

**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 March 30, 2006, regarding Detailed Site Plan DSP-03001/01 for Virginia Landing, the Planning Board finds:

1. **Request:** The subject application is for approval of 64 two-family attached (Stacked Townhouse) dwellings as a condominium regime on the site. The site is 10.6 acres in the R-T Zone and shows 2.45 acres in reservation for a firehouse.

**Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-T	R-T
Use(s)	Vacant	Two-Family Dwellings
Acreage	10.60	10.60
Parcels	0	2
Attached Dwelling Units	0	64

**ARCHITECTURAL DATA**

<b>Model</b>	<b>Total Finished Area w/all option</b>	<b>Garage</b>
Picasso	2,641	1
Matisse	1,699	1

**OTHER DEVELOPMENT DATA**

Gross Site Area	10.60 acres
Public Road Dedication	0.10 acres
Fire House Reservation	2.45 acres
Net Tract Area	8.10 acres
Dwelling Units permitted (8 du./ac.)	64 units
Dwelling Units proposed	64 units
Parking Required (64 x 2=128)	128 spaces
Parking Provided	132 spaces
In garage	64 spaces
Lot surface	64 spaces

Parallel	3 spaces
Handicap parking	1 space

- Location:** The site is in Planning Area 76A, Council District 8. More specifically, it is located 100 feet north of the intersection of St. Barnabas Road and Capital Beltway.
- Surroundings and Use:** The subject property is located at the northwest corner of the intersections of Saint Barnabas Road, Alice Avenue extended, and Virginia Lane. The property is bounded to the northeast by an existing townhouse development zoned R-M, and to the northwest by the existing Dennis Grove apartment building, zoned R-18
- Previous Approvals:** The Preliminary Plan 4-01098, PGCPB Resolution 02-106, for the subject property was approved by the Planning Board on May 16, 2002. The property is the subject of Preliminary Plan 4-04118, PGCPB Resolution 04-285, approved by the Planning Board on December 9, 2004, with 16 conditions. The property is the subject of Record Plat REP200@69, known as Virginia Landing.
- Design Features:** The proposed architecture consists of two-family dwellings, also known as stacked townhouses. As a condominium development, all the land area is owned cooperatively. The proposed architecture has employed six different elevations for the project. This proposed development consists of four 10-unit buildings and three 8-unit buildings. The proposed Matisse and Picasso models offer six elevation options, which are mainly traditional architectural style with reverse gables, decorative architectural elements, various window treatments and door treatments that provide a variety of architectural designs. Each unit has a one-car garage in the rear as a standard feature and is finished with standard vinyl siding, brick veneer or a combination of these materials. The side elevation for the models provides a minimum of two standard architectural features. Total base finished area of the proposed units with all options is between 1,699 and 2,641 square feet. The development proposes to use brick around the entire first level of the two family dwellings, not including the rear elevation, and use full brick facade on the front elevation on a minimum of two of the front facades in the 8-unit and 10-unit building group. The staff recommends that full brick facades should be provided in an alternating pattern to provide a quality appearance. The lower level units will be screened from the roadway by the proposed berm and the proposed landscaping in this area. The upper portion of the building will not be screened and the second story of the units will be highly visible. The staff recommends that additional architectural treatment is necessary on the rear of units 45-64. These units should have two reverse gables per building and shutters on the two windows on the upper level. The staff recommends that all upper level units have a 10-foot-by 10-foot standard deck on the rear of the units, for access to the outdoors directly from the units. The lower units provide for outdoor access at grade.

The subject site plan indicates a tot lot, a preteen lot for children 5–12 years of age, and a picnic area. The recreational facilities are allocated adjacent to one another forming a centralized play area. There is a proposed retaining wall with a six-foot chain-link fence. The applicant has submitted a list of play equipment and a cost estimate for the proposed recreational facilities. The

subject site plan does not identify the type and location of required streetlights. Prior to signature of approval of the plans, the lighting information should be provided.

#### COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-T Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-433, which governs permitted uses in townhouse zones. The proposed two-family attached dwelling is a permitted use in the R-T Zone.

Section 27-433(d) provides specific requirements for the exterior appearance of the structures within a development. The following are stated requirements and analysis with respect to the proposed development:

- (2) **There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.**

Comment: The proposed development provides for two-family dwelling units, a type of housing product that arranges one unit over one or stacked units. There are a total of seven buildings, four of which contain five horizontal continuous attached two-over-two units and three that contain four horizontal continuous attached two-over-two units.

- (3) **The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet for townhouses, and twenty-two (22) feet for one-family attached metropolitan dwellings. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.**

Comment: The width of proposed two-family dwellings are between 23 feet, 4 inches to 29 feet, 7 inches and the end units are 24 feet, 8 inches in width and meet the requirement by providing wider end units.

- (4) **The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty**

**(1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.**

Comment: The applicant has provided statements of finished square footage with all options for proposed architectural models, ranging from 1,699 to 2,641 square feet; thus all units meet the required minimum gross living space.

- (5) Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

Comment: The architectural elevations for the proposed models provide for side elevations that include 11 windows on one side and 4 windows on the other side of the building. The staff recommends those units that are highly visible end units, as viewed from the public right-of-way, should be full brick side elevations.

- (6) Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

Comment: The proposed elevations indicate the first level of the two-family dwellings, not including the rear elevations are brick, and there are no exposed foundation walls.

- (7) A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

Comment: The proposed elevation indicates the use of brick around the entire first level of the two-family dwellings, not including the rear elevation, and a full brick facade on the front elevation of a minimum of two of the front facades in the building groups. The applicant has agreed to provide a minimum of full brick side elevations on the buildings at the entrance into the development. The staff recommends that the architectural elevations be revised prior to signature approval to provide brick side elevation at the entrance and full brick facade on the front elevations on a minimum of two of the front facades in any building group, provided in an alternating pattern. Prior to signature of approval, the site plan should be revised to indicate which of the units will have the brick front facade.

Section 27-433(f)(1)(C), Access to individual lots requires the following:

- (C) **Each right-of-way shall contain a sidewalk at least six (6) feet wide which connects parking areas with the individual lots. The maximum grade of the sidewalk shall generally be not more than five percent (5%). However, when the normal grade of the land exceeds five percent (5%), ramps or steps may be utilized to remain consistent with that grade.**

Comment: The plan indicates five-foot-wide sidewalks. The staff recommends the plans be revised prior to signature approval to provide for six-foot-wide sidewalks in all areas, except the lead walks.

7. **Preliminary Plan of Subdivision, 4-04118:** The property is the subject of Preliminary Plan 4-04118, approved by the Planning Board on December 9, 2004. The resolution of approval, PGCPB Resolution 04-285, contains 16 conditions. The following apply to the review of the detailed site plan:

2. **Development of this property shall be in conformance with Stormwater Management Concept Plan #34050-2002-00 and any subsequent revisions.**

Comment: The Department of Environmental Resources found, as reported in a referral response received February 6, 2006, that the site plan was consistent with the approved Stormwater Management Concept Plan #34050-2001-04

3. **The applicant, his heirs, successors and/or assignees shall file a revision to the approved detailed site plan (DSP-03001) to reflect the increase in density from 63 to 93 three-family dwelling units. That revision shall evaluate the possible increase in the amount of on-site recreational facilities due to the increase in density and a revision to the existing recreational facilities agreement for this property (Liber 19385, Folio 142), if appropriate.**

Comment: The proposed plan is for development of 64 two-family stacked units. The applicant does not propose to increase density for the subject site.

6. **The applicant shall complete and submit a Phase I investigation with the application for a revision to the DSP (including research into the property history and archeological literature). At the time of review of the DSP, the applicant shall submit Phase II and Phase III investigations if determined by Planning Department staff to be needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole 1994) and must be presented in a report following the same**

**guidelines. Grading permits may be issued for areas not subject to a Phase I archeological investigation, subject to the required order of approvals.**

Comment: The applicant has submitted a Phase I investigation with the DSP-03001/01 application. In a memorandum dated February 10, 2006, the archeological reviewer stated that a Phase I archeological survey was submitted and no additional work is recommended by the Planning Department on the above-referenced property.

- 9. A Phase II noise study shall be submitted with the detailed site plan and shall be certified by a professional engineer with competency in acoustical analysis, shall be submitted. The Phase II noise study shall show that noise corridor mitigation measures have been incorporated to attenuate interior noise levels to 45 dBA (Ldn) and exterior (active rear yard) noise levels to 65 dBA (Ldn) or less.**

Comment: A Phase II noise study was submitted and the plan indicates adequate noise attenuation measures from Saint Barnabas Road. Results from the noise study reflect the construction of a 5.5-foot berm that will reduce noise impact to units 45 through 64. The Environmental Planning Section recommends the following condition:

- The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit will reduce interior noise level from Saint Barnabas Road to 45 dBA Ldn or less.”

- 10. The approved variation impact to sensitive environmental features for the placement of a stormwater management pond/outfall within the wetland buffer adjacent to Virginia Lane shall be limited and further evaluated at the time of review of the detailed site plan.**

Comment: In a memorandum dated February 21, 2006, the Environmental Planner stated this condition has been addressed and will be further evaluated at time of review of the revised detailed site plan.

- 13. The applicant shall provide standard sidewalks along Virginia Lane, Alice Avenue, and Saint Barnabas Road (MD 414), with the concurrence of the Department of Public Works and Transportation and the State Highway Administration.**

Comment: In a memorandum dated February 22, 2006, the trails planner stated the internal network of sidewalks is adequate to accommodate pedestrians.

8. ***Landscape Manual:*** The proposed development is subject to Sections 4.1, Residential Requirements, 4.4, Screening Requirements, 4.6, Buffering Residential Development from Streets, and 4.7, Buffering Incompatible Uses.

In regard to Section 4.1 of the *Landscape Manual*, the plans indicate the minimum number of trees for the development is 96 shade trees and 64 ornamental or evergreen trees. The plant schedule is in compliance with the requirements of Section 4.1 *Landscape Manual*.

Section 4.4 requires the screening of trash facilities. The plans do not indicate the location of the trash facilities on the site. This requirement must be met as dumpster facilities are required for this type of development. The plans should be revised prior to signature approval to include the location of trash facilities and the associated screening.

Section 4.6 requires the buffering of the lowest story of the rear outside wall and the rear yard associated with the unit from views from any street classified as a collector or higher. Saint Barnabas Road is an arterial status roadway and requires a 50-foot-wide bufferyard along the street line. The plans incorporate a five-foot-high berm and meet the requirements of the *Landscape Manual* in this area. However, the planting must be shown in an easement and this easement must be recorded on the final plat of subdivision. The staff recommends a condition of approval requiring that the easement be shown on the final plat prior to approval of the plat.

Section 4.7 of the *Landscape Manual*, Buffering Incompatible Uses, is also required between the proposed development and the fire station site. The required buffer between the two properties requires a minimum of 30 feet; the applicant is responsible for one-half of the landscape strip per an agreement between the applicant and the Fire Department. The proposed 4.7 schedule is in conformance to this section.

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. **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 contains more than 10,000 square feet of woodlands. A Type II Tree Conservation Plan, TCPII/25/03-01, was submitted with the application and was found to require some revisions to conform to the requirements of the Woodland Conservation Ordinance.

The existing woodland on-site is stated as 9.19 acres; however, the worksheet shows the woodland on the net tract of the two phases totaling 8.93 acres. Furthermore, according to the plans submitted of the 9.19 acres of woodland on-site, 6.35 acres of woodland is cleared, which leaves 2.84 acres of woodland remaining. Woodland preserved and woodland saved not counted towards any requirements totals 2.57 acres. This is a discrepancy of 0.27 acres between the 2.84 acres woodlands remaining and the woodland saved not counted (2.22 acres preserved, and 0.35 saved not counted). Therefore, the woodland conservation worksheet is incorrect and must be revised.

This property has a net tract area of 10.62 acres. The TCPII woodland conservation worksheet indicates that the minimum woodland conservation requirement for this site is 2.12 acres (20 percent of the net tract). An additional 4.9 acres is required due to removal of woodland, for a

total requirement of 7.04 acres. The preservation requirements of the Woodland Conservation Ordinance are proposed to be met with a total of 2.22 acres of on-site preservation, 1.05 acres of reforestation and 3.86 off-site mitigation at a location yet to be determined; for a total of 7.13 acres of woodland conservation provided. The computation inaccurately reflects 0.36 acres of woodland saved but not counted. The plans must be revised to correct the worksheet, complete the revision block and provide woodland conservation areas at least 35 feet-wide.

The woodland conservation worksheet must be revised to show the correct amount of woodland cleared on the site. This will increase the woodland conservation required.

**Recommended Condition:** Prior to signature approval of the detailed site plan, the tree conservation plan shall be revised as follows:

- a. Eliminate areas of less than 35 feet in width from being credited toward meeting the requirement of the Woodland Conservation Ordinance.
- b. Revise the worksheet to reflect correctly all amounts of existing woodlands and the amounts of woodlands that will be cleared.
- c. The revised plan should be signed and dated by the qualified professional who prepared the plan.

10. **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 January 20, 2006, the Historic Preservation Planning Section stated: The detailed site plan has no effect on historic resources.

**Archeological Review:** In a memorandum dated March 21, 2006, the archeological reviewer offered the following: A Phase I archeological survey was completed on the above-referenced property (previously #4-04118) and no archeological resources were identified. Four copies of the final report, "Phase I Archaeological Investigation of the Virginia Landing Property, Prince George's County, Preliminary Plan #4-04118," were submitted on July 8, 2005. No further work is required on the property by the Planning Department. Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

**Community Planning:** In a memorandum dated February 6, 2006, the Community Planning offered the following:

This application is not inconsistent with the 2002 Approved General Plan Development Pattern policies for the Developed Tier.

This application conforms to the land use recommendations of the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity, Planning Area 76A*.

#### PLANNING COMMENTS

Planning comments are discussed in previous applications (4-01098, DSP-03001, 4- 04118) to enhance land use and development recommendations in residential neighborhoods.

Urban design strategies recommended by the 2002 General Plan (pages 83-89) and master plan guidelines (page 94) that should be carefully considered to ensure that projects within the Developed Tier encourage the design of pedestrian friendly environments as well as maintain and/or enhance the character of the existing community.

**Transportation:** In a memorandum dated February 22, 2006, the Transportation Planning Section states the proposal is acceptable, and has no transportation or trail issues.

**Subdivision:** In a memorandum dated February 15, 2006, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-04118, approved by the Planning Board on December 9, 2004. The resolution of approval, PGCPB Resolution 04-285, contains 16 conditions. The property was previously the subject of Preliminary Plan 4-01098 approved by the Planning Board on May 16, 2002. That resolution of approval, PGCPB Resolution 02-106 was adopted on May 16, 2002, and also contained 16 conditions. The property is the subject of Record Plat REP200@69. It is known as Virginia Landing.

Record Plat REP200@69 contains seven notes. The following apply to the review of the DSP:

Plat Note 1: Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without the prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs branches or trunks is permitted.

Plat Note 2: Development is subject to restrictions shown on the approved Type I tree conservation plan (TCPI/37/01), or as modified by the Type II tree conservation plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.

Plat Note 3: This subdivision is subject to a recreational facilities agreement, as recorded in L.19385@F.142.

Plat Note 4: Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan #34050-2001-00.

Plat Note 5: This subdivision is subject to a 65 DBA noise contour shown hereon.

Plat Note 6: Prior to the issuance of any building permits, Condition 13 of the PGCPB Resolution 02-106 must be complied with for transportation conditions.

Plat Note 7: Development of this property must conform to the detailed site plan, which was approved by the Prince George's County Planning Board on July 10, 2003, DSP-3001, or as amended by any subsequent revisions thereto.

PGCPB Resolution 04-285 contains 16 conditions. The following conditions relate to the review of the detailed site plan. Additional comments were provided where appropriate:

- 3. The applicant, his heirs, successors and/or assignees shall file a revision to the approved detailed site plan (DSP-03001) to reflect the increase in density from 63 to 93 three-family dwelling units. That revision shall evaluate the possible increase in the amount of on-site recreational facilities due to the increase in density and a revision to the existing recreational facilities agreement for this property (Liber 19385, Folio 142), if appropriate.**
- 4. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for approval prior to the submission of final plats, for construction of private recreational facilities on site, if determined necessary. Upon approval by DRD, the RFA shall be recorded among the county land records.**
- 5. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee, if necessary, prior to building permits for the construction of private recreational facilities on site.**
- 6. The applicant shall complete and submit a Phase I investigation with the application for a revision to the DSP (including research into the property history and archeological literature). At the time of review of the DSP, the applicant shall submit Phase II and Phase III investigations if determined by Planning Department staff to be needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole 1994) and must be presented in a report following the same guidelines. Grading permits may be issued for areas not subject to a Phase I archeological investigation, subject to the required order of approvals.**

7. **Prior to issuance of any permits for the subject property, the off-site mitigation location, in conformance with the Woodland Conservation Ordinance, shall be secured and the site location noted on the TCPII for the subject property.**
9. **Prior to building permit, the applicant shall provide a new private recreational facilities agreement for construction of: 1) Tot Lot; 2) Preteen Area; and 3) Picnic Area on Parcel A.**
10. **The approved variation impact to sensitive environmental features for the placement of a stormwater management pond/outfall within the wetland buffer adjacent to Virginia Lane shall be limited and further evaluated at the time of review of the detailed site plan.**
13. **The applicant shall provide standard sidewalks along Virginia Lane, Alice Avenue, and Saint Barnabas Road (MD 414), with the concurrence of the Department of Public Works and Transportation and the State Highway Administration.**
14. **All improvements within the public right-of-way, as dedicated to the county, are to be in accordance with the county Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act.**

The DSP is in substantial conformance with the Preliminary Plan. There are no other subdivision issues at this time.

**Trails:** In a memorandum dated February 22, 2006, the Trails Planner stated there are no master plan trails issues identified in the Adopted and Approved Heights Master Plan. The internal network of sidewalks is adequate to accommodate pedestrians.

**Parks:** In a memorandum dated February 15, 2006, the Department of Parks and Recreation offered no comments.

**Permits:** In a memorandum dated February 10, 2006, the Permit Review Section offered 10 comments, which have been either addressed or are in the recommendation section of this report.

**Public Facilities:** In a memorandum dated January 24, 2006, the Historic Preservation and Public Facilities Planning Section stated: The detailed site plan provides details of an outdoor recreation area for a development that contains 64 two-family dwelling units. The outdoor recreation area proposed does not affect public safety findings. Furthermore, the fire and rescue station proposed on the west corner of the site is at the location and is the size that was originally agreed upon.

**Environmental Planning:** In a memorandum dated February 21, 2006, the Environmental Planning Section offered the following comments:

The subject property was previously reviewed by the Environmental Planning Section in 2002 under the name Marjorie Perkins, as a Preliminary Plan of Subdivision (4-01098) and TCPI/37/01, which were approved with conditions. The subject site was reviewed as a Detailed Site Plan DSP-03001 with TCPII/25/03, and was approved with conditions. The site was again reviewed in 2004, as Preliminary Plan of Subdivision 4-04118 with TCPI/37/01-01, under the name Virginia Landing, and shows the entire site to be developed with townhouses, a concept quite different from the original submittals. The current submittal shows a combination of attached single-family dwellings and a separate parcel.

This 10.60-acre, R-T-zoned site is located adjacent to Saint Barnabas Road and Virginia Lane and is primarily wooded. A site visit and review of the information available indicate that streams and wetlands are found to occur on this property. Severe slopes are located on this site, adjacent to the stream. The site is located in the Oxon Run watershed, which is a tributary to the Potomac River. The soils found to occur on this property, according to the Prince George's County Soil Survey, include the Sassafras and Beltsville series. The Beltsville soils have a K factor of 0.43 and are considered highly erodible. The Sassafras soils pose no special problems for development. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources– Natural Heritage Program. Saint Barnabas Road is a significant noise generator. No designated scenic or historic or scenic road is located along the frontage of this property. The subject property is located in the Developed Tier as reflected in the 2002 General Plan.

Saint Barnabas Road is classified as a lane-divided arterial, with the 65 dBA Ldn noise contour occurring approximately 830 feet from the centerline of the roadway. This noise contour is based on the ultimate road design and service flow for this road and does not consider existing topography. The 65 dBA noise contour has been indicated on the detailed site plan and noise mitigation has been provided along portions of Saint Barnabas Road.

Condition 12 of approval of the preliminary plan reads as follows:

**At the time of detailed site plan, a Phase II noise study, certified by a professional engineer with competency in acoustical analysis, shall be submitted. The Phase II noise study shall show that noise corridor mitigation measures have been incorporated to attenuate interior noise levels to 45 dBA(Ldn) and exterior (active rear yard) noise levels to 65 dBA(Ldn) or less.**

A Phase II noise study was submitted and the plan show adequate interior noise levels to 45 dBA(Ldn) and exterior noise level to 65 dBA(Ldn) or less as required by Condition 12 of the Planning Board. Result from the noise study reflects the construction of a 5.5-foot earth berm that will reduce noise impact to units 45 through 64; the noise attenuation measures from Saint Barnabas Road; however, a certification is required on the plan signed by engineer with expertise in acoustical engineering.

**Recommended Condition:** The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit will reduce interior noise level from Saint Barnabas Road to 45 dBA Ldn or less.”

Environmental Conditions of Approval from the Previous Detailed Site Plan:

1. **Prior to signature approval of the tree conservation plan (and the detailed site plan as appropriate), the following shall be revised.**
  - a. **Eliminate area of less than 35 feet in width from being credited toward meeting the requirement.**

Environmental Comment: Some areas of woodland conservation less than 35 feet-wide shown on the subject TCPII.

2. **The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit will reduce interior noise level from Saint Barnabas Road to 45 dBA Ldn or less.”**

Environmental Comment: This condition is yet to be addressed because building permits have not been submitted for review.

### **Environmental Review**

- a. This site is subject to the provisions of the Woodland Conservation Ordinance because the site is larger than 40,000 square feet in size and contains more than 10,000 square feet of woodlands, and is subject to an approved tree conservation plan. A revised Type II Tree Conservation Plan (TCPII/25/03-01) was submitted with the application and was found to require revisions to conform to the requirements of the Woodland Conservation Ordinance.

The existing woodland on-site is stated as 9.19 acres; however, the worksheet shows the woodland on the net tract of the two phases totaling 8.93 acres—a discrepancy of 0.26 acres woodlands. Furthermore, according to the plans submitted of the 9.19 acres of woodland on-site, 6.35 acres of woodland is cleared, which leaves 2.84 acres of woodland remaining. Woodland preserved and woodland saved not counted toward any requirement totals 2.57 acres. This is a discrepancy of 0.27 acres between the 2.84 acres woodland remaining and the woodland preserved saved not counted (2.22 acres preserved, and 0.35 saved not counted). The preserved and saved not counted woodlands should equal the woodlands on-site. Therefore, the woodland computation worksheet is incorrect and must be revised accordingly.

This property has a net tract area of 10.60 acres. The TCPII Woodland Conservation Worksheet correctly indicates that the minimum woodland conservation requirement for this site is 2.12 acres (20 percent of the net tract). An additional 4.92 acres is required due to removal of woodland for a total woodland conservation requirement of 7.04 acres. The plan shows the requirement being met with a 2.22 acres on-site preservation, 1.05 acres of reforestation and 3.86 acres of off-site mitigation at a location yet to be determined; for a total of 7.13 acres of woodland conservation provided. The computation reflects 0.36 acres of woodland saved but not counted, which is incorrect. The plan must be revised to correct the worksheet, complete the revision block and provide woodland conservation areas at least 35 feet-wide.

The Woodland Conservation Worksheet must be revised to reflect any change made to the plan. This will increase the woodland conservation required.

- b. Saint Barnabas Road is classified as divided arterial, with the 65 dBA Ldn noise contour occurring approximately 830 feet from the centerline of the roadway. This noise contour is based on the ultimate road design and service flow for this road and does not consider existing topography. A Phase II noise study was submitted with the review package, and was found to have provided adequate mitigation measured to attenuate interior noise levels to 45 dBA (Ldn) and exterior (active rear yard) noise levels to 65 dBA(Ldn) or less, as required by Condition # 12 of the Planning Board. Result from the noise study reflects the construction of a 5.5-foot earth berm that will reduce noise impacts to units 45 through 64; however, a certification is required on the plan signed by an engineer with expertise in acoustical engineering.
- c. A proposed Stormwater Management Concept Approval Letter (CSD# 340505-2001-04) dated August 9, 2005, was submitted with the application. The requirements for stormwater management will be met through subsequent reviews by the Department of Environmental Resources. The stormwater management concept plan as submitted is not in compliance with the detailed site plan, without the correct conceptual grading for the construction of the noise berm as proposed.

#### **Summary of Recommended Conditions**

- a. Prior to certification of the detailed site plan, the Tree Conservation shall be revised as follows:
  - (1) Eliminate areas of less than 35 feet in width from being credited toward meeting the requirement of the Woodland Conservation Ordinance.
  - (2) Revise the worksheet to reflect correctly all amounts of existing woodlands and the amounts of woodlands that will be cleared.

- (3) Add to the legend all symbols used on the plan, including woodland preserved not part of any requirement.
  - (4) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- b. The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: "The construction shown on this building permit will reduce interior noise levels from Saint Barnabas Road to 45 dBA Ldn or less."

**Department of Environmental Resources (DER):** In a memorandum dated February 6, 2006, DER staff noted the site plan is consistent with the approved Stormwater Management Concept # 34050-2001-04

**Fire Department:** The Fire Department had not responded to the referral request at the time the staff report was written.

**Department of Public Works and Transportation (DPW&T):** In a memorandum dated February 21, 2006, the DPW&T offered the following:

The property is located at the northeast quadrant of the intersection of Alice Avenue and Virginia Lane and is located on the west side of Saint Barnabas Road (MD 414).

Right-of-way dedication and frontage improvements in accordance with DPW&T's urban primary road standards are required for Virginia Lane and Alice Avenue. Street construction permits are required for improvements within private roadway rights-of-way serving townhouse developments. Maintenance of private streets is not the responsibility of Prince George's County.

Full-width, two-inch mill and overlay for all county roadway frontage is required.

Conformance with DPW&T street tree and street lighting standards is required.

Sidewalks are required along all roadways within the property limits in accordance with Section 23-105 and 23-135 of the County Road Ordinance.

All storm drainage systems and facilities are to be in accordance with DPW&T's and DER's requirements.

A soils investigation report that includes subsurface exploration and geotechnical engineering evaluation for public streets is required.

**Health Department:** In a memorandum dated February 10, 2006, the Health Department offered the following comments:

- a. Any abandoned well found within the confines of the above-referenced property must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department as part of the grading permit. The location of the well should be located on the plan.
- b. Any abandoned septic tank/system serving the existing house must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be located on the plan.
- c. A raze permit is required prior to the removal of any of the structures on-site. A raze permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structure on-site must be removed and properly stored or discarded prior to the structure being razed and the well and septic system properly abandoned before the release of the grading permit.

**Soil Conservation:** In a memorandum date January 20, 2006, the Soil Conservation offered no comment.

**Washington Suburban Sanitary Commission:** In a memorandum dated February 10, 2006, WSSC offered the following comments:

Water and Sewer Extension may be required.

Project # DA3632Z03 is an approved project within the limits of this proposed site.

The proposed plan building layout does not match with the approved project site. Also, the water sewer alignments are not shown on the plan. An amendment revision of this project must be submitted to Development Services for review and approval.

**Maryland State Highway Administration. (SHA):** In a memorandum dated February 7, 2006, the SHA stated that the proposed ingress/egress will adequately serve the facilities. Also, SHA noted that M-NCPPC Resolution PGCPB No. 02-106 Condition 13 (a) requires improvements at MD 414/Virginia Lane intersection. Since the condition remains as part of Detailed Site Plan DSP-03001/01 approval the State Highway Administration (SHA) has no objection to the submitted application.

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 (TCP/II/25/03/01) and further APPROVED Detailed Site Plan DSP-03001/01 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the tree conservation plan (and the detailed site plan as appropriate), the following shall be revised:
  - a. Eliminate areas of less than 35 feet in width from being credited toward meeting the requirement.
  - b. Revise the worksheet to reflect correctly all amounts of existing woodlands and the amounts of woodlands that will be cleared.
  - c. Have the revised plan signed and dated by the qualified professional who prepared the plan.
  - d. Revise the site plan to reflect the correct conceptual grading for the construction of the noise berm as shown on the detailed site plan.
2. The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: "The construction shown on this building permit will reduce interior noise levels from Saint Barnabas Road to 45 dBA Ldn or less."
3. Prior to certificate approval, the following modifications or revisions shall be made to the detailed site plan, or the following information shall be provided:
  - a. Provide the typical house template and identify all architectural options, including dimensions.
  - b. Provide the location of all proposed recreational equipment with the required fall zones. Provide specifications, model numbers, manufacturer, and details for all proposed recreational equipment.
  - c. Indicate on the site plan which of the units shall have brick front facades and side elevations.
  - d. Provide details and specifications and identify the location, type of fixture, and pole height of the proposed lighting.
  - e. Provide details and specifications and identify the location of trash facilities and the associated screening.
  - f. Include a Section 4.4 schedule demonstrating conformance to the *Landscape Manual*.

- g. Provide a standard 10-foot by 10-foot deck on the rear of the upper units.
  - h. Provide additional screening landscaping, shade and evergreen trees, at the rear of lots adjacent to the stormwater management pond and around the play area; final quantities, species, and location to be determined by the Urban Design Section as the Planning Board's designee.
  - i. Provide six-foot-wide sidewalks in all areas except lead-walks.
  - j. Indicate on the site plan the location of well and septic system
  - k. Revise the stormwater management concept plan to reflect correct conceptual grading for the construction of the noise berm as shown on the detailed site plan.
4. Prior to certificate of approval, the following modifications or revisions shall be made to the architectural elevations, or the following information shall be provided:
- a. Provide full brick facades on the front elevations on a minimum of two of the upper-level front facades in any building group, provided in an alternating pattern. All of the end walls shall be brick at the lower level with a band of soldier course running along the top of the brick.
  - b. The two units at the entrance to the subdivision, which are highly visible end units as viewed from the public right-of-way, shall be full brick side elevations.
  - c. The units that back up to Saint Barnabas Road shall provide two reverse gables per building and shutters on the two windows on the upper units.
5. Prior to final plat approval, the planting along Saint Barnabas Road shall be shown in an easement.
6. Provide additional screening landscaping, shade and evergreen trees, in proximity to the recreational facilities. Final quantities, species, and location to be determined by the Urban Design Section as Planning Board designee.
7. The developer, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, site plan, and landscape 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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Squires absent at its regular meeting held on Thursday, March 30, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20<sup>th</sup> day of April 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:NR:bjs