

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific 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 May 31, 2007, regarding Specific Design Plan SDP-0317/04 for Cameron Grove – The Palisades at Oak Creek, the Planning Board finds:

1. **Request:** The subject application is for approval of a specific design plan for five single-family detached lots in the R-L Zone.

2. **Development Data Summary:**

	Existing	Proposed
Zones	R-L	R-L
Uses	Vacant	Single-family detached houses
Acreage	6.51	6.51
Dwelling Units (SFDs)	5	5

3. **Location:** The subject property is in the R-L-zoned portion of a larger development known as Cameron Grove, which is located in the southwest corner of the intersection of Central Avenue (MD 214) and Church Road, in Planning Area 74A and Council District 6. The subject site contains five single-family lots, which are located on the west side of Church Road.
4. **Surroundings and Use:** The subject site is a portion of a larger R-L-zoned community of 166 single-family detached houses (known as Cameron Grove—The Palisade of Oak Creek, SDP-0317), which is bounded to the east by Church Road, to the north by the Evangel Church property, and to the west and south by a development known as Oak Creek Club. The five lots included in the subject SDP are bounded on the east by the right-of-way of Church Road. To the north and west sides of the site are other single-family detached houses and the HOA lands of SDP-0317. To the south side of the subject property are the existing single-family detached houses in Oak Creek Club. Directly across Church Road from the subject site are existing single-family detached houses and undeveloped properties in the R-A Zone.
5. **Previous Approvals:** On November 26, 1991, the District Council approved Zoning Map Amendment and accompanying Basic Plan Application A-9839 to rezone the approximately 305.3-acre property from the R-A Zone to the R-L Zone as part of the 1991 approved master plan and adopted sectional map amendment (SMA) for Bowie-Collington-Mitchellville and vicinity, for Planning Areas 71A, 71B, 74A and 74B (CR-120-1991: CDZ Amendment 2).

On November 24, 1997, the District Council approved the amended Basic Plan Application A-9839-C to revise the previously approved A-9839 to allow a mixed retirement development on the westerly portion of the property (approximately 156 acres). The subject property of Cameron Grove-The Palisades at Oak Creek remained unaffected in A-9839-C except for setting the dwelling unit limitation of 166 single-family detached lots for the site. The basic plan is subject to 40 conditions (Zoning Ordinance No. 36-1997).

On February 19, 1998, the Planning Board approved Comprehensive Design Plan CDP-9705 (Resolution PGCPB No.98-35) for the easterly portion of the property for a mixed retirement community. CDP-9705 also identified, defined, and secured a dedication agreement on the 14±-acre park and recreational facility to The Maryland-National Capital Park and Planning Commission. This CDP reaffirmed the single-family detached use for the subject site (PGCPB No. 03-150).

On April 13, 2002, the Planning Board approved Comprehensive Design Plan CDP-9705/01 (Resolution PGCPB No.00-49) to allow an auxiliary parking lot for Evangel Temple on the designated residue development portion of the approved CDP-9705, for the purposes of providing additional on-site parking to support an increasing church congregation. All of the designated residue development approved per CDP-9705 is owned by Evangel Temple Church. No additional development was proposed in the residue development area at that time.

On May 4, 2002, the Planning Board approved Comprehensive Design Plan CDP-9705/02 (Resolution PGCPB No.00-63) to add single-family detached housing and revise distribution of the units in the proposed three phases. Once again, this revision did not have any impact on the subject site.

On July 10, 2003, the Planning Board approved Comprehensive Design Plan CDP-9705/03 (Resolution PGCPB No.03-138) for the development of 166 single-family detached lots in the R-L Zone. The subject specific design plan is subject to the following land use types, qualities and development standards as approved in Comprehensive Design Plan CDP-9705/03:

DEVELOPABLE AREA

Use	Acreage	Percentage of Total Acreage
Single-family lots	65.5	33
Public right-of-way	11	5
100-foot-wide landscape buffer	3.3	2
Recreational area	1.2	1
Landscape terminus	1.5	1
Stormwater management ponds	2.8	1

UNDEVELOPABLE AREA

Open space	115	57
TOTAL	200.3	100

SINGLE-FAMILY DETACHED LOT STANDARDS

Minimum Lot Size (Square Feet)	10,000
Minimum Cumulative Yard Area (Square Feet)	2,000
Maximum Lot Coverage (%)	60
Maximum Height (Feet)	46
Minimum Lot Width at Front Building Line (Feet)	70
Minimum Side Yard Setback (Feet)	8
Minimum Total Side Yard (Feet)	17
Minimum Lot Width at Street Line (Feet)	25
Minimum Setback from Street Line (Feet)	20
Minimum Rear Yard Setback (Feet)	20

On October 2, 2003, the Planning Board approved Preliminary Plan of Subdivision 4-03057 (including TCPI/24/03-01) for the subject site (Resolution PGCPB No.03-203) for 166 single-family detached lots.

On June 24, 2004, the Planning Board approved Specific Design Plan SDP-0317 for the subject site (Resolution PGCPB No.04-157) for 166 single-family detached lots. The five lots contained in the subject SDP were approved in SDP-0317, but were accessed through an internal street of the Oak Creek Club subdivision to the south.

On March 15 and April 19, 2005, the applicant requested a reconsideration of the layout for the lots obtaining access from Panorama Way. On April 20, 2006, the Planning Board **approved** the

request for reconsideration of the preliminary plan based on the good cause associated with a lot arrangement that creates a more environmentally sensitive layout. On September 7, 2006, the Planning Board approved the lot arrangement that includes the lotting pattern as shown on the subject SDP.

The subject site also has a stormwater management concept approval #38346-2004-00 for Phase 6 of the Palisades at Oak Creek development that is based on a valid overall concept approval #5298-2003-00.

6. **Design Features:** The subject site is in a linear shape parallel to Church Road. The access to the site is off Church Road, and each individual lot is further accessed through a public cul-de-sac street, which is approximately 100 feet west of and parallel to Church Road. The proposed public street has a 52-foot-wide right-of-way with a 22-foot-wide pavement.

According to the applicant, the houses on the five lots will be customized models to be decided by the prospective owners. As such, only a generic house footprint has been shown on the SDP for each lot. Since the Planning Board approved SDP-0317 with 14 models to be constructed by Pulte Homes and NV Homes, the models on the five lots should be equal to or better than the previously approved ones. A condition has been proposed in the recommendation section to require the applicant to provide the model details to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to issuance of the building permit for each lot.

7. **Recreation Facility:** The five lots included in this SDP were approved in Cameron Grove-The Palisades at Oak Creek in a location that was accessed through an internal street of Oak Creek Club. The Planning Board approved the applicant's request to reconsider previously approved Preliminary Plan of Subdivision 4-03057 to relocate the five lots to the current location as shown on the subject SDP. This SDP does not include any additional recreational facilities because the recreational facility package for the entire Cameron Grove-The Palisades at Oak Creek was approved with SDP-0317. The timing of the completion of the approved on-site recreational facilities for The Palisades at Oak Creek has also been previously approved. The approval of this SDP will not change any recreational facility-related conditions as previously approved in SDP-0317.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Map Amendment A-9839-C and the Accompanying Basic Plan:** The proposed specific design plan is in general conformance with Zoning Map Amendment A-9839-C and the accompanying basic plan. The A-9839-C was approved with 40 conditions. The following discussion focuses on applicable conditions attached to the approval of A-9839-C as stated in Zoning Ordinance No.36-1997.

1. **In no event shall the maximum density exceed 1,004 dwelling units in the Mixed Retirement Development and 166 dwelling units in the standard R-L Development**

portion.

Comment: The subject site is included in the R-L portion as referred to in A-9839-C and the accompanying basic plan. The specific design plan proposes five single-family detached lots that are relocated from the previously approved location in order to minimize environmental impact. The five lots were approved with SDP-0317, which contains 166 dwelling units. This SDP, therefore, complies with this condition.

- 2. At each access point off of Church Road and Central Avenue, the amended Basic Plan will provide entrance buffers 100 feet wide on each side of the access road and 100 feet deep along the access road.**

Comment: The subject specific design plan complies with this condition by providing a 100-foot-wide bufferyard along the entire frontage of the property along Church Road and both sides of the site access point off Church Road. A 52-foot-wide public street is also proposed to be located to the west of the 100-wide bufferyard. The five lots are accessed from the internal public street.

- 6. Prior to the issuance of any building permits for the balance of the property which is not developed as a Mixed Retirement Development (i.e. the 150+A portion fronting on Church Road), the applicant shall dedicate the 200-foot right-of-way from the proposed future baseline of Church Road along the proposed development's frontage to provide a four-lane, divided collector to rural parkway standards with an open median of varying width. Construction will be in accordance with DPW&T requirements and may utilize the existing roadbed when appropriate.**

Comment: The subject SDP has shown a 90-foot-wide right-of-way dedication for Church Road by following the approved SDP-0317 in order to maintain a consistent streetscape along Church Road. The proposed 90-foot-wide right-of-way is in conformance with current requirements of the Department of Public Works and Transportation (DPW&T), which are a departure from the requirement of this condition.

- 7. Prior to the issuance of any building permits for the balance of the property which is not developed as a Mixed Retirement Development (i.e. the 150+A. portion fronting on Church Road), the applicant shall bond to construct access improvements at the site access on Church Road to provide for separate right and left turn lanes on the eastbound approach.**

Comment: The condition was carried forward as a condition at the time of the SDP-0317 approval because the SDP has one major access off Church Road. However, the subject SDP proposes a separate access point off Church Road that is approximately 1,800 feet south of the access approved in SDP-0317. At the time of the preliminary plan reconsideration, the Planning Board approved a regular access layout as shown in this SDP without providing for separate right

and left lanes based on the feedback from the Department of Public Works and Transportation. As stated in the referral comments from the Subdivision Section (Lockard to Zhang, April 27, 2007) the subject SDP is consistent with the preliminary plan and record plats for this property.

- 8. The limits of the existing 100-year floodplain shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to the approval of the Specific Design Plan (SDP).**

Comment: In a memorandum (Hawkins, Department of Environmental Resources to Lau, Ben Dyer Associates, Inc., August 27, 1990), Department of Environmental Resources approved a 100-year floodplain for this site.

- 9. The applicant shall provide proof that the U.S Army Corps of Engineers or the appropriate State or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.**

Comment: A copy of the approval letter from the U.S Army Corps of Engineers was submitted with the approval of SDP-0317.

- 10. All nontidal wetland mitigation areas shall be shown on the Comprehensive Design Plan (CDP) or Specific Design Plan (SDP).**

Comment: The nontidal wetland mitigation areas have been shown on the previously approved TCPH and SDP-0317. The proposed new location for the five lots does not impact the previously approved wetland mitigation areas.

- 11. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to the approval of any SDP.**

Comment: The subject application will use the stormwater management facilities approved in SDP-0317. No new facilities have been proposed in this SDP.

- 13. All nondisturbed nontidal wetlands shall have at least a 25-foot nondisturbance buffer around their perimeters.**

Comment: The delineated wetlands have been shown with a 25-foot nondisturbance buffer around their perimeters.

- 14. All streams and drainage courses shall comply with the buffer guidelines for the Patuxent River Primary Management Areas.**

Comment: According to the review by the Environmental Planning Section, the subject SDP complies with the buffer guidelines.

- 18. All residential structures shall be fully sprinklered in accordance with National Fire Protection Standard (NFPA) 13D and all applicable County laws.**

Comment: This condition will be carried forward as a condition of approval of this SDP.

- 19. The floodplain (with the exception of road crossings) and adjoining buffer area along Black Branch shall be dedicated to the M-NCPPC.**

Comment: As shown on the comprehensive design plan, all floodplain and adjoining buffer area along Black Branch will be dedicated to M-NCPPC. This condition was fulfilled at time of SDP-0317 approval.

- 22. All development pods, parks, recreational and historical features shall be connected into the main trail network, feeder trails, and/or sidewalks.**

- 23. All trails within the proposed development shall be handicapped accessible.**

Comment: A composite trail map was submitted with SDP-0317 to show all the proposed trails, sidewalks, and the connection to the regional trails network. As shown on the subject trail map, all developments are connected by the trail network and all trails within the proposed developments are handicapped accessible.

- 35. The applicant shall identify with the CDP application the approximate location of impacts to the PMA. If impacts to the PMA are proposed the applicant shall provide justification for the disturbances which includes an estimate of the total area of disturbance, the features to be impacted and other alternatives that were considered to avoid these disturbances.**

At the time of Preliminary Plan of Subdivision, Specific Design Plan and permits the applicant shall provide increasingly detailed information and justification, as appropriate for the plan under review, including a copy of any State and Federal permits prior to the issuance of grading permits which impact regulated streams and wetlands.

Comment: The SDP complies with the relevant requirements of this condition that are applicable to this SDP. Both the detailed PMA information and approval letter were provided for review at time of SDP-0317 approval.

- 36. At the time of CDP the application shall provide the Natural Resources Division with a conceptual alignment of the off-site sewer and water alignments which considers significant environmental features such as streams, wetlands, floodplains**

and steep and severe slopes. This alignment shall be further refined in conjunction with the Preliminary Plan of Subdivision and Specific Design Plans as more detailed information is available. Prior to signature approval of the Specific Design Plan the applicant shall provide the Natural Resources Division with an approved sewer alignment from WSSC.

Comment: The applicant fulfilled the first part of this condition at the time of CDP approval with a conceptual off-site sewer and water alignment. The second portion of this condition had met with the approval of SDP-0317.

9. **Comprehensive Design Plan CDP-9705/03:** As discussed above, the subject property is the R-L-zoned portion of a larger development known as Cameron Grove. Comprehensive Design Plan CDP-9705 and its two revisions were for other parts of Cameron Grove. Only CDP-9705/03 was filed for the subject site. CDP-9705/03 was approved by the Planning Board on July 10, 2003, subject to 19 conditions. The following conditions are applicable to this SDP review:

3. **At the time of the Preliminary Plan of Subdivision and Specific Design Plan submittals, larger scale plans shall be submitted with greater detail and the Patuxent River Primary Management Area and proposed PMA impacts shall be further evaluated and refined at each submittal.**

Comment: This condition was fulfilled at time of SDP-0317 approval.

6. **The location of the 65 dBA Ldn noise contour, which is approximately 250 feet from the centerline of Central Avenue and 60 feet from the centerline of Church Road on the subject Comprehensive Design Plan, shall be shown on all subsequent plan submittals.**

Comment: The required 65 dBA (Ldn) contour line has not been shown on all plans. A condition has been proposed in the recommendation section of this report to require the applicant to show the 65 dBA noise contour line on the SDP.

At the time of SDP-0317 approval, the 65 dBA (Ldn) contour line along Church Road had been analyzed. The five lots in this SDP are located with a greater setback from Church Road than those similar lots in SDP-0317 that are fronting Church Road. Since no lots in SDP-0317 are within the 65 dBA noise contour line, no additional noise attenuation measures are required for the subject site.

7. **At the time of Specific Design Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following trails improvements and comply with the following trail specifications:**
- a. **Provide a connection through the subject site immediately to the south as the Master Plan connection to the Black Branch Stream Valley Trail by**

constructing a “Modified Urban Primary Residential Road” within a sixty-foot right-of-way with bikeway per agreement of M-NCPPC, DPW&T and the applicant.

- b. **Submit a comprehensive map showing all trail, feeder trail, and sidewalk facilities being proposed. Additional feeder trails may be recommended.**
- c. **The applicant shall ensure dry passage for all pathways and sidewalks. If wet areas must be traversed, suitable structures shall be constructed.**
- d. **All landscape materials shall be at least five feet from the asphalt pathway, where feasible and practical.**
- e. **All pathways and sidewalks shall be free of above ground utilities and utility boxes.**
- f. **All pathways and sidewalks shall be handicapped accessible unless due to abrupt changes in grades which result in the creation of safety hazards. All walking surfaces exclusive of boardwalks and access to stormwater facilities, shall be concrete or asphalt.**
- g. **HOA feeder trails provided shall be a minimum of six feet wide and made of asphalt.**

Comment: Those trail related conditions were met at time of SDP-0317 approval. No trails are included in this SDP.

8. At the time of Specific Design Plan, the applicant shall:

- a. **Provide a large scale (1” = 10’) landscape drawings of the proposed landscaped terminus within the public right-of-way (ROW) for review and approval by the Department of Public Works and Transportation.**
- b. **Submit detailed construction drawings for trail construction on the HOA land for review and approval by the Urban Design Section.**

Comment: The condition is not applicable because there is neither a landscaped terminus nor trails proposed in this SDP.

9. The applicant shall provide proof that the U.S Army Corps of Engineers or the appropriate state or local wetlands permitting authority agrees with the nontidal wetlands delineation along with the submittal of the SDP.

Comment: See the above Finding 8.

- 10. At the time of submission of the Specific Design Plan, documentation shall be provided to demonstrate that the 100-foot-wide buffer shown on the Comprehensive Design Plan shall be covenanted in a manner to prevent any building or structure within its limits or removal of vegetation required as part of the buffer. The buffer shall include berms and plantings, including preservation of existing vegetation where appropriate, sufficient to filter the view of dwelling units from the road. The buffer shall vary in height and width and setback from the road right-of-way to provide visual variety and a more naturalistic appearance.**

Comment: The applicant has discussed several options for maintaining the 100-foot-wide bufferyard along the Church Road frontage as shown on the comprehensive design plan with the staff during the SDP review. No treatment has been decided by the applicant yet. A condition of approval has been proposed to require certain provisions in the HOA documents to protect and maintain the bufferyard.

- 11. Technical approval of the location and sizes of stormwater management facilities is required prior to the approval of any Specific Design Plan. The consideration and evaluation of the use of low impact development techniques shall be addressed during the review of the Specific Design Plan. The applicant shall incorporate as much as possible the low impact development techniques in consultation with the Department of Environmental Resources in the stormwater management design for the site.**

Comment: The condition was reviewed and fulfilled at the time of SDP-0317 approval. The stormwater management approved for this development is the traditional stormwater management pond system. However, no stormwater management ponds are located on the site of this SDP.

17. The following lot standards shall guide the development of single-family detached houses in Cameron Grove—The Palisades at Oak Creek:

Minimum Lot Size (Square Feet)	10,000
Minimum Cumulative Yard Area (Square Feet)	2,000
Maximum Lot Coverage (%)	40*
Maximum Height (Feet)	35
Minimum Lot Width at Front Building Line (Feet)	70
Minimum Lot Width at Street Line (Feet)	25
Deck Setbacks	
Side yard (Feet)	5
Rear Yard (Feet)	15
Yard Requirements	
Minimum Side Yard Setback (Feet)	8
Minimum Total Side Yard Setbacks (Feet)	17
Minimum Setback from Street Line (Feet)	20
Minimum Rear Yard Setback (Feet)	20

Notes: Variations to the above standards may be permitted on a case-by-case basis by the Planning Board at the time of Specific Design Plan if circumstances warrant.
***Excludes patios and decks**

Comment: The above standards have been provided on the coversheet of the SDP. However, the SDP does not demonstrate what is provided in response to each lot standard. A condition has been proposed in the recommendation section to require the applicant to provide a table that demonstrates the SDP's conformance to each standard.

18. The Specific Design Plan shall include attractively and creatively designed residential architecture with an emphasis on high quality and natural materials. The following housing design guidelines shall be added to Comprehensive Design Plan CDP-9705/03 for Cameron Grove - The Palisades at Oak Creek:

- **The minimum residential square footage shall be 2,200 square feet.**
- **The minimum roof pitch for all dwelling units shall generally be 8/12.**
- **At least 60 percent of houses shall have brick fronts or the equivalent.**
- **All side and rear elevations visible from roads shall have a high level of detail comparable to that of the fronts and shall demonstrate a pattern of fenestration which is orderly and harmonious. A minimum of three**

architectural features shall be provided on highly visible end walls; all others shall have at least two end wall features.

- **All buildings shall have a combination of steeply pitched roofs (with architectural grade roof materials such as standing seam metal, cedar shake shingles, imitation slate, Certainteed Horizon Asphalt Shingle, or the highest quality dimensional asphalt shingles), reverse gables and dormers.**
- **All facade materials are to be low maintenance and provide a long life cycle.**
- **Building orientation shall be directed toward open space and amenities where possible to provide views, privacy and convenient access.**
- **Style of architecture shall be harmonious with surrounding community.**

Comment: According to the applicant, the five houses included in this SDP will be customized products. The specific style and materials will be decided by the future homeowners. The Urban Design Section believes that design review of the customized architectural products for these five lots should take place in the context of revisions to the SDP approved by the designee of the Planning Board. In addition, because the fronts of the subject five lots will be highly visible from Church Road, the Urban Design Section recommends all building façades should be of brick. A condition has been proposed to require the applicant to provide a site plan note to that effect on the SDP prior to certification.

- 19. No building permit shall be issued until the percent capacity, as adjusted pursuant to the school regulations, at all the affected school clusters is less than or equal to 105 percent or six years have elapsed since the time of the approval of this plan; or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.**

Comment: County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. At the time of SDP-0317 approval, the Historic Preservation and Public Facilities Planning Section staff found that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003, and CR-23-2003. This SDP is for relocation of five lots previously approved in SDP-0317 and does not propose any additional number of lots. The SDP is in conformance with this condition.

10. **Preliminary Plan of Subdivision 4-03057:** Preliminary Plan 4-03057 was approved by the Planning Board on October 2, 2003, subject to 18 conditions. The applicant requested several reconsiderations of the approval. The latest reconsideration involving the layout of the five lots in question was approved by the Planning Board on September 7, 2007 and the amended resolution was adopted on September 28, 2006, subject to 19 conditions. The following conditions are applicable to this specific design plan review:

2. **Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/24/03-0[1]**2). The following notes shall be placed on the Final Plat of Subdivision:**

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/24/03-0[1]2), 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."**

Comment: Type II Tree Conservation Plan TCPII/236/90-01 was approved with SDP-0317 that was prepared based on the previously approved Type I tree conservation plan for a larger site including the subject site. According to the review by the Environmental Planning Section (Finch to Zhang, April 4, 2007), this SDP does not impact the previously approved Type II Tree Conservation Plan, which covers the subject site.

3. **Prior to the submittal of the Specific Design Plan, each of the proposed PMA impacts shall be evaluated in an effort to further minimize the proposed PMA impacts. The SDP shall then be designed to minimize all PMA impacts.**

Comment: See above Finding 9 for comments on CDP Condition 3.

5. **The design of the landscape buffer plantings along Church Road shall preserve the scenic and historic character of the road through the provision of native plants and random planting to mimic the predevelopment conditions.**

Comment: The SDP shows a 100-foot-wide landscape bufferyard that is consistent with the rest of the site fronting Church Road as shown in previously approved SDP-0317 for the larger subdivision. The bufferyard as shown on the landscape plan is fulfilled by 100 percent of the existing woodland.

6. **The Specific Design Plan shall show no direct impacts on the wetlands associated with the State of Maryland-listed endangered plant species located in the vicinity of proposed Lots 128-132.**

Comment: The State of Maryland-listed endangered plant species are located to the north of the renumbered Lots 110–113, which are some distance from the subject site. The SDP contains Lots 142 to 146.

- 8. The applicant and the applicant’s heirs, successors and/or assignees shall provide the following:**
 - a. A connection through the subject site, either west to the adjacent parkland or immediately to the south, as the master plan connection to the Black Branch Stream Valley Trail by constructing a “Modified Urban Primary Residential Road” within a 60-foot right-of-way with bikeway per the agreement of DPW&T.**
 - b. The applicant shall ensure dry passage for all pathways and sidewalks. If wet areas must be traversed, suitable structures shall be provided.**
 - c. All landscape materials shall be at least five feet from the asphalt pathway, where feasible and practical.**
 - d. All pathways and sidewalks shall be free of above-ground utilities and utility boxes.**
 - e. Standard sidewalks shall be provided along both sides of all internal roads, per the concurrence of DPW&T.**
 - f. All HOA feeder trails provided shall be a minimum of six-feet wide and asphalt.**
 - g. Detailed construction drawings for trail construction on the HOA land for review and approval by the Urban Design Section.**
 - h. A comprehensive map showing all trail, feeder trail, and sidewalk facilities being proposed at the time of SDP.**

Comment: See the above Finding 9 for more discussion.

- 10. At the time of final plat approval, the applicant shall dedicate right-of-way along Church Road of 45 feet from the centerline of the existing pavement.**

Comment: The SDP shows a 90-foot-wide right-of-way which is consistent with the previously approved SDP-0317. See the above Finding 8 for comments on basic plan Condition 6 and Finding 14 below for more discussion.

- 13. To maintain the scenic and historical character of Church Road, the Specific Design Plan shall examine, in addition to typical review, frontage along Church Road to ensure that the views of the site from Church Road will be adequately screened through the use of landscape treatment wherever the existing woodland fails to do so.**

Comment: At time of basic plan approval for the larger site that includes the subject site, attention was given to the preservation of the scenic and historical character of Church Road. As such, a condition to require a 100-foot-wide bufferyard along Church Road was approved by the Council. The subject SDP proposes to utilize the existing woodland in the 100-foot-wide bufferyard to screen the five lots from views from Church Road. However, since this review does not involve a tree conservation plan, there is not enough information for staff to evaluate the screening effect of the existing woodland along the site frontage on Church Road. A condition has been proposed in the recommendation section to require the application to provide a sightline analysis along the site's frontage to prove that the SDP is consistent with the above condition. If the sightline analysis finds any location where the existing woodland fails to screen the views from Church Road, additional landscaping should be provided on the site plan.

- 14. Corner lots shall have wider lot frontages that will allow equal building setbacks on each street while keeping a private and usable rear yard. This shall be examined at the Specific Design Plan stage.**

Comment: The SDP is in general compliance with this condition.

- 16. At the time of Specific Design Plan review, attention shall be given to the siting and elevation design of the buildings as well as on-site landscape screening on the corner lots as well as the lots adjacent to tot lots and pre-teen lots (such as Lots 5, 14, 35, 36, 82,83, 87 and 88) to ensure those lots not only have private rear yards but also attractive elevations facing public space.**

Comment: This condition is not applicable to the subject SDP because none of the lots included in the subject SDP is listed in this condition.

- 11. Specific Design Plan SDP-0317 and its revisions:** The Planning Board approved SDP-0317 for 166 single-family detached lots with 19 conditions. The five lots included in the subject SDP were contained in SDP-0317, but were located in an internal location accessed through Oak Creek subdivision to the south. The approval of the subject SDP will not alter any of the 19 conditions of approval attached to SDP-0317.

SDP-0317 has been revised three times subsequently since the original approval. Three revisions are Planning Director's designee's approvals without any conditions.

- 12. Zoning Ordinance:** The subject SDP is in general compliance with the requirements of the Zoning Ordinance. Section 27-528 requires the following findings for approval of a specific design plan.

(a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

- (1) **The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual.**

Comment: As stated in Findings 9 and 13, the proposed specific design plan conforms to the approved comprehensive design plan and the applicable standards of the Landscape Manual.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.**

Comment: Findings for adequate public facilities including fire, rescue, police, public schools, and transportation were made in conjunction with Preliminary Plan of Subdivision 4-03057 (see resolution PGCPB No. 03-203 A/1). The five lots contained in this SDP were approved with SDP-0317. This SDP is for approval of relocation of the five lots and will have no effect on previous findings related to adequacy of public facilities for the entire larger subdivision as approved in SDP-0317. The development will be adequately served within a reasonable period of time with existing and programmed facilities.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.**

Comment: A stormwater management concept approval for Phase 6, which is based on a valid overall concept approval #5298-2003, has been provided with this SDP. The five lots in question are within Phase 6 development. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

- (4) **The Plan is in conformance with an approved Tree Conservation Plan.**

Comment: Type II Tree Conservation Plan TCPII/236/90-01 was submitted and approved with SDP-0317. As discussed previously, since this SDP is for approval of relocation of five previously approved lots, the Environmental Planning Section indicated in a memorandum dated April 4, 2007, that this SDP does not have any impact on the previously approved Type II tree conservation plan.

13. **Landscape Manual:** The proposed development of five single-family detached houses is subject to Section 4.1, Residential Requirements of the *Landscape Manual*.

- a. Section 4.1(a) and (b) are applicable to this SDP because the lot sizes in this SDP vary from 27,461 to 41,863 square feet. Per Section 4.1.a. for lots larger than 40,000 square

feet, a minimum four major shade trees and three ornamental or evergreen trees per lot are required. The landscape plan uses the planting standards for lots smaller than 40,000 square feet for all five lots, which is not correct. A condition has been proposed in the recommendation section to require the applicant to revise the landscape plan and the corresponding landscape schedule in accordance with Section 4.1 (a) and (b) prior to certification.

- b. Section 4.6 requires buffering the rear yards of single-family detached dwellings from the views of public streets. In this case, Section 4.6 is technically not applicable because the houses on the five lots are oriented either directly toward Church Road or with side fronting Church Road. However, staff has concerns about the houses on Lots 142 and 146 where the houses are sited with side elevations facing Church Road. Because there are stream valleys on one side of each house, the rear yards of the two houses are not adequately screened from Church Road. A condition has been proposed in the recommendation section of this report to require the applicant provide additional plant materials at the side of the two houses that are facing Church Road to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

14. **Woodland Conservation Ordinance:** The larger property containing the five lots in question is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and there are previously approved Tree Conservation Plans, TCPI/24/03 and TCPII/236/90.

The subject SDP is for approval of relocation of five previously approved lots and has no impact on the previously approved Type II Tree Conservation Plan TCPII/236/90-01 that covers the entire SDP-0317.

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

- a. The Transportation Planning Section (Burton to Zhang, April 6, 2007) has concluded that all transportation conditions have been met.

In a separate memorandum (Shaffer to Zhang, May 15, 2007) on specific design plan review for master trail plan compliance, the Transportation Planning Section has provided a comprehensive review on background and trails related issues. The trails planner concludes that the SDP complies with previously approved trail related conditions.

- b. The Environmental Planning Section (Finch to Zhang) has noted that TCPII/236/90-02 was approved on February 06, 2007.

- c. The Subdivision Section (Lockard to Zhang, April 27, 2007) has indicated that the proposed specific design plan is in general conformance with the lotting pattern as shown on the preliminary plan and record plats for this property. The subdivision reviewer has concluded that there are no other subdivision issues at this time.
- d. The Permits Review Section (Linkins to Zhang, April 20, 2007) has asked a question regarding neighborhood identification. There is no entrance signage proposed with this application.

Comment: An entrance feature including signage was approved for SDP-0317 and is located at the main entrance area to the subdivision.

- e. The Department of Environmental Resources had not responded to the referral request at the time the staff report was written.

Comment: The site has an approved stormwater management plan. However, at the time this staff report was written, the Department of Environmental Resources (DER) had not responded to the referral request. A condition has been proposed in the recommendation section to require the applicant to provide evidence that the subject SDP is consistent with the approved stormwater management plan prior to certification.

- f. The City of Bowie (Meinert to Zhang, April 3, 2007) has noted that this SDP has no impact on the city.
- g. The Department of Public Works and Transportation (DPW&T) of Prince George's County had not responded to the referral request at the time the staff report was written.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this specific design plan, the applicant shall
 - a. Provide a site plan note on the SDP indicating that all houses shall have front façades of brick or stone.
 - b. Revise the site plan to remove the "floodplain bufferyard" line and replace it with "floodplain building restriction line." The site plan legend also shall be revised accordingly.
 - c. Show the 65 dBA noise contour line of Church Road on the site plan and the landscape plan.

- d. Provide a clear demarcation of the limits of the PMA on both the site plan and the landscape plan.
 - e. Provide an analysis of the quality and density of existing woodland along the site's Church Road frontage to ensure that the views from Church Road have been adequately screened. If the analysis finds any location where the existing woodland fails to provide sufficient screening, additional landscaping shall be provided on the landscape plan.
 - f. Provide the required planting materials in accordance with Section 4.1 (a) and (b) and revise the landscape schedule accordingly.
 - g. Provide additional evergreen trees on the south and north sides of Lots 142 and 146 to enhance the proposed screening, to be reviewed and approved by the Urban Design Section as designee of the Planning Board.
 - h. Provide evidence that the subject SDP is consistent with the approved stormwater management concept plan for this site
 - i. Provide a table on the coversheet indicating what is the required and what is provided lot standards in this SDP
2. Prior to final plat, an HOA covenant or other legal instrument acceptable to the Office of the General Counsel shall be recorded among the Land Records of Prince George's County with provisions that ensure perpetual maintenance of the 100-foot-wide bufferyard along Church Road and prohibit the installation of structures and roads and the removal of vegetation without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches or trunks is permitted.
 3. Prior to issuance of building permit for each lot, each custom architectural model shall be approved in a revision to the specific design plan by the Urban Design Section as the designee of the Planning Board.
 4. All new structures proposed in this SDP shall be fully sprinklered in accordance with National Fire Protection Standard (NFPA) 13D and all applicable county laws; unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
 5. No two units located next to or immediately across the street from each other may have identical front elevations.
 6. 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 exterior elevations of all

approved models, the specific design plan, the landscape plan, and plans for recreational facilities.

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, Clark and Parker voting in favor of the motion, and with Commissioner Vaughns absent at its regular meeting held on Thursday, May 31, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of June 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:HZ:bjs