

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 June 7, 2007, regarding Comprehensive Design Plan CDP-9306/01 for Villages of Piscataway (also known as The Preserve at Piscataway) the Planning Board finds:

1. **Request:** The application requests approval of a revision to the comprehensive design plan for the purpose of revising one of the development standards for the project, the maximum height allowed for the development of single-family attached dwellings (townhouses) within the development.
2. **Development Data:** The following table summarizes the proposed land uses for all of the sections in the Villages at Piscataway (also known as the Preserve at Piscataway);

Gross Area of Site	878.9 acres
Floodplain Area	79.8 acres

Area of Bailey Village (Zoned L-A-C) 20,000 to 30,000 square feet commercial 10,000 to 15,000 square feet retail 140 Dwelling Units (max.)	19.98 acres
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Area Glassford Village, Edelen Village, Lusby Village and Danville Estates (Zoned R-L) 800 Single-Family Detached (80 percent) 200 Single-Family Attached (20 percent) 1,000 Dwelling Units (max.)	858.92 acres
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3. **Location:** The Villages at Piscataway is located in Planning Area 84 primarily south of Floral Park Road near its intersection with Piscataway Road.
4. **Previous Approvals:** On September 14, 1993, the County Council, sitting as the District Council for the part of the Maryland-Washington Regional District in Prince George's County, adopted CR-60-1993 approving the Master Plan and the Sectional Map Amendment for Subregion V in Prince George's County. Comprehensive Design Zone Amendment Three (Zoning Applications A-9869 and A-9870) rezoned 858.7 acres in the R-A Zone to the R-L (Residential-Low Development, 1.0 to 1.5 du/acre) Zone and 19.98 acres to the L-A-C (Local

Activity Center—Village Center) Zone. The rezoning was approved with 39 conditions and 11 considerations.

Comprehensive Design Plan CDP-9306 for Villages of Piscataway was approved by the Planning Board on March 24, 1994, and PGCPB Resolution No. 94-98 was adopted on March 24, 1995. On November 18, 2004, the Planning Board approved a request for reconsideration of a condition relating to the development of the golf course, as stated in PGCPB Resolution No. 94-98 (C).

Specific Design Plans have been approved for the development of all the lots within the project, including approximately 206 townhouse lots in the R-L and L-A-C Zones. The Specific Design Plan for the golf course is currently under review.

5. **Design Issue:** The applicant provided the following discussion of the request in justification statement dated May 4, 2007:

“The Comprehensive Design Plan (CDP) for the Villages of Piscataway (now Preserve at Piscataway, and herein the “Preserve”) was approved on March 24, 1995. The approval provided for the development of up to 1,000 dwelling units within the R-L-zoned portion of the property and up to 140 dwelling units with up to 45,000 square feet of commercial and retail space within the L-A-C-zoned portion of the property. Dwelling types included single-family attached units inclusive of architectural guidelines applicable to the heights.

“Table 2 of the CDP Text includes a reference that maximum building height for single-family attached homes would be 36 feet. There is no indication in any of the written materials or drawings relating to the CDP as to why the maximum height for townhouses was set at 36 feet rather than 40 feet. Normally a single-family detached house is two-stories or less, and the typical maximum building height is less than 36 feet. A townhouse with an integral garage is typically a three-story unit and, depending on the roof slope, can easily exceed 36 feet. All townhouses proposed in The Preserve at Piscataway are to include integral one or two-car garages. Lastly, Applicant notes Section 27-442(f), Table V, Building Height of the Zoning Ordinance permits a maximum building height of 40 feet in the R-T (Townhouse) Zone. In sum, the applicant believes this was an error and it was not the intent of the CDP text to suggest a standard that would result in dwelling units of lesser architectural quality. We note that typically such a departure from an accepted standard would be normally expressed in the Planning Board Resolution of Approval, e.g. (Resolution No. 94-98(C) (A)). However in this instance, no such mention is made. Thus, the applicant believes it was an inadvertent error and requests the Planning Board modify the requirement to be consistent with the height allowed by the Zoning Ordinance.

“Additionally, the height of a building is measured from the approved “Street Grade” at a point at the middle of the front of the building. This creates a problem when a townhouse

unit is sited several feet or more above the adjacent street. The irregular terrain of The Preserve at Piscataway required that townhouses, in some instances, be sited in this manner in several locations. The Zoning Ordinance provides that if a building is setback 35 feet or more from the “Street Line” the building height may be measured from the finished ground surface along the side of the building facing the front of the lot. As a result of this interpretation, in some instances the grade of the street will result in a townhouse that will be measured 48 feet for purposes of height. The actual building is 40 feet; however, the measurement applicable pursuant to the Zoning Ordinance results in the 48 feet.

“In sum, the applicant believes this change will allow for the quality of development envisioned at the time of the CDPs original approval. The specific language of the proposed amendment would be as follows:

“AMENDMENT NO. 1

“Substitute 48 feet for 36 feet in the “Maximum Building Height” for townhouses in Table 2, Residential Lot Standards.”

Comment: The proposal to increase the height of the attached housing development standard from 35 feet to 48 feet is justified for two reasons. First, if the property were zoned R-T, as is the Euclidian designation of zoning for the development of townhouses, the height limitation for the units would be 40 feet. Therefore, a maximum of 40 feet would normally be allowed upon the initial creation of the development standards in a comprehensive design zone. The increase in the allowable building height from 40 to 48 is justified because of the unique topography of the site. Further, the Zoning Ordinance definition of the “height of building” is based on Section 27-107.01(a)(113)and states the following:

- (A) **The vertical distance between an approved “Street” grade at a point at the middle of the front of the “Building” to either:**
- (iii) **The average height between the eaves and ridge of a gable, hip or gambrel roof.**

Based on the rough existing topography of the subject site, and the desire to provide for rear-loaded garages on attached housing in the development, (in keeping with the village concept of the development), the allowance for a greater height of unit is justified. However, as the building is raised above the grade of the street, the effect on the streetscape and the pedestrian changes. The relation of the building to the street could create a canyon effect. However, because the attached units do not generally line both sides of the street in this development, this will not be the case. Staff recommends that the units be set back from the street line to compensate for the height of the building, such that units over 40 feet in height are set back a minimum of 25 feet from the front lot line. This should mitigate any negative impact the increase in height of the building might have on the streetscape. Furthermore, at the time of the SDP, the plans should

provide for a columnar type shade tree in the front yards of each of the lots, to transition the view into the structure from the street-line. Any retaining walls associated with the steps up to the unit should be clad in brick, with abundant landscaping around them and on the slope to avoid the necessity of mowing in steep areas.

6. This revision to the Comprehensive Design Plan for Villages at Piscataway will be in conformance with the Basic Plan for Zoning Map Amendments A-9869 and A-9870.
7. This revision to the CDP will have no impact on previous findings that the proposed overall plan for the Villages at Piscataway will result in a development with a better environment than could be achieved under other regulations. Approximately 35 percent of the trees presently existing on the site will be preserved. A total of 111 acres of land will be dedicated to M-NCPPC for public park use, which is considerably in excess of the amount required under the mandatory dedication requirements of the Subdivision Regulations and recommended by the Preliminary Master Plan.
8. As was originally found by the Planning Board in the approval of the case, approval is warranted by the way in which the Comprehensive Design Plan includes design elements (e.g., the modified grid street layout and centrally located public spaces typical of neotraditional planning), facilities and amenities (such as the 18-hole golf course, swim center and tennis complex), and satisfies the needs of the residents, employees or guests of the project.
9. As was originally found by the Planning Board in the approval of the case, the proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings. The design of the Villages at Piscataway, as modified by conditions, will be as compatible as possible with the adjacent historic Village of Piscataway. Proposed lot sizes along Danville Road are in character with existing properties located across Danville Road. The long, irregular southern boundary of the site is lined with open space. No lots border the R-A-zoned property. Long stretches of Floral Park Road and Danville Road are lined with golf course and most of the community's development has been placed in the interior of the property to preserve the rural character of the surrounding area.
10. This revision to the CDP will have no impact on previous findings that land uses and facilities covered by the comprehensive design plan (CDP) will be compatible with each other in relation to:
 - a. Amounts of building coverage and open space.

The setback and other standards for residential lots in combination with the large amount of open space provided in the public park area, the golf course and the village greens will create a pleasing rhythm of buildings and open space throughout the development and a compatible relationship among the various land uses and facilities in the development.
 - b. Building setbacks from streets and abutting land uses.

The revision to the CDP should be approved with an additional requirement for attached units that requires a minimum 25-foot building setback measured from the front property line.

c. Circulation access points.

The circulation system was carefully designed to include modified grid street patterns in accordance with neotraditional design principles and has adequate circulation access points to the surrounding road network.

11. This revision to the CDP will have no impact on previous findings that 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.
12. This revision to the CDP will not impact the original findings relating to adequate public facilities for the site.
13. The CDP does not identify an adaptive use of the Edelen House historic site.
14. The CDP incorporates all applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance.
15. This revision to the plan has no impact on previous findings of conformance to the Woodland Conservation Ordinance.

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 Comprehensive Design Plan CDP-9306/001, Villages of Piscataway (also known as The Preserve at Piscataway) for the above described land, subject to the following conditions:

1. The development standards for the Comprehensive Design Plan for Villages of Piscataway shall be modified to include the following:
 - a) Substitute 48 feet for 36 feet in the "Maximum Building Height" for townhouses in Table 2, Residential Lot Standards.
 - b) Townhouse units over 40 feet in height, as measured from the approved street grade in front of the unit, shall be set back a minimum of 25 feet from the front lot-line.

- c) Prior to the approval of a SDP for the development of attached housing over 40 feet in height, the landscape plan shall indicate a columnar type shade tree in the front yards of each of the lots and abundant landscaping shall be provided at the foundation of the unit and around the steps up to the unit, in order to avoid the need to mow lawn areas on steep slopes.

- d) Prior to the approval of a SDP for the development of townhouse units over 40 feet in height and rear load garages, the details and specifications for the steps to the front door shall indicate that the steps will be clad with brick.

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.

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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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Eley, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, June 7, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of July 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

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