

## R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on June 22, 2006, regarding Comprehensive Design Plan CDP-9902/01 for Oak Creek Club the Planning Board finds:

1. **Location:** The subject property is located at the intersection of Oak Grove Road and Church Road, directly north of Oak Grove Road, and directly east and west of Church Road, approximately 2,800 linear feet south of the intersection of Church Road and Central Avenue (MD 214). The site is bounded to the north by open space (zoned R-A and R-E) and the Cameron Grove development (zoned R-E); to the west by two occupied subdivisions of detached single-family residential properties, Kettering and Sierra Meadows (zoned R-80 and R-E), and a church; to the east by occupied and vacant residential property (zoned R-R and R-A) and Pennsylvania Railroad property; and to the south is a school, church and open space (zoned R-E) and the Oak Grove Road right-of-way.
2. **The Subject Development:** The comprehensive design plan as approved included a maximum of 1,148 dwelling units—877 single-family detached and 271 single-family attached—on approximately 923 acres. The housing was to be organized into 11 development pods, which was to be located on both the east and west sides of Church Road. The R-L portion of development is proposed to consist of 1,096 dwelling units—877 single-family detached and 219 single-family attached—on approximately 890 acres. The L-A-C portion was proposed to provide for the remaining 52 single-family detached units. An 18-hole championship golf course was to be integrated into the residential communities. A 2.02-acre pond exists in the northwestern portion of the site and was proposed as a scenic focal point of the development. The comprehensive design plan for Oak Creek Club also included the following: a club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 7 tot lots, 71.58 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Black Branch Stream Valley Park, 35 acres dedicated to M-NCPPC for a community park, 260 acres dedicated as homeowners open space, and a 26-acre site to be conveyed to the Board of Education for a school/park site.

The attached single-family dwelling (townhouse) portion of the Oak Creek Development is located on the eastern side of Church Road, on both sides of Mary Bowie Parkway in the L-A-C zoned portion of the site, proximate to the Bowieville Mansion, the historic property on the site, the lake and Hole #18 of the golf course. The end walls and hence the side yards of the townhouse sticks are primarily adjacent to open space to be dedicated to the homeowner's association with the following two exceptions. First, the side yard of the townhouse stick most northwestern in the townhouse section of the site is immediately adjacent to the school/park site. Second, rear property lines of single-family Lots 1 and 2 in the northwestern quadrant of the

intersection of Mary Bowie Parkway and Bottsford Road are shared with the side yard of a townhouse stick. Although staff does not feel that the adjacency to the school/park site presents a problem, staff has recommended a condition below that would retain the five-foot requirement for the townhouse stick directly behind Lots 1 and 2 above to preserve a slightly greater setback from the rears of the detached units.

3. **Background:** On November 26, 1991, the District Council approved the zoning map amendment and accompanying Basic Plan Application A-8427, A-8578, and A-8579 (CR-120-1991) for the subject property. This zoning map amendment rezoned the property from the R-A and R-R Zones to the R-L and L-A-C Zones.
4. **The Approved Basic Plan:** On July 24, 2000, the District Council approved the amended Basic Plan application, A-8427, A-8578, and A-8579 (Zoning Ordinance No. 11-2000) for Oak Creek Club. The amended basic plan provided for generally the same number of residential units and types of recreational/public amenities, but included an 18-hole golf course. The basic plan is subject to 49 conditions, 10 considerations.
5. **The Comprehensive Design Plan:** On September 6, 2001, the Planning Board approved Comprehensive Design Plan CDP-9902 (PGCPB Resolution No. 01-180). The District Council affirmed the Planning Board decision on May 13, 2002. The purpose of the subject application is to revise the side yard set back for townhouses established in the original CDP application from 4 to 0 feet in order to allow side-entry stoops, entry porches, and chimneys on end-unit townhouses. More specifically, the application requests a revision to the minimum side yard for townhouses from 4 to 0 feet on the lot performance standards Table 1. This table is found on page 10, of the “Comprehensive Design Plan Amendment–R-L Zone” booklet, Section 1–Plan Proposal. The applicant stated in their request that they believe that the proposed change would allow more diversity in the front elevations of the townhouse groups and prevent a tunnel effect between townhouse sticks by creating architectural animation and more activity along the side elevations. The proposed revision is in harmony with the other requirements of Comprehensive Design Plan CDP-9902.
6. **Requirements of the Zoning Ordinance:**

**The requirements of the Zoning Ordinance in the R-L and the L, A, C Zones**—The proposed revision is in accordance with the requirements of Section 27-441, Uses Permitted, and Section 27-442, Regulations of the Zoning Ordinance.

**Findings Required by Section 27-521 of the Zoning Ordinance**—The following findings, required by the Zoning Ordinance to be made prior to Planning Board approval of a comprehensive design plan, were made at the time of the original approval. Each required finding is listed below in boldface type. Staff comment detailing how the subject proposal does not affect such finding follows.

**The plan is in conformance with the approved Basic Plan;**

Comment: The proposed revision will not substantially affect the previous finding that the subject comprehensive design plan is in conformance with the requirements of the applicable basic plans.

**The proposed plan would result in a development with a better environment than could be achieved under other regulations;**

Comment: The proposed revision will not substantially affect the previous finding that the subject proposed plan would result in a development with a better environment than could be achieved under other regulations.

**Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**

Comment: The proposed revision will not substantially affect the previous finding that approval is warranted by the way in which the comprehensive design plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project.

**The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings;**

Comment: The proposed revision will not substantially affect the previous finding that the proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings.

**Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

**Amounts of building coverage and open space;**

**Building setbacks from streets and abutting land uses; and**

**Circulation access points;**

Comment: The proposed revision will not substantially affect the previous finding that land uses and facilities covered by the comprehensive design plan will be compatible with each other in relation to amounts of building coverage and open space, building setbacks from streets and abutting land uses and circulation access points.

**Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;**

Comment: The proposed revision will not substantially affect the previous finding that each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability.

**The staging of development will not be an unreasonable burden on available public facilities;**

Comment: The proposed revision will not affect the previous finding that the staging of development will not be an unreasonable burden on available public facilities.

**Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

**The proposed adaptive use will not adversely affect distinguishing exterior architectural features or historic landscape features in the established environmental setting;**

**Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**

**The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

Comment: The proposed revision will not affect the above previous finding regarding the adaptive use of a historic site.

**The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d); and**

Comment: The proposed revision will not affect that previous finding that the plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9 of the Zoning Ordinance and, since townhouses are proposed and the zone is not V-L or V-M, the requirements set forth in Section 27-433(d).

**The Plan is in conformance with an approved Tree Conservation Plan.**

Comment: The proposed revision will have no effect on the applicable tree conservation plan and, therefore, it will not affect the previous finding that the plan is in conformance with an approved tree conservation plan.

7. **The Woodland Conservation Ordinance**—As stated above, the proposed revision will have no effect on the fact that the plan is in conformance with an approved tree conservation plan and because that is the case, it may be said that the project is in conformance with the requirements of the Woodland Conservation Ordinance.

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 Comprehensive Design Plan CDP-9902/01, Oak Creek Club for the above described land, subject to the following conditions:

1. In the townhouse stick behind single-family Lots 1 and 2 in the northwestern quadrant of the intersection of Mary Bowie Parkway and Bottsford Road, a four-foot setback inclusive of side-entry stoops, entry porches and chimneys shall be maintained in the side yard.
2. Intrusions into the previously required 4-foot setback shall only apply to units for which side-entry stoops, entry porches and chimneys on end-unit townhouses are planned.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, June 22, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of July 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator