

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 December 15, 2005 regarding Detailed Site Plan DSP-05074 for Woodmont Estates, the Planning Board finds:

1. **Request:** The subject application is for approval of a limited detailed site plan for DSP-05074, Woodmont Estates, in accordance with the requirements of Condition 7 of the approval of Preliminary Plan 4-93064 as reflected in resolution PGCPB 93-306(A) in regard to siting and architectural compatibility. The site consists of 3.05 acres in the R-R Zone.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant/Wooded	Residential
Acreage	3.05	3.05
Number of lots	5	5
Parcel	0	0
Dwelling Units	0	5

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Minimum lot area (square feet)	20,000	20,000
Number of flag lots	1	1

ARCHITECTURAL DATA

Mt. Vernon Model	Base Finished Area (Sq. Ft.)
Elevation 1	3,869
Elevation 2	3,890
Elevation 2a	3,890
Elevation 3	3,869
Elevation 4	3,890
Elevation 5	3,890
Elevation 6	3,869

3. **Location:** This site is in Planning Area 71A, Council District 6. More specifically, it is located at the southern section of Resin Court, 550 feet west of its intersection with Heatherstone Drive.
4. **Surroundings and Use:** The subject site is bounded to the north by Reserved Open Space (R-O-S) Zone; to the east by existing single-family residences in the R-R Zone; and to the west and south by single-family dwellings in the R-E Zone.
5. **Previous Approvals:** The Preliminary Plan of Subdivision 4-93064 was approved by the Planning Board on November 18, 1993 (PGCPB Resolution No. 93-306). The subject site has an approved Type I Tree Conservation Plan, TCPI/37/93. The site also has a stormwater management concept plan approval 27061-2005-00, which is valid through August 1, 2008.

Preliminary Plan of Subdivision 4-93064 (PGCPB Amended Resolution No.93-306(A)) was approved by the Planning Board on December 6, 2001, with all of the original conditions and findings with the exception of reducing the total number of lots from six to five, to provide frontage and direct vehicular access to Resin Court for all lots, with three additional conditions recommended by the staff.

6. **Design Features:** The proposed subdivision is accessed through Heatherstone Drive. Lots 8-12 are accessed via Resin Court, which terminates in a cul-de-sac. The subject property consists of 3.05 acres of land in the R-R Zone. The proposed single-family detached dwelling units are located on the west side of Heatherstone Drive. This proposed development consists of five 2-story, single-family detached dwellings with six elevation options. The proposed Mt. Vernon model offers several different elevations that are mainly of traditional architectural style with varied roof pitches, styles, and decorative architectural elements. Each single-family house has a two-car garage (with an optional three-car-garage) as a standard feature and is finished with standard vinyl siding, brick veneer, or a combination of these materials. The side elevations for the models provide a minimum of two standard architectural features. Total base finished area of the proposed single-family houses is between 3,869 and 3,890 square feet.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-428(b), which governs permitted uses in rural residential zones. The proposed single-family detached units are a permitted use in the R-R Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-428(c), Regulations, regarding additional regulations for development in R-R Zones.

8. **Preliminary Plan of Subdivision 4-93064 and Final Plat REP 197@13:** Preliminary Plan 4-93064 with PGCPB Resolution No. 93-306 was approved and adopted by the Planning Board on November 18, 1993. In September 1995, the Planning Board accepted the applicant's request to reconsider the preliminary plan of subdivision on the basis of misrepresentation of the existing public right-of-way for Old Stage Road. The preliminary plan of subdivision was approved by the Planning Board on Dec 6, 2001, with all of the original conditions and findings with the exception of reduction of the total number of lots from six to five, that all lots have frontage and direct vehicular access to Resin Court, with new conditions 8, 9 and 10 recommended by the staff and modified finding 21. The amended PGCPB Resolution No. 93-306(A) was adopted on January 24, 2002. A final record plat has been approved and is recorded in land records in Plat Book REP 197@13.

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.

7. **A limited Detailed Site Plan shall be approved by M-NCPPC prior to the issuance of rough grading permits for the review of:**

- a. **Unit siting to ensure functional rear yards and sensitivity to the tree conservation area.**

Comment: House siting has been found to require minor adjustment to provide more generous rear yards. The house on Lot 8 should be relocated to bring the front of the garage to the front building restriction line to ensure a functional rear yard. This has been addressed in the recommended conditions below.

- b. **Compatibility with the surrounding community with regard to style, design and architecture.**

Comment: The applicant has submitted detailed elevation drawings complete with specified materials. Staff has visited the site and reviewed the submitted architecture for the proposed project and found it to be acceptable and compatible with the existing style, design and architecture of the surrounding area, which is mainly characterized by the two-story Colonial architecture, single-family units with two-car garages.

9. ***Landscape Manual:*** The proposed development is subject to Section 4.1, Residential Requirements, and Section 4.6, Buffering Residential Development from Streets, of the *Landscape Manual*.
- a. The subject site consists of five lots; Lot 12 is a flag lot adjacent to Old Stage Road. The area of Lots 8-11 ranges from 20,120 square feet to 22,722 square feet, which is less than 40,000 square feet. According to Section 4.1, Lots 8-11 shall be planted with a minimum

of three major shade trees and two ornamental or evergreen trees per lot. The site plan for Lots 8-11 is in conformance with the requirements of the *Landscape Manual*.

The area of Lot 12 is 48,642 square feet, which is more than 40,000 square feet and shall be planted with minimum of four major shade trees and three ornamental or evergreen trees per lot. The proposed plan is in conformance with the requirements of the *Landscape Manual*.

- b. Section 4.6, Buffering Residential Development from Streets, requires that the rear yard of any one-family detached or attached dwelling be buffered from the view of a street classified as a collector or higher. The rear yard of Lot 12 is adjacent to Old Stage Road, which is a collector by classification. Per Section 4.6, a minimum 35-foot-wide bufferyard is to be planted with four shade trees, 15 evergreen trees, and 30 shrubs per 100 linear feet of right-of-way. The site plan is in conformance with the requirements of Section 4.6 of the *Landscape Manual*.

The Urban Design staff reviewed the proposed landscape plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.

10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and more than 5,000 square feet of woodland was disturbed. A Type I Tree Conservation Plan (TCPI/37/93) was approved with the preliminary plan of subdivision application. A Type II Tree Conservation Plan (TCPII/153/05) was submitted with the detailed site plan application and reviewed. The Type II tree conservation plan submitted with this DSP was found to require revisions before a complete review of the proposal could be conducted.

Based on available information there are no regulated features such as, a stream, areas of 100-year floodplain, and wetlands associated with the site. According to the 2005 adopted Countywide Green Infrastructure Plan (GI Plan), no network features on the GI Plan are associated with this site. The property is in the Collington Branch watershed of the Patuxent River basin and the Developing Tier as reflected in the 2002 General Plan.

Comment: The applicant submitted revised plans in response to the comments of the Environmental Planning Section. The Environmental Planning Section conditions are included in the recommendation section.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Transportation Planning:** The Transportation Planning Section, in a memorandum dated October 6, 2005, stated the proposed site plan is acceptable. Furthermore, the Old Stage Road has a proposed 60-foot right-of-way and Heatherstone Drive has an existing 50-foot right-of-way.

- b. **Subdivision:** In a memorandum dated October 31, 2005, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-93064, approved by the Planning Board on October 16, 2003. The resolution of approval, PGCPB Amended Resolution No. 93-306(A) was adopted on January 24, 2002. A final record plat has been approved and is recorded in land records in Plat Book REP 197@13.

The property is located within the R-R Zone. The final record plat was recorded in error and does not conform to the approved preliminary plan of subdivision. A new record plat is required to adjust the common boundary lines to conform to the zoning regulations. Specifically, Lot 10 does not meet the minimum lot width at the front street line of 60 feet. It appears that adjusting the lot lines between several of the lots will provide for adequate frontage and lot sizes for all five lots that are the subject of the record plat (REP 197@13).

The DSP may address this issue of zoning and establishing a foundation for the approval of the new record plat prior to the issuance of permits.

Comment: The detailed site plan site has been revised to reflect bearings and distances on all of the lot lines including the lot width at the front street line. The applicant applied for a plat of correction to conform to the record plat.

- c. **Permits:** The Permit Section, in a memorandum dated October 27, 2005, provided three comments:

- i. The siting of the proposed homes appears to be sensitive to the tree save areas.
- ii. Lots 8 and 9 do not appear to have any usable rear yard area. The rear yard of Lot 8 is sloped and the rear yard of Lot 9 is entirely within the building restriction line, which will necessitate a variance for any sunroom or deck addition on this lot.
- iii. A retaining wall of six feet tall in some location might be required for the safety fence or rail. The safety fence should be shown on the site plans and detail sheets.

Comment: All relevant comments have been either incorporated into the recommendation section of this report as conditions of approval or addressed through the revised plan.

- d. **Environmental Planning:** In a memorandum dated October 27, 2005, the Environmental Planning Section offered the followings:

The Environmental Planning Section has reviewed the detailed site plan submitted for Woodmont Estates, DSP-05074, and Type II Tree Conservation Plan, (TCPII/153/05), stamped as received on October 11, 2005. Additional information and revised plans are required before review of the application can proceed. Comments based on the revised plan may be provided in the future.

Background/Site Description

The detailed site plan is for Lots 8-12 of Block A of Woodmont Estates. The Environmental Planning Section previously reviewed plans associated with the site when it was first subdivided in 1987 as part of Preliminary Plan of Subdivision 4-87213 for a cluster development. At the time of approval, the preliminary plan proposed the creation of 43 lots and 5 parcels. The area that comprises the subject site was within Parcels D and E of Preliminary Plan 4-87213. These two parcels were put into reservation for the planned arterial road, A-44.

In 1993, the two parcels were further subdivided in Preliminary Plan of Subdivision 4-93064 for the creation of four lots for single-family detached dwellings. The Planning Board's conditions of approval placed on the preliminary plan are found in Resolution No. 93-306. Type I Tree Conservation Plan TCPI/37/93 was approved with the preliminary plan.

Microfiche records in the Development Review Division were researched, and an 11-inch by 17-inch size, signed copy of TCPI/37/93 was located and printed. Loiederman-Soltész and Associates, Inc., prepared TCPI/37/93. A different engineering company prepared the TCPII.

This 3.05-acre site in the R-R Zone is located on the north side of Old Stage Road and west of Resin Court. A review of 2000 air photos indicates the site is approximately 75 percent wooded. Based on available information, there are no regulated features such as a stream, areas of 100-year floodplain, and wetlands associated with the site. According to the 2005 adopted Countywide Green Infrastructure Plan, no network features on the GI Plan are associated with this site. The property is in the Collington Branch watershed of the Patuxent River basin and the Developing Tier as reflected in the 2002 General Plan.

Comment: All relevant comments have been either incorporated into the recommendation section of this report as conditions of approval or addressed through the revised plan.

Environmental Review

The TCPI shows an area of woodland preservation that does not appear to allow room for the construction of homes on two of the lots. Because of this and because of the age of the TCPI, it will be used only as a cursory guide to woodland conservation on the subject lots.

The existing tree line appears to be shown correctly on the TCPII, with the existing trees being located on the northern and western portions of the property. Lots 10 and 12 are proposed to contain woodland conservation in the form of preservation. On Lot 12 sufficient space has not been provided to allow for the construction of the house and the driveway.

Comment: The applicant submitted a revised Type II Conservation Plan, TCPII/153/05, which shows a clearing of 40 feet to the rear and 20 feet from the sides of the conceptual house pad shown on Lot 12. Any conditions recommended by the Environmental Planning Section will be conditions of approval of this detailed site plan.

- e. **Department of Environmental Resources (DER):** The subject application was also referred to the Department of Environmental Resources. In a memorandum dated October 19, 2005, the staff noted that the site plan is consistent with approved Stormwater Management Concept 27061-2005.
 - f. **Soil Conservation:** In a memorandum dated October 27, 2005, the staff had no comment.
 - g. **Washington Suburban Sanitary Commission (WSSC):** In a letter dated October 25, 2005, WSSC provided these comments:

Water and sewer extensions will be required for the proposed development and project DA4305Z06 is an approved project within the limits of this proposed site. Also, gratis rights-of-way to WSSC for future water and sewer facilities on proposed Lot 8 should be provided to possibly serve Parcel B of Woodmont Estates.
 - h. **Bowie:** At the time of this writing, the City of Bowie has not offered comment on the proposed project. (The Bowie City Council public hearing is rescheduled for December 5, 2005.)
12. 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/153/05) and further APPROVED Detailed Site Plan DSP-05074 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of the detailed site plan, the applicant shall:

- a. Revise the Type II tree conservation plan to reflect all proposed house footprints. All changes to house footprints shall be reviewed by the Environmental Planning Section to ensure that each lot will have useable outdoor activity areas.
 - b. Obtain approval of the Environmental Planning Section in regard to the revised TCP II.
 - c. Relocate the house on Lot 8 to bring the front of the garage to the front building restriction line. The optional sunroom shall be removed if necessary to accomplish this revision.
 - d. Provide additional trees for proper screening and privacy of the current and future residents by planting a row of evergreen trees along the east side of Lots 11 and 12.
 - e. Specify the proposed trees for the property on the landscape plan.
 - f. Complete the plant list provided for Section 4.6, Buffering Residential Development from Streets.
 - g. Provide the following note on the plan: "No two units located next to or immediately across the street from each other may have identical front_elevations."
2. Prior to certificate of approval of the detail site plan, the Type II Tree Conservation Plan TCPII/153/05 shall be revised to:
- a. Show a limit of clearing that provides 40 feet to the rear and 20 feet from the sides of the conceptual house pad shown on Lot 12. In addition, ten feet of construction space shall be provided adjacent to the proposed driveway on Lot 12.
 - b. Revise the plan sheets to separate the tree conservation plan from the landscape plan so they can be reviewed and approved by appropriate staff.
 - c. Add a signature block to the TCPII sheet.
 - d. Have the revised TCPII signed and dated by the qualified professional that approved the plan.
3. Prior to issuance of any building permits, the applicant shall receive approval of and record a new final plat to reflect the lot line adjustment for Lots 8-12 as approved in the subject detailed site plan.
4. The house type as shown on the approved shall be constructed as shown. House type may not be modified at the time of building permit except in accordance with an approved revision to this detailed site plan approved by the Planning Board or designee.
5. Owners of Lots 8 and 9 will be notified prior to execution of the sales contract that addition of decks, sunrooms, etc. to the rear yard of either lot will in all likelihood require a variance.

6. A 35-foot wide bufferyard planting strip shall be provided in rear yard of Lot 11, along the common property line with Lot 12.
7. The units proposed on Lots 8 and 11 shall include a front porch as a required feature.
8. The front elevation of houses on three (3) of the four (4) non-flag lots (Lots 8, 9, 10 and 11) within this project shall be constructed with a minimum of 65% of brick or stone.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Eley, with Commissioners Squire, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, December 15, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of January 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:NR:rmk