continuous uninterrupted row of lots along the western side of the main entrance road. The staff recommends removal of two areas composed of three lots, one at Lots 300–302 and another at Lots 200–202 along the western side of the main street. It is recommended that the aforementioned lots maintain green spaces with existing woodland and additional ornamental trees and landscaping. In addition, another group of lots should provide relief along this long stretch of lots on the eastern side of the main entrance road at Lots 211 and 212, and Lots 157–159.
23. In order to ensure that the facilities listed above and the other facilities required by the Basic Plan will be constructed in phase with development, bonding and construction requirements should be established as indicated in a proposed condition in the recommendation section of this staff report.
24. A development as large as this comprehensive design plan is expected to result in numerous specific design plans for the various phases of the development. To assist the staff and interested citizens in keeping track of the approved SDPs and attendant tree conservation plans (TCP), a condition is proposed below which would require a key plan of the entire project with each SDP submitted showing the number and location of all previous SDPs and TCPs approved or submitted.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/25/05), and further APPROVED the Comprehensive Design Plan CDP-0503, Renard Lakes for the above described land, subject to the following conditions:

1. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreational Facilities Guidelines*.
2. Prior to certification of CDP-0503, the \$2,750,000.00 monetary contribution and payment schedule and any needed escalation adjustments shall be mutually agreed upon by DPR and the applicant in writing. The funds may be used by DPR for construction of the sound attenuation/safety wall, security fencing, or range baffling, or for relocation of the Police Firearms Range. If parties cannot reach an agreement, the Department of Parks and Recreation staff shall advise the Planning Board of the proposed schedule during consideration of the first SDP.

3. At the time of building permit the applicant shall be required to provide improvements at the intersection of US 301 and MD 381 (Brandywine Road). These improvements include:
 - a. Widening the eastbound MD 381 (Brandywine Road) approach from the existing one left turn lane and one through/right lane to one left turn lane, one through lane, and one right turn lane.
 - b. Modifying the westbound MD 381 approach from the existing one left turn lane, one through lane, and one right turn lane to one left turn lane, one through lane, and one through/right turn lane.
 - c. Widening the westbound MD 381 (Brandywine Road) approach to provide an additional receiving lane. This will accommodate the second westbound MD 381 through lane.
 - d. The applicant will be responsible for any additional signage, pavement markings, and traffic signal modifications at the intersection of MD 381 and US 301.
4. At the time of specific design plan the applicant will be required to conduct traffic signal warrant studies at the US 301/Dyson Road intersections and will be responsible for the construction of traffic signals at both locations if required by the State Highway Administration. The applicant will be responsible for any additional signage and pavement markings, and the lengthening of turn lanes on US 301 and Dyson Road as required by SHA and/or DPW&T. If the applicant determines that either or both signals are not warranted, the applicant shall develop alternative physical improvements for implementation if either or both intersections remain unsignalized. Such information shall be submitted at the time of specific design plan, and the transportation staff recommendation shall indicate the improvements—either signalization or physical improvements—to be bonded with SHA.
5. At the time of submission of the final plat the applicant will be responsible for the dedication of 40 feet from the master plan centerline of Dyson Road.
6. At the time of building permit the applicant will be required to provide for an acceleration lane, deceleration lane, and a left turn lane at the site's proposed access point along Dyson Road.
7. Prior to signature approval of the Comprehensive Design Plan, the applicant must provide evidence that alternative design plans for the two intersections of Dyson Road at the southbound and northbound lanes of US 301 have been submitted to the State Highway Administration as required by Condition 7 of the Zoning Hearing Examiner's decision of December 28, 2005 (A-9970, Renard Lakes).
8. Prior to acceptance of the applicable specific design plans, the following shall be shown on the plans:

- a. The Community Building shall be shown as a minimum of 2,500 square feet, in addition to the outdoor swimming pool's required interior spaces within the building.
 - b. The swimming pool shall be no less than 25 meters long and 40 feet wide with a 30-foot by 30-foot training area.
 - c. Provide a 10-foot bufferyard along the entire length of the western property line. Bufferyard shall be expanded to 50-foot wide along the western property line contiguous to the M-NCPPC police firing range and the Recycling Center. The bufferyard along the entire length of the western property line shall be dedicated to the homeowners association.
 - d. Remove lots from four areas approximately 150 feet long, at the approximate location of lots 274-276 and 300-302 along the western side of the main street and lots 85-87 and 157-159 on the eastern side. Maintain green spaces within these areas with existing woodland and additional ornamental trees and landscaping.
 - e. Provide a fence that is approximately 8 feet in height and constructed of building materials other than wood. The fence shall be designed with architectural character and detail that is neighbor friendly on one side facing the residential structures. Locate the fence within the designated HOA area parallel to the western property line. Tree planting shall be provided in the bufferyard to soften the appearance of the fence.
9. On the appropriate specific design plan, the applicant shall provide the following:
- a. Construct the eight-foot-wide master plan trail along the subject property's entire frontage of Dyson Road (the ultimate 80-foot right-of-way), unless modified by DPW&T.
 - b. Provide standard sidewalks along both sides of all internal roads, unless modified by DPW&T.
 - c. All internal HOA trails shall be asphalt and eight feet in width. If wet areas must be traversed, suitable structures (bridging or boardwalk) shall be provided.
 - d. Provide additional trail connections from the cul-de-sac in the southern portion of the subject site as follows:
 - (1) The fitness trail shall be extended across the lake, by providing bridging or boardwalk trail extending from Public Street B in the vicinity of Lots 21 and 22 to the main recreation area.
 - (2) A trail connection between Public Street A and Public Street B. This trail shall be

accommodated on an open space window between lots where it connects to Public Streets A and B (between Lots 19 and 20 on Public Street A and between Lots 23 and 24 on Public Street B).

- (3) All trails shall be accommodated on either HOA land or dedicated parkland. No trails or trail connectors shall be shown on private lots.
10. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffers and isolated sensitive areas and their buffers, excluding those areas where variation requests have been approved during the review of the preliminary plan of subdivision, and those areas located within the limits of the mining reclamation permit, and be reviewed by the Environmental Planning Section prior to certification of the plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
11. The preliminary plan of subdivision shall ensure that no part of any conservation easement is on any residential lot.
12. 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.
13. A revised Phase II noise study shall be submitted with the specific design plan. The revised noise study shall show the mitigated 65 dBA Ldn noise contours at ground level and at the second-story level on the TCPII. The locations of all proposed berms, walls and/or other type of constructed noise barriers shall be shown on the Type II TCP. No portion of any noise wall shall be on any residential lot. The TCPII shall show sufficient clearing to install and maintain all noise mitigation structures. The location and appearance of the required noise attenuation structures shall be reviewed and approved with the specific design plan and Type II Tree Conservation Plan.
14. Prior to certification of the CDP, the Type I Tree Conservation Plan shall be revised to:
 - a. Provide, at a minimum, the woodland conservation threshold on-site through additional preservation and on-site planting
 - b. Ensure that all noise attenuation structures are constructed on HOA property
 - c. Show the clearing required to install noise attenuation structures
 - d. Ensure that conservation easements will not be on residential lots

- e. Provide 40 feet of cleared area behind every residential structure without clearing any part of any stream buffer.
- f. Recalculate the woodland conservation requirement
- g. Plant additional areas of expanded stream buffers that are not currently wooded or cleared because of required mining reclamation
- h. Provide off-site woodland conservation, not fee-in-lieu, only as needed
- i. Replace the Standard Notes with the following:
 - (1) This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements CDP-0503. The TCPI will be modified by a Type I Tree Conservation Plan in conjunction with the review of the preliminary plan of subdivision and subsequently by a Type II Tree Conservation Plan in conjunction with the approval of a detailed site plan, a specific design plan, and/or a grading permit application.
 - (2) The Type II Tree Conservation Plan will provide specific details on the type and location of protection devices, signs, reforestation, afforestation, and other details necessary for the implementation of the Woodland Conservation Ordinance on this site.
 - (3) Significant changes to the type, location, or extent of the woodland conservation reflected on this plan will require approval of a revised Type I Tree Conservation Plan by the Prince George's County Planning Board.
 - (4) Cutting, clearing, or damaging woodlands contrary to this plan or as modified by a Type II Tree Conservation Plan will be subject to a fine not to exceed \$1.50 per square foot of woodland disturbed without the expressed written consent from the Prince George's County Planning Board or designee. The woodlands cleared in conflict with an approved plan shall be mitigated on a 1:1 basis. In addition, the Woodland Conservation replacement requirements ($\frac{1}{4}$:1, 2:1, and/or 1:1) shall be calculated for the woodland clearing above that reflected on the approved TCP.
 - (5) Property owners shall be notified by the Developer or Contractor of any Woodland Conservation Areas (Tree Save Areas, Reforestation Areas, Afforestation Areas, or Selective Clearing Areas) located on their lot or parcel of land and the associated fines for unauthorized disturbances to these areas. Upon the sale of the property the owner / developer or owner's representative shall notify the purchaser of the property of any Woodland Conservation Areas.

- j. Have the revised plan signed and dated by the qualified professional who prepared the plan.

15. 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/25/05), 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.”

16. The recreational facilities shall be bonded and constructed in accordance with the following schedule:

PHASING OF AMENITIES		
FACILITY	BOND	FINISH CONSTRUCTION
Outdoor recreation facilities associated with the community building	Prior to the issuance of the 100th building permit overall	Complete by 200th building permit overall
Community Building and pool	Prior to the issuance of the 100th building permit overall	Complete before the 200 th building permit overall
Pocket Parks (including Playgrounds) within each phase	Prior to the issuance of any building permits for that phase	Complete before 50% of the building permits are issued in that phase
Trail system		Complete before the 200 th building permit overall
<p>It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25%, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.</p>		

17. Prior to the approval of a specific design plan for architectural elevations, the following shall be demonstrated:
 - a. The most visible side elevations of single-family detached or attached units on corner lots and other lots whose side elevation is highly visible to significant amounts of passing traffic shall have a minimum of three architectural features such as windows, doors and masonry fireplace chimneys, and these features shall form a reasonably balanced and harmonious composition.
 - b. All single-family detached dwellings shall not be less than ~~2,200~~ 2,500 square feet of finished living area.
 - c. No two houses directly adjacent to each other or across the street from one another should have the same elevation.
 - d. Brick end walls shall be used on highly visible end units of townhouses, to be determined at the time of the specific design plan.
 - e. No less than 60 percent of the detached units shall have full brick fronts.
18. The following standards shall apply to the development:

Renard Lakes Standards Proposed

	SFA	SFD		
Lot Size	1,800 sf	Min. 100' deep		Min. 100' deep
Lot width		<65'	66-84'	84'>
Min frontage on culs-de-sac	N/A	30 feet*	30 feet*	35 feet*
Maximum lot coverage	N/A	60%	60%	50%
Min. front setback from R-O-W	10 feet	20 feet	20 feet	20 feet
Min. side setback	None	5 feet	6/13 feet	8/17 feet
Min. rear setback	10 feet**	20 feet	20 feet	20 feet
Min. setback side street R/W (corner lots)	10 feet	15 feet	15 feet	15 feet
Maximum building height	40 feet	35 feet	35 feet	35 feet
Approx. percentage of total lots	20	32	23	25

Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant.

*Except minimum lot frontage for flag lot configurations shall be 25 feet.

**Except minimum rear setback may be reduced to 5 feet for those SFA units with decks.

19. Every specific design plan shall include on the cover sheet, a clearly legible overall plan of the project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted specific design plan numbers, all approved or submitted tree conservation plan numbers, and the number and percentage.
20. With the submission of the first Specific Design Plan (SDP), the applicant shall submit to Development Review Division and the Department of Parks and Recreation for their review, and for approval by the Planning Board, drawings for the 8-foot-high fence along the western property line.
21. Prior to the 100th building permit, the applicant shall tender the balance of the \$2,750,000 monetary contribution to the Department of Parks and Recreation.
22. The fee in lieu of mandatory dedication of parkland shall be paid prior to recording the subdivision and shall be placed in Community Account #842906.
23. Prior to certification of the Comprehensive Design Plan or approval of any Specific Design Plan, the zoning for Renard Lakes (A-9970) shall receive final approval from the District Council.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 2, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of March, 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:EE:bjs