

RESOLUTION

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

WHEREAS, in consideration of evidence presented at a public hearing on June 24, 2004, regarding Specific Design Plan SDP-0317 for Cameron Grove, The Palisades at Oak Creek, the Planning Board finds:

1. **Request:** The subject application is for approval of a specific design plan for 166 single-family detached lots in the R-L Zone.
2. **Development Data Summary:**

	Existing	Proposed
	R-L	R-L
Uses	Vacant	Single-family detached houses
Acreage	195.78	195.78
Parcels	4	4
Dwelling Units	Allowed	Proposed
Single-family Detached	166	166

ARCHITECTURAL MODELS

Pulte Homes

Model	Base Finished Area (Sq.Ft.)
Briarwood II	3,212
Chatsworth	3,829
Fremont	3,784
Kendall	4,022
Remington	3,379

NV Homes

Model	Base Finished Area (Sq.Ft.)
Brandenburg	2,972
Carter's Grover	3,490
Clifton Park	4,433
Falconcrest	2,794
Hyde Park	3,716
Kingsmill	3,313

Knightsbridge	3,979
Monticello	4,923
Remington	3,082

3. **Location:** The subject property is the R-L-zoned portion of a larger development known as Cameron Grove. It is in Planning Area 74a, Council District 7, and is located in the southwest corner of the intersection of Central Avenue (MD 214) and Church Road.
4. **Surroundings and Use:** The site is bounded to the east by Church Road, to the north by the Evangel Church property, and to the west and south by a development known as Oak Creek Club. In between the subject site and the Oak Creek Club property to the west there is a linear 14-acre park with recreational facilities. The subject site has approximately 3,850 linear feet of frontage along Church Road. Directly across Church Road from the subject site are existing single-family detached houses and undeveloped property in the R-A Zone.
5. **Previous Approvals:** On November 26, 1991, the District Council approved Zoning Map Amendment and accompanying Basic Plan Application No. A-9839 to rezone the approximately 305.3-acre property from the R-A Zone to the R-L Zone as part of the 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie–Collington–Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A and 74B* (CR-120-1991: CDZ Amendment 2).

On November 24, 1997, the District Council approved the amended Basic Plan Application No. A-9839-C to revise the previously approved A-9839 to allow a mixed retirement development on the westerly portion of the property (156± acres). The subject property of Cameron Grove—The Palisades at Oak Creek remained unaffected in A-9839-C except for setting the dwelling unit limitation of 166 single-family detached lots for the site. The Basic Plan is subject to 40 conditions (Zoning Ordinance No. 36-1997).

On February 19, 1998, the Planning Board approved Comprehensive Design Plan CDP-9705 (Resolution PGCPB No.98-35) for the easterly portion of the property for a mixed retirement community. CDP-9705 also identified, defined, and secured a dedication agreement on the 14±-acre park and recreational facility to The Maryland-National Capital Park and Planning Commission. This CDP reaffirmed the single-family detached use for the subject site (PGCPB No. 03-150).

On April 13, 2002, the Planning Board approved Comprehensive Design Plan CDP-9705/01 (Resolution PGCPB No.00-49) to allow an auxiliary parking lot for Evangel Temple on the designated residue development portion of the approved CDP-9705, for the purposes of providing additional on-site parking to support an increasing church congregation. All of the designated residue development approved per CDP-9705 is owned by Evangel Temple Church. No additional development was proposed in the residue development area at that time.

On May 4, 2002, the Planning Board approved Comprehensive Design Plan CDP-9705/02 (Resolution PGCPB No.00-63) to add single-family detached housing and revise distribution of

the units in the proposed three phases. Once again, this revision did not have any impact on the subject site.

On July 10, 2003, the Planning Board approved Comprehensive Design Plan CDP-9705/03 (Resolution PGCPB No.03-138) for the development of 166 single-family detached lots in the R-L Zone. The subject specific design plan is subject to the following land use types, qualities and development standards as approved in Comprehensive Design Plan CDP-9705/03:

DEVELOPABLE AREA

Use	Acreage	Percentage of Total Acreage
Single-family lots	65.5	33
Public right-of-way	11	5
100-foot-wide landscape buffer	3.3	2
Recreational area	1.2	1
Landscape terminus	1.5	1
Stormwater management ponds	2.8	1

UNDEVELOPABLE AREA

Open space	115	57
TOTAL	200.3	100

SINGLE-FAMILY DETACHED LOT STANDARDS

Minimum Lot Size (Square Feet)	10,000
Minimum Cumulative Yard Area (Square Feet)	2,000
Maximum Lot Coverage (%)	60
Maximum Height (Feet)	46
Minimum Lot Width at Front Building Line (Feet)	70
Minimum Side Yard Setback (Feet)	8
Minimum Total Side Yard (Feet)	17
Minimum Lot Width at Street Line (Feet)	25
Minimum Setback from Street Line (Feet)	20
Minimum Rear Yard Setback (Feet)	20

On October 2, 2003, the Planning Board approved Preliminary Plan of Subdivision 4-03057 (including TCPI/24/03-01) for the subject site (Resolution PGCPB No.03-203) for 166 single-family detached lots. The subject site has also a stormwater management concept approval #5298-2003-00.

- Design Features:** The subject site is in an irregular form with approximately 3,850 linear feet of frontage along Church Road. The presence of streams, wetlands, 100-year floodplain, severe

slopes and areas of steep slopes with highly erodible soils leaves the site with two buildable envelopes. The portion that is accessed through Church Road has 136 lots and the other portion that is accessed through the Oak Creek Club Subdivision has 30 lots.

Pulte Homes and NV Homes have proposed 14 architectural models for this development. The 14 models are two-story buildings with two-car garages. The exteriors of the buildings are finished with either vinyl or brick veneer. The façade design of each model is a stylistic mixture that makes use of architectural details of different inspirations. The base finished square footage of the models as shown in the architectural model data table varies from 2,794 square feet to 4,923 square feet.

An entrance feature consisting of a low stone entry wall with the subdivision name in metal pin-mounted letters and a freestanding entry pier with a projected lamp has been submitted. The entry feature will be located on both sides of the entrance point off Church Road.

7. **Recreation Facility:** The subject subdivision was subject to the mandatory dedication of parkland requirements at the time of Preliminary Plan 4-03057 approval. In accordance with Section 24-134(a) of the Prince George's County Subdivision Regulations and Basic Plan A-9839-C, Condition 19, Comprehensive Design Plan CDP-9705/03, Condition 12, the applicant is required to dedicate approximately 20 acres of floodplain. The land will be added to the Black Branch Stream Valley Park and may be used for tree conservation purposes.

Two pre-teen lots and one tot lot with various equipment have been proposed to meet the on-site recreational needs for 136 lots accessed through Church Road. No on-site recreational facilities have been proposed for the 30 lots that are accessed through the extension of the Oak Creek Club development to the south. The recreational needs for the 30 lots will be satisfied by the facilities of the existing Oak Creek Club Subdivision. A five-foot-wide sidewalk has been provided along both sides of all the internal streets.

A comprehensive trail map that shows the proposed trails, recreational facilities, and the connections to the regional trail network as well as trail details has been submitted. The map does not show the master plan trail that is located on the east side of Church Road. A condition of approval has been proposed in the recommendation section of this report to remedy this omission. In addition, the trail map is not consistent with both specific design plans and landscape plans. For example, the trail between Lots 75 and 76 is shown on the lots. The plans should be revised to be consistent with each other.

A timing condition that requires completion of certain recreational facilities at different phases of the development has been proposed to ensure that the facilities will be in place when future residents move into the subdivision.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Map Amendment A-9839-C and the Accompanying Basic Plan:** The proposed

specific design plan is in general conformance with Zoning Map Amendment A-9839-C and the accompanying Basic Plan. The A-9839-C was approved with 40 conditions. The following discussion focuses on applicable conditions attached to the approval of A-9839-C as stated in Zoning Ordinance No.36-1997.

- 1. In no event shall the maximum density exceed 1,004 dwelling units in the Mixed Retirement Development and 166 dwelling units in the standard R-L Development portion.**

Comment: The subject site is the R-L portion as referred to in A-9839-C and the accompanying Basic Plan. The specific design plan proposes 166 single-family detached lots and, therefore, complies with this condition.

- 2. At each access point off of Church Road and Central Avenue, the amended Basic Plan will provide entrance buffers 100 feet wide on each side of the access road and 100 feet deep along the access road.**

Comment: The subject specific design plan complies with this condition by providing a 100-foot-wide bufferyard along the entire frontage of the property along Church Road and both sides of the site access point off Church Road.

- 6. Prior to the issuance of any building permits for the balance of the property which is not developed as a Mixed Retirement Development (i.e. the 150+A portion fronting on Church Road), the applicant shall dedicate the 200-foot right-of-way from the proposed future baseline of Church Road along the proposed development's frontage to provide a four-lane, divided collector to rural parkway standards with an open median of varying width. Construction will be in accordance with DPW&T requirements and may utilize the existing roadbed when appropriate."**

Comment: The subject SDP has shown a 90-foot-wide ROW dedication for Church Road by following the approved Preliminary Plan 4-03114. A most recent road section for rural parkway of DPW&T indicates that the current road standards are different from what was envisioned by the above condition. The standard rural parkway section shows a 90-foot-wide ROW with 58-foot-wide pavement. The proposed 90-foot-wide ROW is in conformance with current requirements of the Department of Public Works and Transportation (DPW&T).

- 7. Prior to the issuance of any building permits for the balance of the property which is not developed as a Mixed Retirement Development (i.e. the 150+A. portion fronting on Church Road), the applicant shall bond to construct access improvements at the site access on Church Road to provide for separate right and left turn lanes on the eastbound approach.**

Comment: The condition will be carried forward as a condition of approval of this SDP and will

be enforced at the time of the building permit.

8. The limits of the existing 100-year floodplain shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to the approval of the Specific Design Plan (SDP).

Comment: In a memorandum (Hawkins, Department of Environmental Resources to Lau, Ben Dyer Associates, Inc., August 27, 1990), Department of Environmental Resources approved a 100-year floodplain for this site.

9. The applicant shall provide proof that the U.S Army Corps of Engineers or the appropriate State or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.

Comment: A copy of the approval letter from the U.S Army Corps of Engineers has been submitted to meet this condition.

10. All nontidal wetland mitigation areas shall be shown on the Comprehensive Design Plan (CDP) or Specific Design Plan (SDP).

Comment: As indicated in the memorandum from the Environmental Planning Section (Markovich to Zhang, June 3, 2004), the nontidal wetland mitigation areas have been shown on the TCPII, but not shown on the SDP. A condition of approval has been proposed in the recommendation section of this report.

11. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to the approval of any SDP.

Comment: The subject SDP has an approved stormwater management concept plan. The technical approval is currently pending. A condition of approval has been proposed to require the technical approval prior to certificate approval of this SDP.

13. All nondisturbed nontidal wetlands shall have at least a 25-foot nondisturbance buffer around their perimeters.

Comment: The delineated wetlands have been shown with a 25-foot nondisturbance buffer around their perimeters.

14. All streams and drainage courses shall comply with the buffer guidelines for the Patuxent River Primary Management Areas.

Comment: According to the review by the Environmental Planning Section, the subject SDP complies with the buffer guidelines.

- 18. All residential structures shall be fully sprinklered in accordance with National Fire Protection Standard (NFPA) 13D and all applicable County laws.**

Comment: This condition will be carried forward as a condition of approval of this SDP.

- 19. The floodplain (with the exception of road crossings) and adjoining buffer area along Black Branch shall be dedicated to the M-NCPPC.**

Comment: As shown on the comprehensive design plan, all floodplain and adjoining buffer area along Black Branch will be dedicated to M-NCPPC. But the SDP does not show any relevant information. A condition that requires a note to be put on the SDP regarding the dedication has been proposed in the recommendation section of this report.

- 22. All development pods, parks, recreational and historical features shall be connected into the main trail network, feeder trails, and/or sidewalks.**

- 23. All trails within the proposed development shall be handicapped accessible.**

Comment: A composite trail map has been submitted to show all the proposed trails, sidewalks, and the connection to the regional trails network. As shown on the subject trail map, all developments are connected by the trail network and all trails within the proposed developments are handicapped accessible.

- 35. The applicant shall identify with the CDP application the approximate location of impacts to the PMA. If impacts to the PMA are proposed the applicant shall provide justification for the disturbances which includes an estimate of the total area of disturbance, the features to be impacted and other alternatives that were considered to avoid these disturbances.**

At the time of Preliminary Plan of Subdivision, Specific Design Plan and permits the applicant shall provide increasingly detailed information and justification, as appropriate for the plan under review, including a copy of any State and Federal permits prior to the issuance of grading permits which impact regulated streams and wetlands.

Comment: The SDP complies with the relevant requirements of this condition that are applicable to this SDP. Both the detailed PMA information and approval letter have been provided for review.

- 36. At the time of CDP the application shall provide the Natural Resources Division with a conceptual alignment of the off-site sewer and water alignments which considers significant environmental features such as streams, wetlands, floodplains and steep and severe slopes. This alignment shall be further refined in conjunction with the Preliminary Plan of Subdivision and Specific Design Plans as more detailed**

information is available. Prior to signature approval of the Specific Design Plan the applicant shall provide the Natural Resources Division with an approved sewer alignment from WSSC.

Comment: The applicant fulfilled the first part of this condition at the time of CDP approval with a conceptual off-site sewer and water alignment. The second portion of this condition will be carried forward as a condition of approval of this SDP.

9. **Comprehensive Design Plan CDP-9705/03:** As discussed above, the subject property is the R-L-zoned portion of a larger development known as Cameron Grove. Comprehensive Design Plan CDP-9705 and its two revisions were for other parts of Cameron Grove. Only CDP-9705/03 was filed for the subject site. CDP-9705/03 was approved by the Planning Board on July 10, 2003, subject to 19 conditions. The following conditions are applicable to this SDP review:

3. **At the time of the Preliminary Plan of Subdivision and Specific Design Plan submittals, larger scale plans shall be submitted with greater detail and the Patuxent River Primary Management Area and proposed PMA impacts shall be further evaluated and refined at each submittal.**

Comment: The SDP is in general compliance with this condition by providing the required PMA information on the Type II tree conservation plan submitted with this SDP. A review by the Environmental Planning Section indicates that the SDP proposes only eight PMA impacts, which are less significant than what was approved in the Preliminary Plan of Subdivision 4-03057. The total area of impact is approximately 71,000 square feet or 1.62 acres.

6. **The location of the 65 dBA Ldn noise contour, which is approximately 250 feet from the centerline of Central Avenue and 60 feet from the centerline of Church Road on the subject Comprehensive Design Plan, shall be shown on all subsequent plan submittals.**

Comment: The required 65 dBA (Ldn) contour line has been shown on all plans. Since no lots are within the 65 dBA (Ldn) contour line, no additional noise attenuation measures are required for this site.

7. **At the time of Specific Design Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following trails improvements and comply with the following trail specifications:**
- a. **Provide a connection through the subject site immediately to the south as the Master Plan connection to the Black Branch Stream Valley Trail by constructing a "Modified Urban Primary Residential Road" within a sixty-foot right-of-way with bikeway per agreement of M-NCPPC, DPW&T and the applicant.**

- b. Submit a comprehensive map showing all trail, feeder trail, and sidewalk facilities being proposed. Additional feeder trails may be recommended.**
- c. The applicant shall ensure dry passage for all pathways and sidewalks. If wet areas must be traversed, suitable structures shall be constructed.**
- d. All landscape materials shall be at least five feet from the asphalt pathway, where feasible and practical.**
- e. All pathways and sidewalks shall be free of above ground utilities and utility boxes.**
- f. All pathways and sidewalks shall be handicapped accessible unless due to abrupt changes in grades which result in the creation of safety hazards. All walking surfaces exclusive of boardwalks and access to stormwater facilities, shall be concrete or asphalt.**
- g. HOA feeder trails provided shall be a minimum of six feet wide and made of asphalt.**

Comment: The SDP is in general compliance with the above conditions. Since most of the conditions are general requirements for trail improvements, those trail related conditions will be carried forward as conditions of approval.

8. At the time of Specific Design Plan, the applicant shall:

- a. Provide a large scale (1" = 10') landscape drawings of the proposed landscaped terminus within the public right-of-way (ROW) for review and approval by the Department of Public Works and Transportation.**
- b. Submit detailed construction drawings for trail construction on the HOA land for review and approval by the Urban Design Section.**

Comment: The SDP has removed all landscaped termini within the public ROW as proposed at the time of CDP approval. Condition 8(a) is no longer relevant. A composite trails map with construction drawings has been submitted. This condition has been partially fulfilled because the drawings are not to scale. A condition of approval has been proposed in the recommendation section to ensure complete compliance.

9. The applicant shall provide proof that the U.S Army Corps of Engineers or the appropriate state or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.

Comment: See the above Finding 8.

- 10. At the time of submission of the Specific Design Plan, documentation shall be provided to demonstrate that the 100-foot-wide buffer shown on the Comprehensive Design Plan shall be covenanted in a manner to prevent any building or structure within its limits or removal of vegetation required as part of the buffer. The buffer shall include berms and plantings, including preservation of existing vegetation where appropriate, sufficient to filter the view of dwelling units from the road. The buffer shall vary in height and width and setback from the road right-of-way to provide visual variety and a more naturalistic appearance.**

Comment: The applicant has discussed different ways of maintaining the 100-foot-wide bufferyard along the Church Road frontage as shown on the comprehensive design plan with the staff reviewer during the SDP review. But no defined treatment has been decided by the applicant yet. A condition of approval has been proposed to require certain provisions in the HOA documents to protect and maintain the bufferyard.

- 11. Technical approval of the location and sizes of stormwater management facilities is required prior to the approval of any Specific Design Plan. The consideration and evaluation of the use of low impact development techniques shall be addressed during the review of the Specific Design Plan. The applicant shall incorporate as much as possible the low impact development techniques in consultation with the Department of Environmental Resources in the stormwater management design for the site.**

Comment: The subject SDP has an approved stormwater management concept plan. The technical approval is currently pending. A condition of approval has been proposed to require the technical approval prior to certificate approval of this SDP.

- 16. All play equipment shall comply with the requirements of the Consumer Product Safety Commission (CPSC) and the American Society for Testing and Materials (ASTM). All play area shall comply with the requirements of the Americans with Disabilities Act and with the *Parks and Recreation Facilities Guidelines*.**

Comment: This condition will be carried forward as a condition of approval of the subject SDP.

- 17. The following lot standards shall guide the development of single-family detached houses in Cameron Grove—The Palisades at Oak Creek:**

Minimum Lot Size (Square Feet)	10,000
Minimum Cumulative Yard Area (Square Feet)	2,000
Maximum Lot Coverage (%)	40*
Maximum Height (Feet)	35
Minimum Lot Width at Front Building Line (Feet)	70
Minimum Lot Width at Street Line (Feet)	25
Deck Setbacks	
Side yard (Feet)	5
Rear Yard (Feet)	15
Yard Requirements	
Minimum Side Yard Setback (Feet)	8
Minimum Total Side Yard Setbacks (Feet)	17
Minimum Setback from Street Line (Feet)	20
Minimum Rear Yard Setback (Feet)	20

Notes: Variations to the above standards may be permitted on a case-by-case basis by the Planning Board at the time of Specific Design Plan if circumstances warrant.

***Excludes patios and decks**

Comment: The applicant has provided illustrations in addition to the information shown on the SDP to demonstrate that most of the above development standards have been fulfilled, except for three indicators (minimum accumulative yard area and the minimum lot width at both the street line and at front building line) that need more information. A condition of approval to ensure that the missing information will be provided prior to certificate approval of this SDP has been proposed in the recommendation section of this report.

18. The Specific Design Plan shall include attractively and creatively designed residential architecture with an emphasis on high quality and natural materials. The following housing design guidelines shall be added to Comprehensive Design Plan CDP-9705/03 for Cameron Grove - The Palisades at Oak Creek:

- **The minimum residential square footage shall be 2,200 square feet.**
- **The minimum roof pitch for all dwelling units shall generally be 8/12.**
- **At least 60 percent of houses shall have brick fronts or the equivalent.**
- **All side and rear elevations visible from roads shall have a high level of detail comparable to that of the fronts and shall demonstrate a pattern of fenestration which is orderly and harmonious. A minimum of three**

architectural features shall be provided on highly visible end walls; all others shall have at least two end wall features.

- **All buildings shall have a combination of steeply pitched roofs (with architectural grade roof materials such as standing seam metal, cedar shake shingles, imitation slate, Certainteed Horizon Asphalt Shingle, or the highest quality dimensional asphalt shingles), reverse gables and dormers.**
- **All facade materials are to be low maintenance and provide a long life cycle.**
- **Building orientation shall be directed toward open space and amenities where possible to provide views, privacy and convenient access.**
- **Style of architecture shall be harmonious with surrounding community.**

Comment: The SDP is in general conformance with this condition. A note indicating that at least 60 percent of houses shall have brick fronts or the equivalent has been proposed to be added on the SDP.

- 19. No building permit shall be issued until the percent capacity, as adjusted pursuant to the school regulations, at all the affected school clusters is less than or equal to 105 percent or six years have elapsed since the time of the approval of this plan; or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.**

Comment: County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 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 \$12,000 per dwelling for all other buildings.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

- 10. Preliminary Plan of Subdivision 4-03057:** The Preliminary Plan 4-03057 was approved by the Planning Board on October 2, 2003, subject to 18 conditions, of which the following conditions are applicable to this specific design plan review:

- 3. Prior to the submittal of the Specific Design Plan, each of the proposed PMA impacts shall be evaluated in an effort to further minimize the proposed PMA impacts. The SDP shall then be designed to minimize all PMA impacts.**

Comment: See above Finding 9 for comments on CDP Condition 3.

- 5. The design of the landscape buffer plantings along Church Road shall preserve the scenic and historic character of the road through the provision of native plants and random planting to mimic the predevelopment conditions.**

Comment: The bufferyard as shown on the landscape plan consists of landscaping and afforestation areas with a mixture of the plant species that are native to this site.

- 6. The Specific Design Plan shall show no direct impacts on the wetlands associated with the State of Maryland-listed endangered plant species located in the vicinity of proposed Lots 128-132.**

Comment: The State of Maryland-listed endangered plant species is located to the north of the renumbered lots 110-113. Per the review comments of the Environmental Planning Section, no direct impacts on the wetland where the species are located have been proposed. The proposed grading in the vicinity of the wetland also avoids changes to the hydrology of the wetland in order to minimize further impacts on the species.

- 8. The applicant and the applicant's heirs, successors and/or assignees shall provide the following:**
 - a. A connection through the subject site, either west to the adjacent parkland or immediately to the south, as the master plan connection to the Black Branch Stream Valley Trail by constructing a "Modified Urban Primary Residential Road" within a 60-foot right-of-way with bikeway per the agreement of DPW&T.**
 - b. The applicant shall ensure dry passage for all pathways and sidewalks. If wet areas must be traversed, suitable structures shall be provided.**
 - c. All landscape materials shall be at least five feet from the asphalt pathway, where feasible and practical.**
 - d. All pathways and sidewalks shall be free of above-ground utilities and utility boxes.**
 - e. Standard sidewalks shall be provided along both sides of all internal roads, per the concurrence of DPW&T.**
 - f. All HOA feeder trails provided shall be a minimum of six-feet wide and asphalt.**

- g. Detailed construction drawings for trail construction on the HOA land for review and approval by the Urban Design Section.**
- h. A comprehensive map showing all trail, feeder trail, and sidewalk facilities being proposed at the time of SDP.**

Comment: See the above Finding 9 for more discussion.

- 10. At the time of final plat approval, the applicant shall dedicate right-of-way along Church Road of 45 feet from the centerline of the existing pavement.**

Comment: The SDP shows a 90-foot-wide ROW. See the above Finding 8 for comments on Basic Plan Condition 6 and Finding 14 below for more discussion.

- 13. To maintain the scenic and historical character of Church Road, the Specific Design Plan shall examine, in addition to typical review, frontage along Church Road to ensure that the views of the site from Church Road will be adequately screened through the use of landscape treatment wherever the existing woodland fails to do so.**

Comment: The Environmental Planning Section (See memorandum Markovich to Zhang, June 3, 2004) provides a detailed analysis of the bufferyard along Church Road. The views of the site from Church Road will be adequately screened and the scenic and historical character of Church Road will be maintained.

- 14. Corner lots shall have wider lot frontages that will allow equal building setbacks on each street while keeping a private and usable rear yard. This shall be examined at the Specific Design Plan stage.**

Comment: The SDP is in general compliance with this condition. However, some of the lots adjacent to the corners of the internal streets, such as Lot 23, fail to provide wider lot frontage and use larger and identical models to the lot immediately across the street. The SDP should be revised to either use smaller models or adjust the lot line. A condition of approval has been proposed in the recommendation section of this report.

- 16. At the time of Specific Design Plan review, attention shall be given to the siting and elevation design of the buildings as well as on-site landscape screening on the corner lots as well as the lots adjacent to tot lots and pre-teen lots (such as Lots 5, 14, 35, 36, 82,83, 87 and 88) to ensure those lots not only have private rear yards but also attractive elevations facing public space.**

Comment: Special attention has been given to the siting and elevation design of the buildings and on-site landscape screening on the corner lots, as well as the lots adjacent to tot lots and pre-teen lots, to ensure that those lots not only have private rear yards but also attractive elevations facing public space. Two conditions of approval to require a special elevation treatment for

buildings on Lots 35, 36, 67, 68, 75, and 76 and additional screening in the rear yards and side yards for Lots 27, 28, 35, 36, 37, 67,68, 75, and 76 have been proposed in the recommendation section of this report. The features on the side elevations shall be related to the prospective front elevations. If shutters are used on the front elevation, they should also be used on the side elevations.

11. **Zoning Ordinance:** The subject SDP is in general compliance with the requirements of the Zoning Ordinance. Section 27-528 requires the following findings for approval of a specific design plan.

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

- (1) The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual.**

Comment: As stated in Findings 9 and 12, the proposed specific design plan conforms to the approved comprehensive design plans and the applicable standards of the *Landscape Manual*.

- (2) The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.**

Comment: Findings for adequate public facilities including fire rescue, police, public schools, and transportation were made in conjunction with Preliminary Plan of Subdivision 4-03057 (see resolution PGCPB No. 03-203). During the review of this SDP, the Historic Preservation and Public Facilities Planning Section and the Transportation Planning Section (see Finding 14 below regarding memoranda from the two respective sections) have also confirmed that the proposal is in general conformance with the previous public facilities adequacy findings. The development will be adequately served within a reasonable period of time with existing and programmed facilities.

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

Comment: The Department of Environmental Resources has stated in their referral comments (Guzman to Zhang, May 4, 2004) that the SDP-0317 for The Palisades at Oak Creek is consistent with the approved stormwater concept #5298-2003. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

- (4) The Plan is in conformance with an approved Tree Conservation Plan.**

Comment: A Type II Tree Conservation Plan TCPII/236/90-01 has been submitted with this SDP. TCPII/236/90-01 has been found to meet the requirements of the Woodland Conservation Ordinance according to the comments of the Environmental Planning Section. The Environmental Planning Section concluded that the SDP is in conformance with TCPI/24/03 and recommended approval of the SDP and TCPII/236/90-01 subject to certain conditions.

12. **Landscape Manual:** The proposed development of 166 single-family detached houses is subject to Section 4.1, Residential Requirements, and Section 4.6, Buffering Residential Development from Streets, of the *Landscape Manual*.
 - a. Section 4.1(b) and (c) are applicable to this SDP because the lot sizes in this SDP vary from 9,500 to 40,000 square feet. The landscape plan provides more plant units than are required, but does not refer correctly to the specific sections. A condition of approval has been proposed to correct this error.
 - b. Section 4.6 requires buffering the rear yards of single-family detached dwellings from the views of public streets. In this case, some lots have rear yards facing Church Road, which is a rural collector. A minimum 35-foot-wide bufferyard with four shade trees, 15 evergreen trees, and 30 shrubs per 100 linear feet of right-of-way is required. The SDP complies with this requirement because a 100-foot-wide buffer required by the CDP has been shown on the plans. But the landscape plan does not show the correct schedules and labels Church Road as an arterial road. A condition of approval has been proposed in the recommendation section of this report.
13. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and there are previously approved Tree Conservation Plans TCPI/24/03 and TCPII/236/90.
 - a. The Detailed Forest Stand Delineation (FSD) was previously reviewed and found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation technical manual. No further information is required with respect to the forest stand delineation.
 - b. The Type II Tree Conservation Plan, TCPII/236/90-01, submitted with this application, has been reviewed and found to be in general compliance with the previously approved Type I tree conservation plan and to address the requirements of the Woodland Conservation Ordinance. The Environmental Planning Section recommends approval of TCPII/236/90-01 subject to six conditions.
14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. The Community Planning Division (D'Ambrosi to Zhang, May 12, 2004) has stated that the application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier and is also in conformance with the Bowie-Collington-Mitchellville and Vicinity Master Plan (1991) recommendation for low-suburban density residential land use. The planner has also noted that the SDP does not show the master plan trail alignment along Church Road.

Comment: At the time of approval of Oak Creek Club subdivision (which is adjacent to the subject property to the south), several trail-related conditions were attached to Preliminary Plan of Subdivision 4-01032. One of the conditions requires construction of the master plan trail (Class I) along the east side of Church Road through Oak Creek Club property (Condition 44a). Consequently, no construction of this master plan trail is recommended for the subject site. The trail will ultimately be located on the other side of Church Road from the subject site's frontage. The applicant has submitted a composite trail map showing all trail, feeder trail, and sidewalk facilities being proposed, except for the above-mentioned master plan trail alignment along the east side of Church Road. A condition of approval has been proposed in the recommendation section of this report.

- b. The Transportation Planning Section (Mokhtari to Zhang, May 17, 2004) has identified the inconsistency between the approved Basic Plan A-9839-C, Comprehensive Design Plan CDP-9705/03, and Preliminary Plan of Subdivision 4-03057 regarding right-of-way (ROW) dedication of future Church Road. Basic Plan Condition 6 requires a 200-foot-wide ROW dedication and CDP-9705/03 proposes the provision of the required 200-foot ROW. But the Preliminary Plan prescribes a 90-foot-wide ROW dedication. The transportation planner has concluded that the submitted specific design plan is not in conformance with the approved comprehensive design plan and Basic Plan conditions related to ROW dedication for the future Church Road, but is in conformance with the approved preliminary plan of subdivision.

Comment: A historic and scenic Church Road was first envisioned in the Basic Plan (A-9839-C), subject to DPW&T's standards, in 1998. Comprehensive design plan approval followed the Basic Plan condition by providing the required 200-foot-wide ROW for Church Road. But the approved master plan and preliminary plan show a 90-foot-wide ROW for Church Road. The most recent scenic and historic rural collector road (STD 100.15) standard section of DPW&T also shows a 90-foot-wide ROW. In a letter dated May 19, 2004 (Cornish, Deputy Chief Administrative Officer, to Meares, Bishop, Evangel Cathedral), the County Executive's Office notified the applicant that a 90-foot-wide ROW dedication with a 58-foot-wide pavement section is required for Church Road along the subject site's frontage. Changes in county policy and the DPW&T road standards, as evidenced by the Planning Board's action and the letter from the County Executive's Office, indicate that a scenic and historic character of Church Road envisioned by the Basic Plan can be achieved with a 90-foot-wide ROW.

In a separate memorandum (Shaffer to Zhang, June 9, 2004) on specific design plan review for master plan trail compliance, the Transportation Planning Section requires several trail

improvements pursuant to the adopted and approved Bowie-Collington-Mitchellville and Vicinity Master Plan and in keeping with prior approvals for the adjacent sites. Those requirements have been worded as conditions in the recommendation section of this report.

- c. The Environmental Planning Section generated two memoranda for this application. In a memorandum dated May 6, 2004, the Environmental Planning Section required revised plans and additional information before a complete review of the proposal could be conducted

The Environmental Planning Section, in a second memorandum (Markovich to Zhang, June 3, 2004), concluded that the revised plans have been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance and the environmental constraints for the site. The environmental planner has recommended approval of this specific design plan and TCPII/236/90-01 subject to six conditions that have been incorporated into the recommendation section of this report.

- d. The Subdivision Section (Del Balzo to Zhang, May 13, 2004) has indicated that the proposed specific design plan is in general conformance with approved Preliminary Plan of Subdivision 4-03057. The subdivision reviewer has also summarized the conditions of preliminary plan approval that are applicable to the review of this specific design plan.
- e. The Permits Review Section (Linkins to Zhang, June 14, 2004) has identified several technical issues related to the *Landscape Manual*. The staff has requested minor changes to the site plan. Several conditions of approval have been added to the recommendation section of this report to require the changes. The permit staff also reviewed the gateway signage package for this development. A condition of approval has been proposed in the recommendation section of this report to ensure that the signage is in conformance with Section 27-624, Gateway Signs.
- f. The Department of Environmental Resources (Guzman to Zhang, May 19, 2004) has stated that the site plan for The Palisades at Oak Creek SDP-0317 is consistent with the approved stormwater concept #5298-2003.
- g. The State Highway Administration (SHA) (McDonald to Zhang, May 4, 2004) has stated that SHA has no objection to Specific Design Plan DSP-9005/03 approval, but indicates that the applicant has to provide the necessary transportation improvements consistent with the state road classification and functionality. SHA recommends a condition of approval to ensure implementation of the identified improvements as mitigation of traffic impacting the state road network per Condition 9 of Preliminary Plan 4-03057.
- h. The Department of Parks and Recreation (DPR) (Asan to Zhang, June 4, 2004) has noted that the SDP is in general conformance with the requirements of Comprehensive Design Plan CDP-9705/03 and Preliminary Plan 4-03057 pertaining to public parks and recreation. DPR recommends approval of SDP-0317 subject to seven conditions that have been incorporated into the recommendation section of this report.

- i. The Historic Preservation and Public Facilities Planning Section, Countywide Planning Division (Harrell to Zhang, June 11, 2004) has noted that the proposed development will be adequately served by the existing public facilities except for fire engine service. A condition of approval has been proposed in the recommendation section in order to alleviate the negative impact on fire and rescue service due to the inadequate service.
- j. The Fire/EMS Department (Oladeinde to Zhang, June 2, 2004) has cited applicable current regulations regarding fire apparatus access, fire lane and location and performance of fire hydrants. The SDP complies with the listed regulations.
- k. The City of Bowie (Robinson, Mayor, Bowie City Council to Hewlett, Chairman, The Prince George's County Planning Board, June 9, 2004) has recommended approval of SDP-0317 subject to conditions that have been incorporated into the recommendation section of this report.
- l. The Department of Public Works and Transportation (DPW&T) of Prince George's County had not responded to the referral request at the time the staff report was written.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCP/II/236/90-01), and further APPROVED Specific Design Plan SDP-0317 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this specific design plan, the applicant shall
 - a. Obtain technical approval of the stormwater management plan from the Department of Environmental Resources (DER). Evidence of approval or a copy of the approved technical plan shall be included in the case file of this SDP. The plans shall be revised accordingly if necessary.
 - b. Show the required setbacks and width of the lots at the street front graphically on the specific design plan.
 - c. Show the boundaries of the parcel to be conveyed to M-NCPPC.
 - d. Place a note, "To be dedicated to M-NCPPC," shall be put on the floodplain and adjoining buffer area along Black Branch on the SDP.
 - e. Show all wetland mitigation areas on the specific design plan.
 - f. Reconfigure Lots 162-166 in such a fashion as to be located entirely outside the limits of the PMA.

- g. Either delete the structures associated with the Evangel Temple operations that are shown on Sheet 15 of the TCPII or adjust the lot lines so that the structures are located on the Evangel Temple property, or move the structures onto the Evangel Temple property.
 - h. Provide a note on all plans that the entry walls and landscaping have the required setback to allow 500 linear feet of sight lines for all directions of travel.
 - i. Revise the composite trail map to show the master plan trail on the east side of Church Road and show trail detail drawings to scale.
 - j. Provide the Environmental Planning Section with an approved sewer alignment from WSSC.
 - k. Show graphically the minimum lot width at both the street line and front building line on SDP and provide information on the minimum cumulative yard areas for each lot.
 - l. Add a note on the SDP to indicate that at least 60 percent of houses shall have brick fronts or the equivalent.
 - m. Use either smaller models on the narrow corner lot or adjust the lot line to provide wider corner lots.
 - n. Revise the landscape plan to show additional screening of the rear yards of Lots 27, 28, 35, 36, and 37 and side yards of Lots 35, 36, 67, 68, 75, and 76 that are facing play areas and trails for review and approval by the Urban Design Section acting as the designee of the Planning Board.
 - o. Add a note on the SDP to indicate that at least three architectural features shall be provided on the side elevations of the buildings on Lots 35, 36, 68, 67, 75 and 76 that are facing play areas or public trails.
 - p. Revise the landscape plan to show a correct reference to the specific sections of the *Landscape Manual*.
2. Prior to the certification of the Type II Tree Conservation Plan, TCPII/236/90-01, the applicant shall:
- a. Revise the afforestation area so that it is located entirely behind the entrance features and associated landscape area.
 - b. Add the afforestation area tree protection fence symbol to the legend.
 - c. Revise the shading used for the woodland cleared to be distinctly different from the shading symbol for woodland conservation areas and correct the label accordingly.

- d. Revise “Reforestation Management Note 8” to indicate 75 percent survival for seedlings and larger caliper stock.
 - e. Show all areas saved but counted as cleared with the same symbol.
 - f. Eliminate the symbol for floodplain woodlands “saved but not counted” as it is confusing and unnecessary. Keep the symbols for woodland conservation areas, woodland cleared, woodland saved but counted as cleared, and afforestation areas.
 - g. Revise the lot layout so that the trail between Lots 75 and 76 is located on a parcel and not on the above referenced lots.
 - h. Revise worksheet and plans to show all grading associated with the trail construction to be considered as woodland cleared.
 - i. Eliminate the duplicate numbering for Lots 162-166.
 - j. Provide additional information on the trail connection to Cameron Grove between Lots 77 and 78. Provide a typical cross-section of the trail to show what is intended and add a note to the plan that requires the trail to be field located to minimize the removal of individual trees.
 - k. Revise the area shown as floodplain clearing and as a woodland conservation area on Sheet 19 to reflect either the clearing or the woodland conservation area, not both.
 - l. Revise the proposed grading associated with the access to proposed Lots 162–166 to reduce the extensive PMA impacts proposed and reconfigure the lots to remove all PMA from the limits of the lots.
 - m. Consider the open area along the west side of Church Road between Afforestation Area “C” and Central Avenue toward satisfying some of the off-site mitigation requirements associated with this project per PGCPB No. 03-203(A), Condition 7.
 - n. Remove “Edge Management Notes 3 and 5” and add updated “Edge Management Notes” available from the Environmental Planning Section.
 - o. Have the licensed landscape architect, licensed forester or other qualified professional who prepared the plan sign each sheet of the TCPII after all of the revisions have been completed.
3. The applicant and the applicant’s heirs, successors and/or assignees shall provide the following trails improvements:

- a. A connection through the subject site immediately to the south as the master plan connection to the Black Branch Stream Valley Trail shall be provided by constructing a modified urban primary residential road within a 60-foot right-of-way with bikeway per agreement of M-NCPPC, DPW&T, and the applicant. Pedestrians shall be accommodated with the standard five-foot wide sidewalks along both sides of Meares Boulevard and Elder Court. Bicyclists shall be accommodated with “Share the Road with a Bike” signage and striped bike lanes, in conformance with the 1999 AASHTO *Guide for the Development of Bicycle Facilities*, unless modified by DPW&T.
 - b. A note shall be placed on the final record plat that a financial contribution totaling \$840 to the Department of Public Works and Transportation for the placement of the bike signage on the above-mentioned roads shall be received prior to issuance of the first building permit.
 - c. The applicant shall ensure dry passage for all pathways and sidewalks. If wet areas must be traversed, suitable structures shall be provided. Designs for any needed structures on public parkland shall be reviewed by DPR.
 - d. All landscape materials shall be at least five feet from the asphalt pathway, where feasible and practical.
 - e. All pathways and sidewalks shall be free of aboveground utilities and utility boxes.
 - f. All HOA trails provided (with the exception of the master plan trail) shall be a minimum of six-feet wide and asphalt.
 - g. The trail connector on parkland shall be eight feet wide and shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*.
 - h. The handicapped accessibility of the trail on public parkland shall be determined at the time of review and approval of the detailed construction drawings by DPR.
4. Prior to a submission of any final plats of subdivision, the applicant shall enter into a public Recreational Facilities Agreement (RFA) with M-NCPPC for the construction of recreation facilities on parkland. The applicant shall submit three original executed RFAs to DPR for their approval three weeks prior to the submission of final plats. Upon approval by DPR, RFA shall be recorded among the Land Records of Prince George’s County.
 5. The following note shall be placed on the final plat:

“Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.”

6. Prior to issuance of any grading permits, within at least two weeks, the applicant shall submit to DPR a performance bond, a letter of credit, or other suitable financial guarantee for construction of the public recreation facilities on adjacent parkland in the amount to be determined by DPR.
7. Prior to issuance of any building permits, the applicant shall:
 - a. Submit the evidence to the Urban Design Section to show that the road improvements identified in Condition 9 of Preliminary Plan 4-03057 have an agreed-upon timetable for construction with SHA/DPW&T as follows:

“At the MD 193/MD 214 intersection, construction of a second northbound left-turn lane along the MD 193 approach to MD 214. This would allow the northbound MD 193 approach to function with two left-turn lanes, two through lanes, and a right-turn lane.”
 - b. Bond to construct access improvements at the site access on Church Road to provide for separate right and left turn lanes on the eastbound approach.
8. Prior to issuance of any permits for the southern development pod, which includes Lots 135–166, the applicant shall execute and provide evidence of receipt for recordation by county Land Records of an off-site tree conservation easement to satisfy the tree preservation requirements for existing Lot 2, TCPII/100/95-03, on which the Evangel Temple is situated.
9. Prior to issuance of the 50th building permit, the play area behind Lots 28 and 38 shall be completed. Prior to issuance of the 120th building permit, the play area between Lots 67 and 68 shall be completed.
10. Concurrent with the issuance of building permits for Lots 71 and 72, the master plan trail of eight feet wide and asphalt on Parcel A shall be constructed.
11. Prior to final plat, a HOA covenant shall be recorded among the Land Records of the Prince George’s County with provisions that ensure perpetual maintenance of the 100-foot-wide bufferyard along Church Road and prohibit the installation of structures and roads and the removal of vegetation without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches or trunks is permitted.
12. All streams and drainage courses shall comply with the buffer guidelines for the Patuxent River Primary Management Areas.
13. If the wetland limits are revised per a U.S. Army Corps of Engineers jurisdictional determination in the future, the wetland limits and associated buffers shall be revised.
14. All new structures proposed in this SDP shall be fully sprinklered in accordance with National

Fire Protection Standard (NFPA) 13D and all applicable county laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

15. All play equipment shall comply with the requirements of the Consumer Product Safety Commission (CPSC) and the American Society for Testing and Materials (ASTM). All play areas shall also comply with the requirements of the Americans with Disabilities Act and with the *Parks and Recreation Facilities Guidelines*.
16. No two units located next to or immediately across the street from each other may have identical front elevations.
17. The developer, his heirs, successors and/or assigns shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the specific design plan, the landscape plan, and plans for recreational facilities.
18. Prior to issuance of the 80th building permit, the applicant shall submit detailed construction drawings for trail construction on the HOA land for review and approval by the Urban Design Section as the designee of the Planning Board.
19. Prior to issuance of grading permit, the applicant shall submit detailed construction drawings for trail construction on public land to DPR for their review, and the approval shall occur prior to issuance of the 1st building permit.

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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Squire, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 24, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of July 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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