

R E S O L U T I O N

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 February 23, 2006 regarding Detailed Site Plan DSP-05068 for Clinton Gardens, the Planning Board finds:

1. **Request:** The subject detailed site plan is for 50 single-family detached units within the R-80 Zone. The detailed site plan consists of the evaluation of the entrance features, open space elements, and recreational facilities on Parcels C, D and E, stormwater management facilities on Parcel A and B, fencing, landscaping and architecture of the single family residential development.

2. **Development Summary**

	EXISTING	PROPOSED
Zone(s)	R-80	R-80
Use(s)	Vacant	Single-family detached
Acreage	27.74	27.74
Lots	0	50
Parcels	1	1

3. **Location:** The subject property is located on the western side of MD 5, 2,640 feet south of the intersection of MD 223 and MD 5
4. **Surroundings and use:** The subject property is bounded to the north by vacant undeveloped property, a commercial shopping center and a commuter park-and-ride lot across Woody Terrace; to the northwest, the 68,000-square-foot Clinton Nursing Home in the C-S-C and R-80 Zones, to the southwest the Oak Orchard Subdivision comprising various single-family detached residences in the R-80 Zone; the Summit Creek subdivision to the south comprising various single-family detached residences in the R-S Zone; and to the southeast and northeast various residential structures in the R-80 Zone and a 98,845-square-foot medical office building zoned C-O.
5. **Design Features:** The plan proposes a single 50-foot-wide right-of-way branching off into four culs-de-sac that will serve the 50 lots. Two attractive synthetic stone and cast stone entrance features combined with a 3-rail fence are proposed at the intersection of Wade Drive and Patrick Avenue. Open space with tree preservation is proposed along the majority of the subject property's eastern and northern boundaries.. An open space parcel is proposed at the south side of the cul-de-sac with tree conservation shown. The proposed architectural elevations for the project indicate four models by Centex Homes including the following:

Model	Finished living area
Claridge 5509	2,966 sq. ft
Pinewood 5551	2,567 sq. ft
Oakhurst 5550	2,818 sq. ft.
Windemere 9724	2,077 sq. ft.

The proposed size of units range from 2,077 to 2,966 square feet. The architectural elevations of the homes are primarily a two-story neo-colonial revival style with identifying features such as an accentuated front door with overhead fanlights or sidelights inverted into the facade with an optional entry porch; facades with asymmetrical window and porch arrangements; windows with double hung sashes and simulated multipane glazing in both sashes; windows in adjacent pairs; side gabled roofs and front entry two-car garages. The staff recommends that 60 percent of the units should have a brick front.

5. **Previous Approvals:** On September 30, 2004, the Planning Board also approved Preliminary Plan Of Subdivision 4-04100, as stated in PGCPB No. 04-227(C) for the development of the property into 53 lots and 3 parcels.
6. The detailed site plan was reviewed for conformance to Planning Board Resolution No. 04-227(C). PGCPB No. 04-04100 included the following conditions:

5. Prior to the approval of building permits, a limited detailed site plan shall be approved by the Planning Board to evaluate:

a. Entrance features, open space elements, and recreational facilities on Parcels C, D and E

Urban Design Comment: The detailed site plan was revised to provide Parcels D and E for the design of a proposed entrance feature and fencing on both parcels at the entrance into the subdivision. Parcel C's area was increased and recreational facilities were provided as a tot lot.

b. Stormwater management facilities on Parcels A and B

Urban Design Comment: The stormwater management facilities were provided on both Parcels A and B and were determined to be consistent with the approved stormwater concept plan 15029-2004.

c. Fencing

Urban Design Comment: The applicant provided fencing that is neighbor-friendly and functional. Two type of fencing are provided:

- i. The post and rail fence at the main entrance to the subdivision is made of rigid polyvinyl chloride (PVC) extruded with virgin vinyl. UV inhibitors and additives in the vinyl to make it rigid, but flexible enough to resist cracking. The fence consists of dimensional rails that fasten into square posts. The color of the fence is white.
- ii. A shadowbox-style wood fence with caprail lattice panels is provided along the southwestern property line. The shadowbox-style fencing creates an excellent border for communities. Boards are placed on either side of the fence rail, spaced so they block vision but still allow airflow through the fence. The spaced boards, slats, louvers and/or lattice, break the wind up into smaller breezes creating effective protection in large open areas from stronger wind gusts.

d. Landscaping

Urban Design Comment: The applicant has provided significant landscaping at the entrance features, the storm water management facilities and open spaces for the recreational facilities.

e. Architecture

Urban Design Comment: The applicant provided architectural elevations of the four residential models proposed for the development aforementioned in the design features description.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-80 Zone and the site plan design guidelines of the Zoning Ordinance.
8. **Landscaping Manual:** The proposed development is subject to the requirements of Section 4.1, Residential Requirements and Section 4.7, Buffering Incompatible Uses, 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*.

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

Historic Preservation—In a memorandum dated November 2, 2005, the Historic Preservation Planning Section stated the proposed project would have no effect on designated historic resources.
Archeology—In a memorandum dated November 29, 2005, the archeological consultant stated that a Phase I archeological survey was completed at this property; four copies of the final report, “Phase I Archeological Investigation for the Clinton Gardens Development Prince George’s County, Maryland,” were submitted on February 14, 2006, and no further archeological work is required.

Community Planning—As of the date of this report, the Community Planning Division had not provided comments to the submitted plans.

Transportation—In a memorandum dated November 4, 2005, the Transportation Planning Section stated that the subject property is acceptable and none of the transportation- related issues are enforceable at the detailed site plan phase.

Subdivision—In a memorandum dated October 31, 2005, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-04100, approved by the Planning Board on September 30, 2004. The resolution of approval, PGCPB Resolution 04-227 was adopted on November 4, 2004. The preliminary plan remains valid until November 4, 2006, or until a final plat is approved.

The property is subject to the conditions contained in the resolution of approval. That resolution contains 16 conditions. The following conditions relate to the review of the detailed site plan (DSP). Additional staff comments are provided where appropriate:

1. **Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:**
 - e. **To delete Lot 39 and increase the area of Parcel C and create Parcel D. Create Parcel E (out of Lot 40) to contain entrance features, buffering, and fencing at the entrance to the subdivision (Staff Exhibit B).**

Comment: The preliminary plan has signature approval. This condition was provided for background as to the Planning Board's purposes.

Urban Design Comment: The applicant has fulfilled the requirements of the conditions outlined in the Planning Board Resolution PGCPB No. 04-227(C).

3. **Development of this site shall conform to the approved Stormwater Management Concept Plan #15029-2004-00 and any subsequent revisions.**

Urban Design Comment: The applicant has fulfilled the requirements of the conditions outlined in the Planning Board Resolution PGCPB No. 04-227(C).

5. **Prior to the approval of building permits, a limited detailed site plan shall be approved by the Planning Board to evaluate:**

- a. **Entrance features, open space elements, and recreational facilities on Parcels C, D and E**
- b. **Stormwater management facilities on Parcels A and B**
- c. **Fencing**
- d. **Landscaping**
- e. **Architecture**

Comment: Finding 16 of PGCPB Resolution 04-227(c) states the following:

“At the Planning Board hearing citizens requested that a limited detailed site plan (LDSP) be approved by the Planning Board to provide an opportunity to comment in a public hearing process on specific improvements to be constructed. Specifically, citizens request that the limited detailed site plan review evaluate the following:

- “a. Entrance features on Parcels D and E, to include appropriate buffering and possible fencing to delineate the entrance to the subdivision.
- “b. Proper siting of required recreational facilities.
- “c. Evaluation of the proposed stormwater management facilities on Parcels A and B, to ensure that they are visual amenities for the subject property and the surrounding properties.
- “d. Evaluation of the fencing proffered by the applicant along the rear property lines of Lots 2 thru 16, and landscaping.
- “e. Evaluation of architectural elevations.”

“Because the issues associated with the LDSP do not affect the lotting pattern, the LDSP is to be required prior to building permits.”

Urban Design Comment: The applicant has fulfilled the requirements of the conditions outlined in the Planning Board Resolution PGCPB No. 04-227(C).

Comment: A significant concern was the commercial nature of the use that is located on the south side of Wade Avenue. Currently Wade Avenue is 30 feet wide and appears to be an internal driveway. The applicant is dedicating additional right-of-way on Wade Drive to provide adequate access to this subdivision. The entrance to this subdivision should be clearly articulated from the medical facility. Currently the medical facility has parking problems. During several site visits, overflow parking used Wade Drive on both sides for parking. Staff has concerns with

vehicles entering the subdivision for parking and turn-around movements. The Planning Board required careful evaluation of the entrance features to create a clear delineation to vehicles that they are entering a residential neighborhood.

The detailed site and landscape plan does not appear to provide adequate delineation, as discussed at the Planning Board hearing and required by Condition 16.a. In fact the applicant has not proposed any landscaping on Parcels D and E at the entrance to the subdivision.

It appears the stormwater management facility on Parcel B will be highly visible from Wade Drive due to a lack of plant materials. In addition, the medical facility on the abutting property to the south is four stories in height and will have increased views of the facility. Condition 16.c. requires that these facilities are visual amenities for the subject property and the surrounding properties.

Staff would note that the citizens, who attended the Planning Board hearing and requested the condition requiring a public hearing for this limited detailed site plan, requested that the fencing required by Condition 16.d. be ornamental. The applicant may want to provide alternatives to the fence detail provided on Sheet 9 of 9 to address the citizens concerns heard at the Planning Board hearing.

Condition 16e. was included to review the rear views of the dwellings from the Oak Orchard subdivision to the west (second stories) and the views of the dwellings along Stuart Lane.

Urban Design Comment: The applicant has fulfilled the requirements of the conditions outlined in the Planning Board Resolution PGCPB No. 04-227(C).

There are no other subdivision issues at this time.

Trails—In a memorandum dated August 1, 2005, the senior trails planner stated that there are no master plan trails proposed in the vicinity of the subject site in the Adopted and Approved Subregion V Master Plan. A park-and-ride site is proposed near the site in the vicinity of MD 223 and Branch Avenue.

The senior planner pointed out the variety of existing road cross sections in the vicinity of the site and the need for providing standard sidewalks along both sides of all internal roads.

Urban Design Comment: The applicant has fulfilled the recommendations of the senior trails planner.

Permits—In a memorandum dated November 22, 2005, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Environmental Planning—In a memorandum dated January 30, 2006, the Environmental Planning Section offered the following:

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

1. This site contains expanded stream buffers associated with Piscataway Creek in the Potomac River watershed. These natural features are required to be protected under Section 24-130 of the Subdivision Regulations. A wetlands report was included with the forest stand delineation, the 100-year floodplain has been determined by the Prince George's County Department of Environmental Resources Flood Plain Study # 200406 and the streams conform to those shown in "Prince George's County Soils Survey". The streams, wetlands, 100-year floodplain and expanded stream buffers are correctly depicted on the plans. The site has been well designed to avoid placing any of the expanded stream buffers on any residential lot.

Disturbance to sensitive environmental features are shown on the TCPII. The impacts for the construction of an outfall for the stormwater management pond and improvements to existing Stuart Lane were approved with Preliminary Plan 4-04100. Federal and state wetland permits are required prior to the issuance of any grading permit.

Comment: No further action regarding sensitive environmental features is required.

2. This site is subject to the provisions of the Woodland Conservation Ordinance because it has a previously approved Tree Conservation Plan. TCPI/39/04 was approved with Preliminary Plan of Subdivision 4-04100.

The Type II Tree Conservation Plan, TCPII/12/06, has been reviewed. The plan proposes clearing 17.55 acres of the existing 24.75 acres of upland woodland and no clearing of any of the 2.16 acres of floodplain woodland. The woodland conservation threshold is 5.51 acres. The woodland conservation requirement for this project has been correctly calculated as 9.50 acres. The plan proposes to meet the requirement by providing 5.00 acres of on-site preservation, 0.89 acres of on-site planting and 3.61 acres of off-site conservation for a total of 9.50 acres. The plan proposes to preserve an additional 2.20 acres of woodland on-site that are not part of any requirement.

All proposed woodland conservation is provided off of residential lots and serves to protect the sensitive environmental features on the site. The Type II TCP is generally consistent with TCPI/39/04.

There are technical errors on the plan. The area of existing woodland in the 100-year floodplain is not noted in the worksheet. The worksheet indicates 2.20 acres of woodland retained but not part of any requirement; however, it is not clear from the plan where this

acreage exists. It is possible that the area of existing woodland is in error. Each area saved but not part of any requirement should be annotated on the plans and a table placed on the cover sheet. Each tree preservation area should be annotated and a table placed on the cover sheet. Each planting area should be annotated and a table placed on the cover sheet. The total woodland clearing area should be confirmed.

Recommended Condition: Prior to certification of the DSP, the Type II TCP shall be revised to:

- a. Include the acreage of woodland within the 100-year floodplain in the worksheet.
 - b. Annotate each clearing area on the plans and provide a table on the cover sheet.
 - c. Annotate each area saved but not part of any requirement on the plans and provide a table on the cover sheet.
 - d. Annotate each tree preservation area on the plans and provide a table on the cover sheet.
 - e. Annotate each planting area on the plans and provide a table on the cover sheet.
 - f. Revise the worksheet as needed.
 - g. Have the revised plan signed and dated by the qualified professional who prepared the plan.
3. According to the “Prince George’s County Soils Survey” the predominant soil types on-site are in the Fallsington, Galestown, Mattawan, Rumford and Sassafras series. Fallsington soils are in the D-hydric group, typically have poor drainage and a high water table and frequently have associated nontidal wetlands. Mattawan soils are in the C-hydric group and may have a seasonally high water table and poor drainage. Galestown, Rumford and Sassafras soils have no special problems for development.

Comment: This information is provided for the applicant’s information only. The Department of Environmental Resources may require a soil study at the time of building permit.

The Environmental Planning Section staffs’ suggestions are included in the recommended conditions below.

Park Planning and Development Division Department of Parks and Recreation—In a memorandum dated October 31, 2005, DPW&T offered no comments.

Department of Environmental Resources—In comments dated November 21, 2005, DER stated that the site plan for Clinton Gardens- DSP-05068 is consistent with approved stormwater concept 15029-2004.

Fire Department— As of the date of this report, the Specials Operation Command Bureau of Fire Prevention Special Hazards Section had not provided comments to the submitted plans.

Prince George's County Health Department Division of Environmental Health—In a memorandum dated November 22, 2005, the Health Department had no comments.

State Highway Administration (SHA)—In a memorandum dated December 7, 2005, SHA stated that they concur with the conditions related to implementing transportation conditions and requirements per PGCPB Resolution No. 04-227(C).

Department of Public Works & Transportation (DPW&T)—As of the date of this report, DPW&T had not provided comments to the submitted plans.

10. 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 (TCP/II/12/06) and further APPROVED Detailed Site Plan DSP-05068 for the above-described land, subject to the following conditions:

1. Prior to certification of the DSP, the Type II TCP shall be revised to:
 - a. Include the acreage of woodland within the 100-year floodplain in the worksheet.
 - b. Annotate each clearing area on the plans and provide a table on the cover sheet.
 - c. Annotate each area saved but not part of any requirement on the plans and provide a table on the cover sheet.
 - d. Annotate each tree preservation area on the plans and provide a table on the cover sheet.
 - e. Annotate each planting area on the plans and provide a table on the cover sheet.
 - f. Revise the worksheet as needed.

- g. Have the revised plan signed and dated by the qualified professional who prepared the plan.
- 2. Prior to the certification of the detailed site plan, the plans shall demonstrate that at least 60 percent of the units shall have a brick front.
- 3. Submit a color palette and building materials board as part of their detailed site plan.

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, at its regular meeting held on Thursday, February 23, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of March 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:EE:bjs