

C O R R E C T E D R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on July 8, 2004, regarding Conceptual Site Plan CSP-03005 for Clagett Property, the Planning Board finds:

1. **Request:** The subject application is for approval of a conceptual site plan for a Recreational Community Development featuring 1,058 single-family detached and attached residential dwelling units and an equestrian complex in the R-R Zone.
2. **Development Data Summary:**

	Existing	Proposed
Zone	R-R	R-R (Recreational Community Development-Equestrian)
Use	Agriculture	Residential (single-family detached and attached with an equestrian center)
Gross tract area	588.63 Acres	588.63 Acres
Of which area within 100 year floodplain	95.20 Acres	95.20 Acres
Net tract area	493.43 Acres	493.43 Acres
Area of equestrian related	N/A	150 Acres
Area of stream park dedication	N/A	63 Acres
Density	27-444(6)(D) 1 unit per 20, 000 square feet of gross tract area	
	Allowed	Proposed
Number of lots	1,282	1,058
Of which SFD 100' width lots	N/A	117
SFD 75' width lots	N/A	236
SFD 65' width lots	N/A	333
Townhouses 22' and 24' width lots	N/A	370
Existing houses/lots	N/A	2

OTHER DEVELOPMENT STANDARDS

	Perimeter Lot	Small Lot	All other SFD lots	Townhouse
Lot size (minimum square feet)	15,000	6,000– 10,000	Larger than 10,000	1,800
Minimum lot frontage at street (feet)	25	25		
Minimum width at front building line (feet)	75	40		
Yards (Minimum depth/width in feet)				
Front	25	20		N/A
Side (minimum of either yard/total of both yards)	8/17	5/10	8/17	N/A
Rear	20	5	20	N/A
Maximum lot coverage (%)	25	75	25	35*
<i>Accessory Buildings**</i>				

Note: * For building coverage of overall net tract area
 ** For accessory buildings per standards in Section 27-442(i)

3. **Location:** The subject site is in Planning Area 78, Council District 6, and is located southwest of Ritchie Marlboro Road, approximately 2,500 feet south of its intersection with Westphalia Road.
4. **Surroundings and Use:** The site is bounded to the northeast by the right-of-way of Ritchie Marlboro Road. To the south of the property is an existing single-family detached residential subdivision in the R-R Zone; to the north and west are vacant properties and wooded land in the R-A Zone; and to the east is property zoned R-A.
5. **Previous Approvals:** Clagett Property is designed as a residential/recreational community with an equestrian center in the R-R Zone under the Recreational Community Development provisions of Section 27-444. The proposed development is subject to Section 27-270, Order of Approval. The subject CSP will be the first approval in the Order of Approval for the site. The site also has an approved Stormwater Management Concept Plan, #21383-2003-00.
6. **Design Features**

Conceptual Site Plan: The subject site covers 588.63 acres of land consisting predominantly of vacant agricultural land and wooded areas, with several residential structures, barns and other agricultural buildings located throughout the site. Topographically, the site can be characterized as rolling terrain with several knolls and two streams, Cabin Branch and Back Branch. A PEPCO easement running southwest to northeast bisects the site into two distinct parts. Two historic dwellings, Keokuk and Ingleside, which were residences of the Clagett family during the 19th and 20th centuries, will be preserved on their own lots.

The general layout of the CSP centers on the equestrian theme and is designed in harmony with the existing natural site features. The CSP proposes two vehicular accesses from Ritchie Marlboro Road. The entry portion of the two access roads features a central median and taper into a 60-foot-wide loop street in the middle of the southeastern portion of the site. The main entrance bisects the equestrian land use along the frontage of Ritchie Marlboro Road and is designed to have a boulevard with street trees and wider lots arrayed on both sides leading to the central green in the middle of the property. The loop street pattern further extends into other curvilinear streets and a combination of grid patterns that end with culs-de-sac. A long curvilinear street branches off the northern entrance of the site across Cabin Branch and the PEPCO easement, stretching deep into the northwestern portion of the site, and is stubbed at the north and east boundaries of the site. A third access between the two vehicular entrances from Ritchie Marlboro Road has also been proposed exclusively for equestrian purposes.

The CSP proposes an equestrian complex consisting of indoor and outdoor rings and pastures along the entire frontage of Ritchie Marlboro Road. The architectural design of the structures will also reflect an equestrian theme. An image board has been provided to illustrate the intended quality of the development. A community center is located adjacent to the equestrian complex. A site-wide equestrian trails system in a loop design connects various proposed land uses. The proposed residential units are composed of three different single-family detached lot sizes, i.e., 60-foot-wide, 75-foot-wide, and 100-foot-wide frontage lots and two types of townhouse units. Townhouse units are located mainly in the southeastern portion of the site and are in three pods, which are all behind single-family lots. The small single-family lots (60-foot-wide frontage) are arranged close to the PEPCO easement in the southeastern portion of the site and are the only housing type in the northwestern portion of the site. A group of 75-foot-wide frontage and 100-foot-wide frontage lots are sited adjacent to the equestrian complex. The remaining 75-foot-wide frontage lots are scattered through the southeastern portion of the site.

The CSP proposes five phases of development. Phase One will include the equestrian complex, community center, and a combination of townhouse units and different types of single-family detached units. The southeastern portion of the site will be developed within four phases and the remaining northeastern portion of the site will be developed in Phases Four and Five.

Equestrian Components: The for-profit equestrian center will be designed to serve hunter/jumpers, dressage riders, and pleasure riders, such as Western and English, with approximately 50 percent of the horses boarded by residents of the community and the other 50 percent of the horses as lesson horses. The center will be designed to accommodate different kinds of events ranging from instructional clinics and shows to various horse-related demonstrations.

- a. **Equestrian facilities:** The primary structures of the facility are a multistalled barn and adjacent indoor riding ring. Included in the final design will be an additional 20-stall barn for future expansion. Along with stalls for several horses, the barn will include wash stalls with hot and cold water, a feed room, and a heated lounge/tack storage room with a bathroom and a viewing area of the indoor arena. The ring will be surrounded by a four-foot-tall,

slanted kickwall. The barn complex will also include a 30-yard manure storage can and a multipurpose shed for shaving (stall bedding) and equipment storage. The barn and indoor ring will be visible on the north side of the main entrance into the community. An independent access off Ritchie Marlboro Road to the barn will keep all barn-related traffic off the residential streets and provide a safer, lower-traffic environment for the horses.

An outdoor ring will be constructed approximately 200 feet north of the barn. The size of the outdoor ring is suitable for jumping and may also be configured for a full-size dressage arena. The sand/Perma-Flex footing will provide an excellent surface for three-plus seasons of outdoor riding. The facilities and pastures will be individually fenced with blunted corners. The entire equestrian area will also be surrounded by a perimeter fence for an additional level of safety and security. A site-wide trail system will connect the facilities and pastures to the rest of the community.

- b. **Equestrian trails and fencing:** The trail system will employ a modified closed-loop design that meanders throughout the wooded and other underdeveloped portions of the site. Road crossings will be minimized and directed toward areas of lower traffic whenever possible. Appropriate use of flashing lights, signage, traffic-calming devices, and speed bumps will be considered at all road crossings. The equestrian safety standards require dismounting and leading horses before crossing a road. Mounting blocks will be designed and provided on either side of road crossings for dismounting and mounting.

The trail network also will cross several seasonal and other streams. These portions of trails will be multipurpose trails as indicated in the master plan illustrations. The appropriate method of crossing and trail-related standards will be determined at the time of detailed site plan by evaluating relevant criteria involved such as environmental sensitivity, topography, stream characteristics, equestrian traffic, and master plan trails standards.

A traditional three- or four-board style fence using a combination of wood and/or more contemporary materials will be employed in order to be in harmony with the historic nature of the Clagett property.

- c. **Site and facility maintenance:** Section 27-444(d)(1) requires that covenants, which ensure the perpetual maintenance of the recreational activity, shall be filed in the land records. The applicant has submitted the Declaration of Covenants, Conditions and Restrictions associated with this CSP. The center will enter into a cooperator's agreement with the Soil Conservation Service and will use their guidance to ensure that best management practices are being followed on the farm. A nutrient management plan for the facility will be created and will be filed with the Department of Agriculture that will set guidelines for the use of fertilizer for the pastures and the treatment of manure.

On-site staff and appropriate contractors will perform the activities necessary to keep the facility and grounds in good condition. Scheduled tasks will include regular inspections and repairs to the fencing, mowing of pastures for weed control, seasonal fertilization and

PH adjustment of pasture soils, policing of equestrian trail road crossings for manure removal, clearing field trails, and checking and clearing downed trees and limbs on the wooded trails.

7. **Recreational Facilities:** In addition to the equestrian components, including indoor and outdoor rings, pastures, and an equestrian trails system, the CSP also proposes a community center behind the pasture to the southeast of the main entrance. Two tennis courts and one swimming pool are shown on the CSP. In accordance with Parks and Recreation Facilities Guidelines, with a development of 1,058 single-family dwelling units in Planning Area 78, approximately a \$1.2 million recreational facility package is needed to serve this subdivision. A condition of approval has been proposed to ensure the adequacy and proper siting of on-site recreational facilities at the time of detailed site plan review.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The application has been reviewed for compliance with the requirements in the R-R Zone and the additional requirements for Recreational Community Development, as well as the site design guidelines of the Zoning Ordinance:
 - a. The subject application is in accordance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs development in the residential zones. The recreational community is a permitted use in the R-R Zone.
 - b. The subject application is also in general conformance with the requirements of Section 27-442, Regulations, except for those modified by Section 27-444, on net lot area, lot width, and requirements for small-lot detached units.
 - c. Section 27-444, Recreational Community Development, stipulates the following requirements for the subject application:

(b) Requirements.

- (1) The location of the development shall be appropriate for recreational activities requiring large amounts of land.**
- (2) The development shall be located on a parcel of land containing at least three hundred fifty (350) contiguous acres.**

Comment: The subject site has a gross tract area of approximately 588.36 contiguous acres, which is larger than 350 acres.

- (3) The community shall consist of at least seventy (70) dwelling units and either an eighteen (18)-hole golf course or an equestrian complex.**

Comment: The proposed community consists of 1,056 new lots, two existing houses/lots, and an equestrian complex. Of the 1,056 dwelling units, 370 units are townhouse units and 686 are single-family detached units on three types of lots. Approximately 150 acres of land are used for equestrian purposes including a site-wide equestrian trails system.

- (4) **No less than one hundred fifty (150) acres of the gross tract area shall be devoted to recreational facilities, the golf course or equestrian complex, and green area.**

Comment: Approximately 150 acres of land are used for equestrian purposes including a site-wide equestrian trails system. A condition of approval that requires a breakdown of each use category in acreage has been proposed in the Recommendation section of this report.

- (5) **The main recreational facility shall be developed prior to, or concurrently with, the first stage of residential development.**

Comment: The staging plan of this CSP indicates that the entire equestrian complex will be developed at the first stage along with portions of all three types of single-family lots and townhouse units. A condition of approval has been proposed in the recommendation section of this report.

- (6) **The number of dwelling units permitted shall not exceed:**

- (D) **R-R Zone- One (1) unit per twenty thousand (20,000) square feet of gross tract area.**

Comment: The total proposed dwelling units, including two existing ones, is 1,058, which is less than 1,282 units, calculated by one unit per 20,000 square feet of gross tract area of 588.63 acres per Section 27-444(6)(D). It is also less than 1,070 units calculated by 2.17 units per net acre of tract area per Section 27-442(i) in the R-R Zone.

- (7) **The type of dwelling unit permitted shall be limited to one-family detached and attached dwellings. Not more than sixty-five percent (65%) of the total number of dwelling units shall be attached units or a combination of attached units and small-lot detached units.**

Comment: As shown in the development data table, the types of dwelling units are one-family detached and attached dwellings. The total number of small detached lots and townhouses is 669 lots or 63 percent of the total lots provided, which is less than 65 percent.

- (8) At each stage of development, the number of record lots for the development of detached dwellings shall not be less than thirty-five percent (35%) of those for attached dwellings.**

Comment: The subject CSP is in general conformance with this requirement. A condition of approval to require a unit count table for each proposed stage has been proposed in the Recommendation section of this report.

- (10) In the R-R Zone, the applicable minimum requirements of the R-R Zone shall apply except as follows:**

- (A) The minimum lot width at the front building line shall be seventy-five (75) feet;**
- (B) The minimum lot width at the front street line shall be twenty-five (25) feet; and**
- (C) The minimum net lot area shall be ten thousand (10,000) square feet, except as provided for in subparagraph (D), below.**

(Subparagraph [D] relates to golf courses and not applicable to the subject application.)

Comment: As shown in the development standards table, the subject CSP is in general compliance with the above-noted standards.

- (11) The minimum requirements for development of attached dwellings shall be those which apply to the R-T Zone (except those in Section 27-433(e)(1) (A) and (B)), including those which apply to common areas, except that there shall be not more than eight (8), nor less than two (2), attached dwelling in any one (1) group.**

Comment: The development requirements, which apply to the R-T Zone as stated in Section 27-433, cover areas of dwellings, streets, access to individual lots, utilities, minimum area for the development, common areas, front elevation plan, and site plan. The subject CSP is in general compliance with the requirements of Section 27-433, R-T Zone (Townhouse), and the revised requirements as noted above.

- (12) All lots (used for residential purposes) which are located along the perimeter of the community, and that abut property or streets not within the community, shall be limited to one-family detached dwellings, and shall be developed in conformance with the following requirements:**

(D) R-R Zone:

- (i) The minimum net lot area shall be fifteen thousand (15,000) square feet; and**
- (ii) Not more than twenty-five percent (25%) of the net lot area may be covered by buildings and parking area; and**
- (iii) The yard requirements of Section 27-442, Table IV, shall be met. The lot frontage requirements of Section 27-442, Table III, shall be met for lots fronting on adjoining streets that are not within the Recreational Community Development.**

Comment: As shown in the development standards table, the subject CSP is in general compliance with the above-noted standards.

(13) Off-street parking and loading areas shall be provided, in accordance with Part 11.

(14) Signs may be erected, in accordance with Part 12.

Comment: Off-street parking and loading and sign elements will be reviewed at the time of detailed site plan approval. A condition of approval has been proposed in the Recommendation section of this report.

(15) The development may be constructed with private streets rather than public ones. If private streets are provided, gate, guardhouse, or other building and structures that are in keeping with the overall development scheme, may be located within the street right-of-way.

Comment: All internal streets in single-family detached sections will be public streets and in townhouse sections will be private streets.

(16) For small-lot detached units, the following requirements shall apply:

- (A) The minimum net lot area shall be five thousand (5,000) square feet;**
- (B) The minimum lot width at the front street line shall be twenty-five (25) feet;**

- (C) **The minimum lot width at the front building line shall be forty (40) feet;**
- (D) **The side yards may be a minimum of zero (0) feet on one side and six (6) feet on the other side;**
- (E) **The front yard shall be a minimum of twenty (20) feet;**
- (F) **The minimum distance between residential buildings shall be seven (7) feet; and**
- (G) **The maximum lot coverage of fifty (50%) percent shall be allowed.**

Comment: As shown in the development standards table, the subject CSP is in general compliance with or exceeds the above-noted standards with the exception of 16(G). The CSP proposes a maximum lot coverage of 75 percent, which will be too high given the intended character of this development. ~~*[The applicant should revise the development standards table to reduce the maximum lot coverage for small lots to 50 percent.]~~ At the Planning Board hearing held on July 8, 2004, the Planning Board found that a maximum lot coverage for small lots of 60 percent is appropriate given the nature of the approved single-family detached house types.

- d. The subject CSP is in general compliance with the requirements of Section 27-274, Site Design Guidelines. However, since the proposed equestrian facilities, residential lotting pattern and other components are all conceptual in nature, the requirements of Section 27-274 will be applied and reviewed again at the time of detailed site plan for compliance.
- e. Section 27-444 requires the approval of a conceptual site plan (CSP) and a detailed site plan (DSP) for all uses and improvements in the Recreational Community Development in the R-R Zone. Section 27-273 of the Zoning Ordinance explains the specific purposes of the conceptual site plan as follows:
 - (1) **The specific purposes of Conceptual Site Plans are:**
 - (A) **To explain the relationships among proposed uses on the subject site and between the uses on the site and adjacent uses;**
 - (B) **To illustrate approximate locations where the buildings, parking lots, streets, green areas, and other similar features may be placed in the final design of the site.**

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

- (C) **To illustrate general grading, woodland preservation areas, planting, sediment control, and storm water management concepts to be employed in any final design for the site; and**
- (D) **To describe, generally, the recreational facilities, architectural form of buildings, and street furniture (such as lamps, signs, and benches) to be used on the final plan.**

Comment: In this case (as in the typical CSP application), the applicant has submitted an illustrative conceptual site plan, a Type I tree conservation plan, a forest stand delineation plan, a traffic impact analysis, a preliminary geotechnical report, an equestrian design narrative, and an image board that will demonstrate most of the points above. The staff recommendation includes the revision of plans within this application such that the purposes of the conceptual site plan and the R-R Zone (Recreation Community Development) will be fulfilled.

9. ***Landscape Manual:*** The proposed residential development with equestrian component will be subject to Section 4.1, Residential Requirements; Section 4.3, Parking lot requirements; and Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

Section 4.1 will be addressed at the time of detailed site plan review when the appropriate detail is provided.

An overflow event parking lot has been shown within the PEPCO easement adjacent to the 60-foot-wide frontage residential dwelling units. An agreement has been reached between the applicant and PEPCO that enables the applicant to use the PEPCO easement for parking and other purposes. The parking lot may be subject to Section 4.3 and Section 4.7, which will be addressed at the time of detailed site plan review when the appropriate detail is shown on the plans.

A PEPCO easement bisects the property into two distinct portions. The residential dwelling units are shown on both sides of the easement. Since the PEPCO easement is defined as a medium impact use, a Section 4.7 bufferyard should be provided between the easement and the single-family lots. The conceptual site plan graphically shows conformance to Section 4.7 of the *Landscape Manual*.

10. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, and there are more than 10,000 square feet of existing woodland on site.
- a. The detailed forest stand delineation (FSD) submitted with this application has been found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Ordinance.

- b. The Type II tree conservation plan, TCPI/81/03, submitted with this application has been reviewed and was found to require significant revisions. A review by the Environmental Planning Section of the revised plans indicates that the TCPI is in general conformance with the requirements of the Woodland Conservation Ordinance.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. In a memorandum dated March 10, 2004, the Community Planning Division noted that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and is in conformance with the land use recommendation of the 1994 Melwood-Westphalia Master Plan.

The community planner also discussed various planning issues related to master plan trails, transportation, and land use in the memorandum.

- b. In a memorandum dated April 19, 2004, the Subdivision Section staff indicated that a preliminary plan of subdivision would be required for this property.
- c. The Environmental Planning Section, in a memorandum dated March 25, 2004, noted that the application has generally addressed the environmental constraints of the site and the requirements of the Prince George's County Woodland Conservation Ordinance. The environmental planner also addressed other issues such as Patuxent River Primary Management Area (PMA), noise, Marlboro clay, and historic roads in the memorandum. The staff recommends the approval of this conceptual site plan and Type I tree conservation plan, TCPI/81/03, subject to nine conditions that have been incorporated into the Recommendation section of this staff report
- d. The Transportation Planning Section, in a memorandum dated June 25, 2004, provided a detailed discussion on the master plan roadway facilities that affect the subject site. The staff also commented on the layout and circulation of the CSP as well as the attached traffic impact study for the proposed development. In conclusion, the staff indicated that the CSP conforms to the required findings in Section 27-276(b) of the Prince George's County Code.

In a separate memorandum from the Transportation Planning Section dated February 2, 2004, on detailed site plan review for master plan trail compliance, the Trails Planner noted that:

“Several master plan trail/bicycle facilities impact the subject application. The Adopted and Approved Melwood-Westphalia Master Plan recommends stream valley trails along Cabin Branch and Back Branch, a master plan trail/bicycle facility along Ritchie Marlboro Road, a trail within the Pepco right-of-way, and a

master plan trail running from Cabin Branch to the north.”

The staff concludes that a complete analysis of the trail network should be made at the time of detailed site plan review and recommends approval of this CSP subject to seven conditions that have been incorporated into the Recommendation section of this report.

- e. The Department of Environmental Resources (DER) in a memorandum dated January 12, 2004, noted that the concept site plan for the Clagett property is consistent with approved stormwater management concept plan #21383-2003.
- f. The Historic Preservation and Public Facilities Planning Section, in a memorandum dated January 14, 2004, indicated that the two historic dwellings on site, Keokuk (listed in the *Historic Sites and Districts Plan* as historic resource 78-00-14a) and Ingleside (listed in the *Historic Sites and Districts Plan* as historic resource 78-00-14b) were removed from the Inventory of Historic Resources by District Council Resolution (CR-25-1994) at the time of approval of the Melwood Westphalia Master Plan & Sectional Map Amendment, on March 22, 1994.
- g. The Office of Soil Conservation, Prince George’s County, in a memorandum dated January 15, 2004, offered no comments.
- h. The Department of Public Works and Transportation (DPW&T), in a memorandum dated January 7, 2004, required the right-of-way dedication for Ritchie Marlboro Road in accordance with the master-planned alignment, in addition to other standard requirements of DER and DPW&T.
- i. The Department of Parks and Recreation (DPR), in a memorandum dated April 24, 2004, stated that the CSP is in general conformance with the requirements of the Adopted and Approved Melwood-Westphalia Master Plan for Planning Area 78, the Land Preservation and Recreation Program for Prince George’s County, and current zoning and subdivision regulations as they pertain to public parks and recreation. DPR recommends the approval of this CSP subject to 15 conditions that have been incorporated into the Recommendation section of this report.
- j. The Washington Suburban Sanitary Commission (WSSC) in a memorandum dated January 2, 2004, noted that a hydraulic planning analysis package for this project is being reviewed by WSSC. No addition comments have been provided.
- k. The Health Department, in a memorandum dated January 21, 2004, provided 44 comments on the removal of structures, the treatment of an abandoned septic tank, well, fuel storage tank, and the removal of domestic trash and other debris on the site. The applicant has been fully informed about the requirements of the Health Department and agreed to fulfill the requirements.

- l. The Maryland State Highway Administration (SHA) in a memorandum dated January 12, 2004, has no objection to the approval of conceptual site plan CDP-03005.
- m. The Historic Preservation and Public Facility Planning Section, in a memorandum dated January 21, 2004, provided a review of the existing public facilities such as fire and rescue and police service. The staff concluded that the proposed development would be adequately served by the existing public facilities except for fire engine service. In order to alleviate the negative impact on fire and rescue service due to the inadequate service discussed, a condition of approval has been proposed by the staff that has been included in the Recommendation section of this report.

Comment: There are no required findings on adequate public facilities at this stage of development. The above comment is for informational purposes only.

- n. The CSP has also been referred to the Legal Department per Section 27-444(d)(1), which requires a copy of the proposed covenants be furnished to the Planning Board for concurrent approval with the conceptual site plan.

In a memorandum dated June 18, 2004, the Associate General Counsel recommended that the Planning Board approve the Declaration concurrently at such time as the Planning Board approves the Conceptual Site Plan for the subject property, in accordance with Section 27-444(d).

URBAN DESIGN CONCERNS

12. The Urban Design Section has the following concerns regarding the design of the proposed Recreation Community Development.
 - a. Access points to the equestrian complex from the community. A major entrance from the community should be designed around the equestrian theme while creating a strong sense of arrival by using layouts such as a roundabout and loop court. Outdoor art works with an equestrian-related theme should be considered as an important site design element in making a sense of place.
 - b. The screening and buffering of the rear yards from the views, smell and noise from the equestrian trails. A site-wide equestrian trails network will meander through most of the residential neighborhoods. The minimum distance of setback and minimum width and planting of the bufferyard between the trails and lots should be carefully studied at the time of detailed site plan review.
 - c. The screening and buffering of the rear yards of the lots that can be seen from Ritchie Marlboro Road and other perimeter lots. Since the community has a great expanse of open pastures along the entire Ritchie Marlboro frontage, the proper screening and

buffering of the rear yards from the major roadways will not only provide usable and private rear yards to the residents but also display an attractive image of the community.

- d. The design and siting of the residential buildings on the lots fronting Ritchie Marlboro Road. The rear elevations of the buildings should be treated similarly to the front elevations in terms of design, color and material.
 - e. The design of the central green. The CSP shows a central green as an end focal point of the main entrance roadway. But the CSP also proposes a group of single-family detached houses and a stormwater management pond and maintains an existing house on the central green. The design of the central green should properly buffer the rear yards of the existing house from public view and integrate the stormwater management pond as an amenity of this centrally located green open space. The new single-family lots should be relocated.
13. As required by Section 27-276(b), the conceptual site plan represents a most reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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/81/03), and further APPROVED Conceptual Site Plan CSP-03005 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this conceptual site plan, the applicant shall
 - a. Revise the development standards table to reduce the maximum lot coverage for small lots to 60 percent.
 - b. Provide a land use table to show the acreage of each proposed use category
 - c. Provide a unit count table for each development stage
 - d. Indicate on the CSP the land that will be dedicated to M-NCPPC as shown on the Department of Parks and Recreation Exhibit "A."
 - e. Add a note on the conceptual site plan indicating that the minimum single-family detached lot size is 6,000 square feet.
2. Prior to certification of the conceptual site plan, the Type I tree conservation plan, TCPI/81/03, shall be revised as follows:
 - a. Label all woodland conservation areas with an identification number and acreage.

- b. Correct the PMA limits where the stream buffer, wetland buffer, or 100-year floodplains extend beyond the limits currently shown as the PMA.
 - c. Add the following note to the TCPI:

“This plan is conceptual in nature and shall be revised with the Preliminary Plan of Subdivision submittal which shall include conceptual grading and house locations.”
 - d. Have the qualified professional who prepared the plan seal, sign, and date the plans.
3. At the time of preliminary plan of subdivision, the applicant shall
- a. Revise the limits of the PMA to reflect each of its components in their entirety.
 - b. Minimize all proposed PMA impacts to the fullest extent possible and eliminate any PMA impacts associated solely with the creation of lots.
 - c. Design the lot layout so that all residential lots are located completely outside of the 1.5 safety factor line (mitigated and/or unmitigated).
 - d. Show the mitigated and unmitigated 1.5 safety factor lines on the TCPI submitted with the Preliminary Plan of Subdivision.
 - e. Submit a copy of the approved 100-year floodplain study.
 - f. Submit a copy of the approved/proposed stormwater management concept plan
4. Prior to approval of a detailed site plan, the following shall be demonstrated on the plans:
- a. The streetscape treatments such as special pavers in crosswalks, special pedestrian lighting, and furnishings including seating elements.
 - b. Street trees on the main entrance boulevard shall be located approximately 35 feet on-center if they do not exist in the right-of-way. A staggered row of the same species shall be planted at the same interval on the other side of the sidewalk
 - c. The building materials and architecture of the equestrian building, barns, and community clubhouse, shall be high quality and compatible to each other. The same materials shall be used and the colors of materials shall be strategically repeated to create a harmonious built environment.
 - d. Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas in at least five locations, shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and property siting.

- e. Off-street parking and loading areas shall be provided in accordance with Part 11, and sign design shall be in accordance with Part 12 of the Zoning Ordinance.
5. At the time of detailed site plan approval, the following areas shall be carefully reviewed:
- a. Access points to the equestrian complex from the community.
 - b. The screening and buffering of the rear yards from the views, smell and noise from the equestrian trails.
 - c. The screening and buffering of the rear yards of the lots that can be seen from Ritchie Marlboro Road and other perimeter lots.
 - d. The design and siting of the residential buildings on the lots fronting Ritchie Marlboro Road.
 - e. The design of the central green.
6. At the time of the applicable detailed site plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following trail-related information with the site plans:
- a. A composite trails map showing the connection to the regional trail network, multiuse master plan trails, equestrian trails, bikeways, and sidewalks shall be submitted with the first DSP. Trails widths and surface types should be indicated on that plan.
 - b. A multiuse, hiker-biker-equestrian trail along the subject site's entire length of Cabin Branch. This trail should be constructed to DPR standards and guidelines.
 - c. A hiker-equestrian trail along the subject site's entire length of Back Branch.
 - d. Depending upon the road cross section required by DPW&T, one of the following should be constructed along the subject site's entire road frontage of Ritchie Marlboro Road:
 - (1) An eight-foot-wide hiker-biker trail.
 - (2) Wide (seven- to ten-foot-wide) asphalt shoulders and the placement of bicycle signage.
 - e. A paved master plan trail running from the Cabin Branch stream valley trail to the northern property line, as indicated on the master plan.
 - f. The proposed trail network shall be expanded to include the portions of the subject site north of the Cabin Branch.

- g. All equestrian trails shall meet the standards provided in Figure 3 of the Adopted and Approved Melwood-Westphalia Master Plan. Main trails should have a minimum ten-foot-wide trail width (with a two-foot-wide buffer on each side) and a minimum head clearance of 12 feet. Feeder trails, or trails receiving less volume, should meet the subdivision park trail standard, with a minimum trail width of six to eight feet, with a two-foot-wide buffer on each side. In order to accommodate equestrians, a minimum head clearance of 12 feet is recommended on these trails as well. All trails on land to be dedicated to the Department of Parks and Recreation should meet all DPR standards and guidelines.
 - h. Due to the density of the proposed development, standard sidewalks shall be provided along both sides of all internal roads, subject to concurrence by DPW&T.
7. The land to be conveyed to a homeowners association shall be subject to the applicable conditions below:
- a. Conveyance shall take place prior to the issuance of any building permits.
 - b. A copy of an unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements required by the approval process.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.

- h. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to, M-NCPPC without the review and approval of DPR.
 - i. The Planning Board, or its designee, shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
8. The land to be conveyed to the Department of Park and Recreation (DPR) shall be subject to the following conditions:
- a. An original, special warranty deed for the property to be conveyed (signed by the WSSC assessment supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance, prior to final plat approval.
 - g. No stormwater management facilities or tree conservation or utility easements shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these

features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

9. The conceptual site plan is subject to the Department of Parks and Recreation's conditions as follows:
 - a. The subdivider, his successors and/or assignees shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plan of subdivision.
 - b. The applicant shall construct a 10-foot-wide asphalt hiker/biker trail along the Cabin Branch and Back Branch as shown on attached Exhibit "A."
 - c. The applicant shall construct six-foot-wide asphalt trail connectors from the neighborhoods to the stream valley trail system along Cabin Branch and Back Branch Stream Valleys as shown on attached DPR Exhibit "A."
 - d. Prior to submission of the first detailed site plan, the applicant shall confer with the Department of Parks and Recreation concerning the exact alignment of the master-planned trails along the Cabin Branch and Back Branch Stream Valleys and of the connecting trails from the adjoining residential areas. The alignments shall be approved by DPR.
 - e. Submission of three original, executed recreational facilities agreements (RFA) for trail construction to DPR for their approval, six weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the Land Records of Prince George's County, Upper Marlboro, Maryland.
 - f. Submission to DPR of a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DPR, within at least two weeks prior to applying for building permits.
 - g. The location of the trail shall be staked in the field and approved by DPR prior to construction.
 - h. The applicant, his heirs, successors, and/or assignees shall construct the trail in phase with development. No building permit shall be issued for the lots directly adjacent to the trail until the trail is under construction. Prior to issuance of the 529th residential building permit, a ten-foot-wide, asphalt hiker/biker trail along Cabin Branch and Back Branch shall be completed. A six-foot-wide feeder trail shall be constructed in phase with development.
 - i. With the submission of the first detailed site plan, the applicant shall submit detailed construction drawings for trail construction to DPR for review and approval. The trail

shall be designed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.

- j. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.
 - k. The handicapped accessibility of all trails shall be reviewed during the review of the DSP.
 - l. The applicant shall enter into an agreement with PEPCO for public access, construction, installation, reconstruction, operation, and maintenance of the hiker/biker and equestrian trails on the PEPCO property.
 - m. If Commission trails are used by for-profit equestrian operations, an agreement shall be reached between the Commission and the equestrian operator before for-profit operations are conducted on public parkland. Further, at a minimum, the agreement shall include provisions that require the equestrian operator to provide insurance with coverage limits as specified by the Commission and name the Commission as an additional insured; indemnify and hold harmless the Commission; perform all construction and maintenance functions for the trails; and to allow for public use of the trails.
10. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
 11. All subsequent plan submittals for this property shall reflect the location of the unmitigated 65 dBA Ldn noise contour on the plans. Subsequent plan submittals shall not show any residential lots within the unmitigated 65 dBA Ldn noise contour unless a Phase II noise study is included with the submittal and all interior and exterior noise impacts are mitigated so as not to exceed the State of Maryland noise standards. All mitigation measures shall be shown on future preliminary plans of subdivision and associated tree conservation plans.
 12. Prior to issuance of the 530th building permit, the facilities such as community clubhouse, swimming pool, and tennis courts that serve the entire Recreational Community Development shall be completed and open to the residents.
 13. Prior to issuance of the 300th building permit, the main equestrian facility shall be developed.

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 Eley, with Commissioners Harley, Eley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 8, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of July 2004 and corrected on January 15, 2010.

Patricia Colihan Barney
Acting Executive Director

By Frances J. Guertin
Planning Board Administrator

PCB:FJG:JS:arj