

R E S O L U T I O N

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 December 9, 2004, regarding Specific Design Plan SDP-04043 for Marlboro Riding Cluster, the Planning Board finds:

1. **Request:** The subject application is for approval of a cluster subdivision for 297 detached residential lots.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Residential/Agriculture	Residential
Acreage	203.7	203.7
Cluster net tract area	None	186.70
Area within 100-year floodplain	None	12.7
Area of slopes greater than 25%	None	23.33
Lots	1	297
Parcels	None	6
Square Footage/GFA	None	
Dwelling Units:		
Detached	1	297
Minimum Lot Area		10,000

3. **Location:** The site is in Planning Area 79, Council District 6. More specifically, the property is Parcel 262, located on Tax Map 101 and Grid A-1 west of Upper Marlboro, Maryland. The property extends between Ritchie Marlboro Road and Old Marlboro Pike.
4. **Surroundings and Use:** Undeveloped farmland and large single-family lots surround the subject property near Upper Marlboro on the edge of the Developing Tier of Prince George's County.
5. **Previous Approvals:** The site has an existing house and farm buildings and there has been no previous development. The Prince George's County Planning Board approved the Type I Tree Conservation Plan (TCPI/50/03) and Preliminary Plan of Subdivision 4-03096 for Lots 1-297 and Parcels A-F, with conditions, on March 23, 2004.
6. **Design Features:** The proposed subdivision is a cluster development that has preserved the interior drainage, floodplain, steep slopes, and existing trees while developing the edge of the

property with single-family homes. Important issues to consider include the Strawberry Hill historic site across Old Marlboro Pike and the scenic roadway for both Ritchie Marlboro Road and Old Marlboro Pike. Mounding and a tree buffer along Old Marlboro Pike have screened the historic site. Native trees were used to preserve the rural hedgerow look for both roads. Trails were included throughout the development. Additional access to trails was provided at each cul-de-sac with access to the center of the site. The applicant has chosen an alternative to asphalt for these trails that will improve access and reduce impacts to steep terrain and trees. The number of trees will be expanded along both Old Marlboro Pike and Ritchie Marlboro Road to provide a more uniform tree-lined appearance.

The proposed housing will be large single-family structures with at least 75 percent having brick front facades. The size ranges from 2,200 to 3,700 square feet with some homes above 6,000 square feet. The style is traditional with varied rooflines and two-car garages. Structures have been adjusted to provide better views and meet the requirements of the zoning ordinance.

**Architectural Model Data**

<b>MODEL</b>	<b>Base Area Square Feet</b>	<b>MODEL</b>	<b>Base Area Square Feet</b>
Avalon	2,935	Brandenburg	3,040
Balmoral	3,893	Carter's Grove	3,572
Courtland	2,877	Falconcrest	2,851
Highgrove	3,576	Kingsmill	3,370
Zachary	2,249	Moreland	3,026
Victoria	2,439	Potomac	3,200
Waverly	3,189	Remington	3,182
Oberlin	2,632	Wynterhall	3,723

**COMPLIANCE WITH EVALUATION CRITERIA**

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R (Rural Residential) Zone. The subject site is in compliance with the requirements of Section 27-428 for the R-R Zone.
8. **Landscape Manual:** The subdivision is required to provide additional landscaping buffers for both Old Marlboro Pike and Ritchie Marlboro Road. Additional requirements are made for native vegetation and rural scenic roadway preservation. The development is deficient in plant material, according to *Landscape Manual*, 4.6 Buffering Residential Development from Streets, for landscape plan sheet 8. These additional plants are needed along Old Marlboro Pike: 2 trees, 18 evergreen trees and 34 shrubs. This deficiency is addressed by Condition 4i below.
9. **Woodland Conservation Ordinance:** The proposal is subject to conditions of the Prince George's County Woodland Conservation Ordinance because a significant amount of trees will be removed and a conservation plan has been approved for this site.

As required by proposed conditions below, the proposed Type II tree conservation plan must be revised and the Primary Management Area impacts associated with stormwater management must be consolidated and minimized.

**Preliminary Plan of Subdivision 4-03096:**

The detailed site plan is generally in conformance with approved Preliminary Plan 4-03096. The following conditions warrant discussion.

***Condition 15:*** At the time of review of the DSP, the applicant shall include a section drawing showing topography and sight lines from the Historic Site 78-00-23 (Strawberry Hill) to adjacent lots within the proposed subdivision that may impact sight lines. The DSP shall show the footprint and location of Historic Site 78-0023 on all appropriate sheets of the DSP.

***Comment:*** The Strawberry Hill Historic Site has been visually separated from the development and this relationship is shown with a section drawing that has the proposed sight lines and location of Strawberry Hill on site plans.

***Condition 27a:*** Portions of the 50-foot scenic easement that are adjacent to lots shall include proposed tree plantings to include a mixture of large and small-caliper planting stock. The planting scheme will replicate a rural hedgerow in this location. All plant material will be native.

***Comment:*** The detailed site plan shows the 50-foot scenic easement and proposed plantings. The plantings have been changed to replicate a rural hedgerow of native plant material.

***Condition 27b:*** Lots 170 and 171 should be modified to provide adequate area for buffering or be deleted. Buffering shall be provided outside of the lot lines with no modification to other lots from the layout approved on the preliminary plan of subdivision.

***Comment:*** Lots 170 (now 18) and 171 (now 19) should have adequate buffer space. The intent was to remove lots at the end of the cul-de-sacs near the proposed county road connection (Dille Drive) between Ritchie Marlboro Road and Old Marlboro Pike. This has been done.

***Condition 27c:*** Stormwater Management—The stormwater management ponds shall be designed with a natural grade or slope and that existing vegetation is retained as much as possible and that the ponds are landscaped, if necessary, to create an esthetic asset for the subdivision.

***Comment:*** This is addressed in Condition 4k.

***Condition 27e:*** Scenic Road—The detailed site plan should ensure that an effective tree

**cover be provided along Old Marlboro Pike. Where existing vegetation is insufficient to provide same, additive landscaping should be required in order to retain scenic views from Old Marlboro Pike.**

*Comment:* The landscaping along Old Marlboro Pike is generally sufficient to satisfy the *Landscape Manual* but not sufficient for some areas. This is especially true for Old Marlboro Pike east of Weldon Manor Lane to Malvern Court. This area is north of the historic site and has a 26-foot berm to screen views to the new subdivision. A similar condition exists along parts of Ritchie Marlboro Road where additional plantings should be closer to the road at Lot 14, Lots 6-8 (SWM), Lots 137-138 (SWM), and Lots 126-129. This issue is addressed in proposed Condition 3 below.

**Condition 27f: *Landscape Manual*—Schedules demonstrating compliance with Section 4.6 of the *Landscape Manual*, “Buffering Residential Development from Streets” will be required with the detailed site plan.**

*Comment:* Houses have been buffered from the main access roads in compliance with the *Landscape Manual*.

**Condition 27g: Building Materials/Landscaping for the Entrance Feature—At the time of detailed site plan review, staff will suggest that at least 60 percent of the units have brick facades and that all wood burning chimneys be either brick or stone and that accent plantings be added to the entrance feature.**

*Comment:* At least 60 percent of the houses will be constructed of brick and all chimneys will be brick or stone. This is ensured by Condition 4j below.

**Condition 27h: The DSP shall ensure that not more than one-fourth (5.83 acres) of the area of slopes exceeding 25 percent (23.33 acres) is disturbed.**

*Comment:* Less than one-fourth of the site’s steep slopes have been altered.

The following conditions are from the Subdivision Section referral that relate to preliminary plan considerations:

**Condition 1: The referral from the Subdivision Section states that the lot width at the front building (75 feet) is measured as a chord, not an arc. The DSP should be revised to accurately reflect the lot width at the front building line.**

*Comment:* The following lots are below the 75-foot minimum for front width at the building line: Lot 63 (Griffendale Ln sheet 6), Lot 30 (Weldon Manor Ln sheet 11), Lot 22 Coventry Manor Wy. sheet 16), Lots 80-83 Coventry Manor Wy. sheet 21) and Lot 129 (Welford Manor Dr. sheet 24). Condition 4a below addresses this issue.

**Condition 3: Approval of a Type II tree conservation plan.**

*Comment:* The tree conservation plan will be revised according to details described by the Environmental Planning Section (see Condition 1 under recommendations).

**Condition 15: Include a section drawing showing topography and site lines from Historic Site 78-00-23. The Historic Preservation Office should determine conformance.**

*Comment:* A section drawing has been provided but the Historic Preservation Section has not determined if the drawing is adequate. This will be required prior to certification of the plan.

**Condition 16: Reuse building material from Barn A and donate to the Department of Parks and Recreation or the Newel Post architectural salvage depot.**

*Comment:* This will be done when the barn is dismantled and before permits are issued.

**Stormwater management should enhance recreation areas.**

*Comment:* The main community recreation area should combine the stormwater pond with open space recreation to enhance scenic and recreation opportunity. Condition 4k below addresses this issue.

**Tree cover should be provided along Old Marlboro Pike to retain scenic views.**

*Comment:* This has been done except as noted in the Environmental referral for the rear of Lots 3 to 7, Block B, and Lots 6-8, Lot 14, Lots 137-138 (SWM) and Lots 126-129.

12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments follow:

- a. The Community Planning Division found no General Plan or master plan issues related to this proposal.
- b. The Transportation Planning Section referenced the following preliminary plan conditions for this plan (Burton to Greene, 11/23/04):

“Prior to the issuance of any building permit, except model home permits, on the subject property, the following improvements at the intersection of Ritchie Marlboro Road/Old Marlboro Pike intersection shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

“Construct an exclusive southbound Ritchie Marlboro road left turn lane.

“The applicant shall conduct a complete signal warrant study for the Ritchie

Marlboro Road/EBB MD 4 on/off ramps intersection to be submitted to SHA. If the results of the study indicate that a traffic signal is warranted, and deemed necessary by the SHA, the applicant shall bear the cost of said installation.

“Construct by-pass lanes at the access point along Ritchie Marlboro Road, and the three access points along Old Marlboro Pike.

“At the time of final plat, Parcel F shall be conveyed to the Department of Public Works and the Transportation (DPW&T), provided that DPW&T waives the requirement that the developer construct the road, Parcel F shall be conveyed to the homeowner’s association. The homeowner’s association disclosure information shall provide notice that Parcel F was created for the future implementation of C-614 and shall be conveyed to DPW&T upon demand. The final plat shall note the disposition of C-614.”

These conditions will be enforced at the time of preliminary plan and building permit, if applicable. The necessity of by-pass lanes will be evaluated by the Department of Public Works and Transportation and enforced by them in accordance with the provisions of Subtitle 23, the Road Code.

The trails planner of the Transportation Planning Section stated:

“A bikeway is proposed for Old Marlboro Pike and Ritchie Marlboro Roads (Melwood-Wesphalia Master Plan) with signage and wider asphalt shoulders or an eight-foot wide asphalt trail (in place of the on-road bikeway) if a closed cross section is required. Condition 1b. of the approved preliminary plan requires feeder trails from the end of Public Road A and D to the internal trail network. This condition has been met.... All of the trails appear to be six-foot wide and asphalt. If an alternative trail surface is proposed for any trails or trail segments, it should be marked and labeled on submitted plans and be approved by the trails coordinator and the urban design section.”

- c. The Subdivision Section found that “The property is the subject of Preliminary Plan 4-03096, PGCPB Resolution No. 04-38...” that contains 27 conditions. The relevant conditions are listed. These are listed under Preliminary Plan Evaluation Criteria.
- d. The Permit Review Section found that the plan needs several revisions. The Permit Review Section found that the plan needs these changes that will mostly be completed as conditions: Correction of the BRL for Lots 149 (Block D) and Lot 143 (Block D); retaining walls must have overall height; templates must show dimensions of all proposed features; revise gateway sign elevation to include height, dimensions and square footage of sign; and designate the environmental setting of historic resource “Navaho.”

- e. The Environmental Planning Section made the following comments:
1. Revise TCPII/105/04 to meet the requirements of the Woodland Conservation Ordinance.
  2. Submit a Phase II Noise Study including cross-sections from roads to houses.
  3. Revise the DSP to reflect the required changes to TCPII/105/04.
  4. Submit copy of wetland jurisdictional determination.
  5. Itemize each proposed PMA impact and label each impact accordingly on the TCPII.

Preliminary Plan Conditions:

26. Prior to certification, the detailed site plan and Type II tree conservation plan shall be revised to show the location of the unmitigated and mitigated 65 dBA Ldn noise contours on the plans and the following note shall be added to the plans.
27. The detailed site plan shall be approved prior to final plat.
  - d. Portions of the 50-foot scenic easement that are adjacent to residential lots shall include proposed tree plantings to include a mixture of large and small-caliper plantings. The planting scheme will replicate a rural hedgerow in the location. All plant material will be native plants.

Prior to certification of the detailed site plan, the landscape plan shall be revised to provide significant plantings within the 50-foot scenic easement and on the berm located at the rear of Lots 3 to 7, Block 'B.' The planting density and species shall be similar to adjacent portions of the buffer as currently reflected on the plans and shall utilize native tree species.

**Woodland Conservation Ordinance:**

Prior to certificate of approval of the detailed site plan, Type II Tree Conservation Plan TCPII/105/04 shall be revised (see detailed referral from Environmental Planning section).

Prior to certificate of approval of the detailed site plan, the PMA impacts associated with stormwater management outfalls behind Lots 37 and 49, Block 'A' shall be eliminated. The four proposed impacts for the stormwater management outfalls, trail and sewer outfall behind Lot 46, Block 'B,' shall be consolidated to the extent possible thus

minimizing the extent and number of impacts proposed.

- f. The Fire Department did not respond to request for referral.
  - g. The Department of Public Works and Transportation provided comments on its standard requirements that will be enforced at the time of the building permit.
  - h. The Historic Preservation and Public Facilities Planning Section, Countywide Planning Division found a historic site on this property: “Navaho was one of a group of nineteenth-century dwellings built near Upper Marlboro for the Clagett Family; the house was destroyed by fire in October 1996.... The Navaho farm was part of a large agricultural area near Upper Marlboro....”
    - 1. Navaho, Historic Resource 378-000-22, no longer exists but must be shown on the detailed site plan (building footprint).
    - 2. Relocate the entrance (to Marlboro Riding) Strawberry Hill Historic Site (Already done).
    - 3. Provide section drawing showing topography and site lines from Strawberry Hill to adjacent lots within the subdivision (Already done).
    - 4. Submit Phase I archeological investigation. Archeological monitoring of grading by an archeologist is recommended but no further Phase I or II investigation is required. Consultation with the Planning Department’s archeologist is recommended.
    - 5. Material from a barn may be reusable and should be given to the Department of Parks and Recreation or the Newel Post, the county’s architectural salvage depot.
  - i. The Maryland State Highway Administration had no comment.
  - j. The Department of Parks and Recreation found no issues except that the Urban Design staff shall review proposed private recreational facilities.
  - k. The Department of Environmental Resources found that the site plan is consistent with approved stormwater concept #17676-2003.
13. As required by Section 27-285(b), the detailed site plan represents a 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 for 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 II Tree Conservation Plan (TCPII/105/04), and further APPROVED Specific Design Plan SDP-04043 for the above-described land, subject to the following conditions:

1. Prior to certification of DSP-04043, all of the requirements of Tree Conservation Plan II/105/04 shall be completed according to the Environmental Planning Section comments in their referral of 11/1/04, as follows:
  - a. The PMA impacts associated with the clearing of CA I, J and K in the floodplain shall be consolidated and/or further minimized. Also consolidate CA 6 and 7 to further minimize PMA impacts.
  - b. Show the location of tree protection devices (TPDs), including the fencing and signs.
  - c. Correct all the match lines so that the lines reflected on the adjoining sheets are consistent and not shown in different locations.
  - d. Correct the label for CA 10 on sheet 4 to correspond to the same number as reflected on the table found on sheet 27.
  - e. The label for RA 2 on sheet 7 and 9 reflects a different acreage than that shown on the corresponding table on sheet 27 and on the other plan view sheets. Correct the acreage shown on all sheets to be consistent.
  - f. Correct all labeling on the plans to reflect CA for clearing area and RA for reforestation area.
  - g. Correct the label for woodland preservation area 4 shown on sheet 9 to reflect the correct number PA 14.
  - h. Revise sheet 13; Lot 29 has a label for WPA (NC) J that no longer applies and shall be removed.
  - i. Revise sheet 13; Lot 17 and 23 each have the same label for different clearing areas that need to be corrected.
  - j. Revise sheet 14; Lot 48 has a label for WPA (NC) M that no longer applies and shall be removed.
  - k. Revise sheet 18; a label for RA 18 reflects a different acreage than shown on the table on sheet 27. The acreages shall be corrected to reflect the same number.
  - l. Revise sheet 19; WPA 29 has a different acreage than shown on sheet 27. The acreages shall be corrected to reflect the same number.

- m. Revise sheet 23; label for WPA (NC) G that no longer applies to this plan—remove the label.
  - n. Revise the tree conservation plan worksheet as necessary after the other revisions have been completed.
  - o. Revise the scenic road easement label shown on sheet 17 to accurately reflect the location of the easement.
  - p. Have the licensed landscape architect, licensed forester, or qualified professional who prepared the plans, sign and date the plans.
  - q. Identify all woodland on Parcel 'P' as woodland cleared and revise the worksheet as necessary.
2. Prior to certificate of approval of the detailed site plan, the PMA impacts associated with stormwater management outfalls behind Lots 37 and 49, Block 'A' shall be eliminated. The four proposed impacts for the stormwater management outfalls, trail and sewer outfall behind Lot 46, Block 'B,' shall be consolidated to the extent possible thus minimizing the extent and number of impacts proposed.
3. Prior to certification of the detailed site plan, the landscape plan shall be revised to provide significant plantings within the 50-foot scenic easement and on the berm located at the rear of Lots 3 to 7, Block 'B,' and along Ritchie Marlboro Road at Lot 14, Lots 6-8 (SWM), Lots 137-138 (SWM), and Lots 126-129. The planting density and species shall be similar to adjacent portions of the buffer as currently reflected on the plans and shall utilize native tree species.
4. Prior to certificate of approval of the detailed site plan, the following revisions shall be made:
- a. Revise the lot width to 75 feet at the front building line measured in a straight line for these lots: Lot 63 (Griffendale Lane sheet 6), Lot 30 (Weldon Manor Lane sheet 11), Lot 22 Coventry Manor Way sheet 16), Lots 80-83 Coventry Manor Way sheet 21) and Lot 129 (Welford Manor Drive sheet 24).
  - b. Show the block designation on each sheet.
  - c. Correct the BRL for Lot 149, Block D, and Lot 143, Block D. The front property line of a corner lot is the shortest street side and the rear property line is the line opposite that (shortest street side). Resite the house, if necessary.
  - d. Retaining walls shall have overall height included on the site plans.
  - e. Templates shall show dimensions of all proposed features (sunroom, covered porch, etc.).
  - f. Gateway sign regulations per Section 27-624 of the Zoning Ordinance, shall be

addressed. Revise the gateway sign elevation to include the overall height, show the dimensions, and list the square footage of the sign oval. Locate the gateway sign(s) on the site plan and landscape plans.

- g. Strawberry Hill Historic Site (#78-000-23) will be appropriately shown on the detailed site plan (building footprint) and on all appropriate sheets of the DSP.
  - h. Notes shall be added to the plan indicating that a fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
  - i. Plant additional trees along Old Marlboro Pike (landscape sheet 8) to include 2 shade trees, 18 evergreen trees, and 34 shrubs.
  - j. Notes shall be added to the plan indicating that at least 75 percent of the housing units will be constructed of brick, and all chimneys will be brick or stone.
  - k. The stormwater management pond adjacent to the main community recreation area shall be revised, if allowed by DER, to create a more natural and curvilinear edge to enhance its scenic and recreational qualities.
  - l. The Historic Preservation Office will approve a section drawing showing topography and sight lines from Historic Site 78-000-23.
  - m. Material from Barn A may be reusable and should be offered to the Department of Parks and Recreation, or the Newel Post (architectural salvage depot).
5. If an alternative surface is proposed for any trails or trail segments, it should be marked and labeled on submitted plans and be approved by the trails coordinator and the Urban Design Section.

In conformance with the Adopted and Approved Melwood-Westphalia master plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:

- A. Depending on road cross section required, construct an eight-foot wide hiker-biker trail.  
Or,
- B. If an open cross section is required, designate Old Marlboro Pike as a Class III bikeway with appropriate signage. Because Old Marlboro Pike is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$420 to the Department of Public works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the building permit. Provide a wide asphalt shoulder

along the subject site's frontage to safely accommodate bicycle traffic, unless modified by DPW&T.

Depending upon the road cross section required by DWP&T, one of the following alternatives should be constructed along the subject site's entire road frontage of Ritchie Marlboro Road:

- A. If a closed road cross section is required, construct a eight-foot wide hiker-biker trail. Or,
  - B. If an open cross section is required, designate Ritchie Marlboro Road as a Class III bikeway with appropriate signage. Because Ritchie Marlboro Road is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$420 to the Department of Public works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the building permit. Provide a wide asphalt shoulder along the subject site's frontage to safely accommodate bicycle traffic, unless modified by DPW&T.
6. Prior to grading in the vicinity of the Navajo dwelling site (18 PR 710), the applicant shall hire an archeologist to monitor all grading in that vicinity and to work closely with the Planning Department's consulting archeologist during the grading and file a report of the presence or absence of features when grading is completed.

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 Squire, seconded by Commissioner Eley, with Commissioners Squire, Eley, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Harley absent at its regular meeting held on Thursday, December 9, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of December 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:DG:rmk