

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed 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 November 10, 2005 regarding Detailed Site Plan DSP-04015 for Archer's Glen, the Planning Board finds:

1. **Request:** The subject application requests approval of a limited detailed site plan for DSP-04015, Archer's Glen Subdivision, in accordance with the requirements of Condition 9 of the approval of Preliminary Plan 4-02085 as reflected in resolution PGCPB 3-34 (A).

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	O-S	O-S
Use(s)	Vacant	Residential
Acreage	236.45	236.45
Lots	1-47	1-47

3. **Location:** The site is in Planning Area 87A, Council District 9. More specifically, it is located on Bald Eagle School Road 1,700 feet northeast of Baden-Westwood Road.
4. **Surroundings and Use:** The subject property is bounded to the north by rural residential land use and vacant land and to the east, west and south by single-family detached residential development.
5. **Previous Approvals:** The proposed site was the subject of Preliminary Plan of Subdivision 4-02085. The site is also the subject of approved stormwater concept 4342-2002.
6. **Design Features:** The proposed subdivision is accessed from a single point on Bald Eagle School Road. All lots are accessed from Taylerton Lane, which terminates in a cul-de-sac except for Lots 6, 7 and 8; these lots are accessed by Taylerton Court, which branches off Taylerton Lane to the north, 1,750 feet from its intersection with Bald Eagle School Road. Plans for the project include an entrance feature. Two options have been shown in the project's plans. The first includes extensive landscaping and a 48-inch high western red cedar split rail (three-rail) fence, but no sign. Specifically, the landscaping includes the following:

Common Name	Quantity
Rutgers Pink Dogwood	8
Sweetgum	10
American Holly	11

Sourwood	4
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The second option includes a sign, together with the above landscaping and fence. The exterior materials to be used for the sign are stone and stone veneer, and the design is simple and two-tiered. The upper tier, measuring approximately five feet by three feet (15 square feet) would contain the sign face measuring 3 feet 7.5 inches [43.5 inches] by 12 inches, proposed to be made of precast concrete with six-inch-high simple and clearly legible lettering of the Batang font. The upper tier of the sign would be supported by a base measuring approximately 2 feet by 9 feet (18 square feet). Both tiers would be capped in stone set on mortar, while the rest of the sign would be constructed of CMU, with carderock quarry stone veneer comprising the visible materials on its façade. The base of the sign would be surrounded for two feet in each direction with a small flagstone patio. The sign design provides identification for the subdivision in an aesthetically pleasing manner.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the O-S (Open Space) Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in the residential zones. The proposed single-family subdivision is a permitted use in the O-S Zone.
 - b. The proposal is also in conformance with the requirements of Section 27- 442, Regulations, regarding additional regulations for development in the O-S Zone.
8. **Preliminary Plan of Subdivision, 4-02085:** Preliminary Plan 4-02085 was approved by the Planning Board on February 20, 2003. Resolution PGCPB 03-34 was adopted on March 27, 2003. On February 17, 2005, the Circuit Court remanded the preliminary plan of subdivision to the Planning Board for further proceedings. On June 23, 2005, the Planning Board reconsidered the preliminary plan of subdivision and approved the application with all of the original conditions and findings with the addition of a finding related specifically to conformance with the 1993 Subregion VI Master Plan and the 2002 General Plan. The Planning Board reapproved Preliminary Plan of Subdivision 4-02085. That approval was formalized in PGCPB 03-34(A). The following conditions of approval apply to the review of the subject detailed site plan. The condition is included in bold type with staff's comments following each subsection of the condition in regular type.
 9. **Prior to approval of any permits, a Limited Detailed Site Plan shall be approved by the Planning Board to address the following issues:**
 - a. **The design (materials and landscaping) of the proposed site entry feature(s) at Bald Eagle School Road;**

Comment: The entrance feature offered for the subdivision comprises extensive landscaping and a three-rail split rail fence, with the option of adding a sign to identify the subdivision. (Please see Finding 6 above for a more detailed description of the proposed site entry feature.) Staff has reviewed the details of the proposed site entry feature and found it to be acceptable, provided the option to include the sign for identification purposes is exercised.

b. The type and extent of street lights that may be proposed;

Comment: Lights are proposed to be “cobra style.” This is a typical modern steel street light fixture. While this is not a particularly attractive or distinctive light fixture, it is to be located in the public right-of-way, and the Department of Public Works and Transportation has informed Urban Design staff that the cobra-style light fixture is the only street light design that they will approve in the Rural Tier.

c. Any vehicular line-of-sight issues associated with Bald Eagle School Road;

Comment: In comments dated September 6, 2005, the Transportation Planning Section stated that they had received a sight distance analysis from the applicant, which evaluated entrance as well as stopping sight distances, along Bald Eagle School Road in the vicinity of the site entrance. Further, based on staff’s review of the analysis, the Transportation Planning Section stated that they are satisfied that the proposed sight distances are acceptable in accordance with the AASHTO guidelines.

d. Notation of the type and location of all wells to be implemented; and

Comment: The type and location of all wells have been included on the limited detailed site plan.

e. Notation of the type and location of all septic systems to be implemented.

Comment: The type and location of all septic systems have been included on the limited detailed site plan.

9. **Woodland Conservation Ordinance:** The subject project is subject to the requirements of the Woodland Conservation Ordinance because the property is greater than 40,000 square feet gross tract area, there are more than 10,000 square feet of existing woodland, and more than 5,000 square feet of woodland clearing is proposed. A Type I tree conservation plan (TCPI/49/02) was approved with the preliminary plan of subdivision application and a Type II tree conservation plan (TCPII/08/04) was approved on April 21, 2004. The entire woodland conservation requirement is proposed to be met on-site. The Environmental Planning Section has reviewed a revision to the approved TCPII together with the subject limited detailed site plan and is recommending approval subject to conditions. Therefore, it may be said that the subject project is in compliance with the requirements of the Woodland Conservation Ordinance.

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

Community Planning—In a memorandum dated May 12, 2004, the Community Planning Section stated that the application is not inconsistent with guidelines for development in the Rural Tier as defined in the General Plan and that the application conforms to the Low-Rural residential land use characteristics recommended in the master plan.

Transportation—In comments dated September 6, 2005, the Transportation Planning Section stated that they had received a sight distance analysis from the applicant, which evaluated entrance as well as stopping sight distances, along Bald Eagle School Road in the vicinity of the site entrance. Further, based on staff's review of the analysis, the Transportation Planning Section stated that they are satisfied that the proposed sight distances are acceptable in accordance with the AASHTO guidelines.

Subdivision—In comments dated August 5, 2004, the Subdivision Section stated that Preliminary Plan 4-02085 was approved by the Planning Board on February 20, 2003. The resolution, PGCPB 03-34, was adopted on March 27, 2003. Only Condition 9 of that approval is relevant to the detailed site plan process. The case was subsequently considered by the Circuit Court for Prince George's County and remanded to the Planning Board on February 17, 2005, for the sole purpose of reconsidering findings related to the conformance with the master plan. That reconsideration generated PGCPB 05-146, which contained the same requirements regarding the limited detailed site plan. Please see Finding 8 above for a more detailed discussion of the relevant requirements of the applicable preliminary plan of subdivision.

Permits—In a memorandum dated May 26, 2004, the Permit Review Section provided comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Environmental Planning—In a memorandum dated September 28, 2005, the Environmental Planning Section offered the following:

Background

The Environmental Planning Section has previously reviewed this application as a Pre-Preliminary Plan, P-02003, Preliminary Plan 4-02085, and Type I Tree Conservation Plan TCPI/49/02 that were approved with conditions.

A Type II Tree Conservation Plan TCPII/08/04 was approved in April 2004.

Site Description

The subject property is a 236.45-acre parcel located on the east side of Bald Eagle School Road,

with slightly more than 200 feet of road frontage. There are numerous streams, wetlands, and 100-year floodplains found on this property. A Nontidal wetlands study and plan, dated June 2002, was submitted which delineates wetlands and numerous waters of the U.S. on the subject property. A large tributary generally follows the southern property line. Extensive areas of severe and steep slopes exist, many of which are adjacent to streams. The soils found on this property include Beltsville silt loam, Matapeake silt loam, Mixed alluvial land, Sandy land steep, Sassafras gravelly sandy loam, and Westphalia-Evesboro complex. Some of these soils have limitations with respect to impeded drainage or seasonally high water tables while others have limitations with respect to steep slopes and erodibility. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. There are no designated scenic and historic roads located adjacent to the property or in the vicinity of the property. No adverse noise impacts from transportation are anticipated related to this proposal. The property is located in the Patuxent River watershed and is located in the Rural Tier as reflected in the General Plan.

Environmental Review

1. Condition 9 of PGCPB No. 03-34 reads as follow:
 - "9. Prior to the approval of any permits, a limited detailed site plan shall be approved by the Planning Board to address the following issues:
 - "a. The design (materials and landscaping of the proposed site entry features at Bald Eagle School Road.
 - "b. The type and extent of street lights that may be proposed.
 - "c. Any vehicular line-of-site issues associated with Bald Eagle School Road.
 - "d. Notation of the type and location of all wells to be implemented.
 - "e. Notation of the type and location of all septic systems to be implemented."

The limited detailed site plan and TCPII to show the design, materials and landscaping of the property site entry feature, which combines landscaping and afforestation areas. The septic fields have been revised to be in conformance throughout the plan.

Comment: No further information concerning the design of the entrance feature or the septic fields is required.

2. Condition 6.f. of PGCPB 03-34 reads as follows:

“f. The preliminary plan shall be revised to show a building restriction line on Lots 1 and 47, 200 feet from the right-of-way for Bald Eagle School Road. This building restriction shall be shown on the final plat of subdivision, along with the following note:

“The building restriction line shown on Lots 1 and 47 is for the retention of the rural character in the viewshed of Bald Eagle School Road. The retention of trees or the landscaping of the area between the right of way and the building restriction line is strongly encouraged, and will be reviewed during the approval of the TCPII for these lots.”

The revised plans demonstrate that existing vegetation has been retained within the viewshed of Bald Eagle School Road, with additional landscaping and a split-rail fence complimenting the rural character of the viewshed.

Department of Environmental Resources (DER)—In comments dated May 17, 2004, the Department of Environmental Resources stated that the detailed site plan for Archer’s Glen does not match the approved layout as shown in the stormwater management concept. The concept plan needs to be revised and approved. A recommended condition of approval below would ensure that the approved plans dovetail with the existing stormwater management concept approval or a revision thereto.

Department of Public Works and Transportation (DPW&T)—In a memorandum dated August 30, 2005, DPW&T stated:

- The proposed landscaped and site entry feature at Bald Eagle School Road will be located outside of the right-of-way and, therefore, not within DPW&T’s jurisdiction.
- Streetlights that will be required within the subdivision and at the intersection of Bald Eagle School Road and the proposed entrance to the subdivision (Taylerton Lane) must be in accordance with DPW&T’s standard for rural roadways.
- The developer will be required to provide intersection sight distance in accordance with AASHTO requirements and grading along Bald Eagle School Road may be required to provide adequate sight distance.

Please note that compliance with DPW&T requirements is enforced through their separate permitting process.

Health Department—At the time of this writing, the Prince George’s County Health Department has not offered comment on the proposed project.

Washington Suburban Sanitary Commission (WSSC)—In comments dated May 26, 2004, WSSC simply noted that the proposed project is on well and septic systems.

11. As required by Section 27-285(b) of the Zoning Ordinance, 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 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 II Tree Conservation Plan (TCPII/08/04-01) and further APPROVED Detailed Site Plan DSP-04015 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall provide staff with revised referral comments from DER stating that the proposed plan is in compliance with approved stormwater concept 4342-2002 or any revisions thereto.
2. The applicant and the applicant's opposition shall submit an agreed plan for the proposed sign for the subject project.

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 Vaughns, with Commissioners Squire, Vaughns and Eley voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, November 10, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of December 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin

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Planning Board Administrator

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