

**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 16, 2017 regarding Detailed Site Plan DSP-07058-01 for Marlboro Ridge, Phase 5, the Planning Board finds:

1. **Request:** The subject approval is for a revision of Phase 5 of the Marlboro Ridge Development to change the lot distribution from 70 small single-family detached lots and 55 large single-family detached lots to 62 townhouses and 59 single-family detached units.
2. **Development Data Summary:**

|  | <b>EXISTING</b> | <b>APPROVED</b> |
|--|-----------------|-----------------|
| Zones                                  | R-R/M-I-O       | R-R/M-I-O       |
| Use                                    | Residential     | Residential     |
| Gross tract area of this DSP (acreage) | 112.57          | 112.57          |
| Number of Single-Family Dwellings      | 125             | 59              |
| Number of Townhouses                   | 0               | 62              |
| Number of Lots                         | 125             | 121             |

**OVERAL MARLBORO RIDGE LOT DESIGNATION CHART**

| Case Number  | Phase and Description                   | Single-Family Detached Lots       |                                    |                      | Single-Family Attached Lots | Total Number of Lots |
|--------------|---|-----------------------------------|------------------------------------|----------------------|-----------------------------|----------------------|
|              |   | Small Lot                         | Large Lot                          | Perimeter            |                             |                      |
|              |   | Lot Area ≥ 5,000 sf & < 10,000 sf | Lot Area ≥ 10,000 sf               | Lot Area > 15,000 sf |                             |                      |
| DSP-04088    | Village of Clagett Farm Phase 1, Part A |                                   | A 1-13<br>Q 1-5,7<br>R 1-13        |                      | AA 1-10<br>BB 1-22          |                      |
|              |   | <b>Total 0</b>                    | <b>Total 32</b>                    | <b>Total 0</b>       | <b>Total 32</b>             | <b>Total 64</b>      |
| DSP-05035    | Village of Clagett Farm Phase 1B & 1C   | N/A                               | N/A                                | N/A                  | N/A                         | N/A                  |
| DSP-05075-04 | Marlboro Ridge Phase 1D                 | K 7<br>L 1<br>L 18-19<br>O 1-2    | A 14-25<br>B 1<br>C 18-35<br>D 1-2 |                      | AA 11-24<br>CC 1-31         |                      |

| File No.                    | Phase & Description                       | Single Family Detached Lots  |   |                      | Single-Family Attached Lots  | Total Number of Lots |
|-----------------------------|---|--|---|----------------------|--|----------------------|
|                             |   | Small Lot  | Large Lot   | Perimeter            |  |                      |
|                             |   | Lot Area $\geq$ 5,000 sf & < 10,000 sf   | Lot Area $\geq$ 10,000 sf   | Lot Area > 15,000 sf |  |                      |
| DSP-05075-04<br>(Continued) | Marlboro Ridge<br>Phase 1D                | P 1-4<br>P 8-12<br>P 18<br>P 20-32<br>R 14-46  | J 1<br>M 1, 23<br>O 30<br>P 5-7<br>P 13-17, 19<br>Q 8-27<br>R 47<br>S 1-16  |                      |  |                      |
|                             |   | <b>Total 62</b>  | <b>Total 83</b>   | <b>Total 0</b>       | <b>Total 45</b>  | <b>Total 190</b>     |
| DSP-06010-05                | Marlboro Ridge<br>Phase 2                 | F 47-54<br>H 1-30<br>K 2<br>L 2-7,9,11<br>L 13,15,16<br>M 2,3,5-7<br>M 9,10,13,14<br>M 16-18<br>M 20-21<br>N 1-15<br>O 5-8<br>O 11-13,16 | B 2-43<br>C 1-17<br>D 3-14<br>F 9-11<br>J 2-13<br>K 3-6<br>L 8,10,12<br>L 14,17<br>M 4,8,11,12<br>M 15,19,22<br>O 4,9,10<br>O 14,15 |                      | DD 1-20<br>EE 1-34<br>FF 1-23  |                      |
|                             |   | <b>Total 87</b>  | <b>Total 107</b>  | <b>Total 0</b>       | <b>Total 77</b>  | <b>Total 271</b>     |
| DSP-09018-04                | Marlboro Ridge<br>Phase 3 & 4             | E 6  | E 1-5<br>E 7-13<br>F 1-8<br>F 12-40<br>G 1-21   |                      | GG 1-8<br>HH 1-13<br>II 1-13<br>JJ 1-8<br>KK 1-13<br>LL 1-27<br>MM 1-17<br>NN 1-14<br>OO 1-15<br>PP 1-24<br>QQ 1-10<br>RR 1-17 |                      |
|                             |   | <b>Total 1</b>   | <b>Total 70</b>   | <b>Total 0</b>       | <b>179</b>   | <b>Total 250</b>     |
| DSP-07058-01                | Marlboro Ridge<br>Phase 5                 |  | T 1-24<br>U 1-35  |                      | XX 1-10<br>YY 1-52   |                      |
|                             |   | <b>Total 0</b>   | <b>Total 59</b>   | <b>Total 0</b>       | <b>Total 62</b>  | <b>Total 121</b>     |
|                             | <b>Marlboro Ridge<br/>Overall Project</b> | <b>Total 150</b>   | <b>Total 351</b>  | <b>Total 0</b>       | <b>Total 395</b>   | <b>Total 896</b>     |

Per Section 27-444(b)(7) of the Zoning Ordinance pertaining to recreational community development, not more than 65 percent of the total number of dwelling units shall be attached units or a combination of attached units and small-lot detached units. The subject approval includes 60.8 percent of the total number of dwelling units that are a combination of townhouses, which is within the 65 percent maximum allowable limit.

3. **Location:** The subject detailed site plan (DSP) is a portion of a larger development known as Marlboro Ridge, which is located on the southwest side of Ritchie Marlboro Road, approximately 2,500 feet south of its intersection with Westphalia Road, in Planning Area 78 and Council District 6. The area covered in the subject DSP approval is located in the northern portion of the property, west of and immediately adjacent to the Potomac Electric Power Company (PEPCO) power line right-of-way that bisects the overall site.
4. **Surrounding Uses:** The Marlboro Ridge site is bounded to the northeast by the right-of-way of Ritchie Marlboro Road. To the south of the property is an existing single-family detached residential subdivision in the Rural Residential (R-R) Zone; to the north are vacant wooded properties in the Residential Medium Development (R-M) Zone and Residential Estate (R-E) Zone; to the west are two vacant wooded properties in the R-M Zone and a vacant property in the Mixed Use–Transportation Oriented (M-X-T) Zone; to the south is existing single-family detached developments in the R-R Zone; to the southeast is an agricultural property in the Residential-Agricultural (R-A) Zone.
5. **Previous Approvals:** The property is the subject of Prince George’s County Council Resolution CR-2-2007, which retained the zoning of the property in the R-R Zone. The property has an approved Conceptual Site Plan, CSP-03005, including Type I Tree Conservation Plan TCPI/81/03, which was approved by the Prince George’s County District Council on November 22, 2004. Subsequently, Preliminary Plan of Subdivision 4-04080 was approved by the Prince George’s County Planning Board (PGCPB Resolution No. 04-255) on October 28, 2004. On January 26, 2006, the Planning Board approved an umbrella architecture Detailed Site Plan, DSP-05040, including 28 single-family detached houses (PGCPB Resolution No. 06-21). On March 30, 2006, the Planning Board approved DSP-05035 (PBCPB Resolution No. 06-83). The site also has an approved Stormwater Management Concept Plan, 21383-2003-04, which was approved on October 23, 2015 and will remain valid through October 23, 2018.
6. **Design Features:** Marlboro Ridge is designed as a residential recreational community with an equestrian center under the Recreational Community Development code of Section 27-444 of the Prince George’s County Zoning Ordinance. The subject DSP is approved herein to change the lot distribution in Phase 5 of the Marlboro Ridge Development from 70 small and 55 large single-family detached lots to 62 townhouse lots and 59 single-family detached lots. Phase 5 is accessed through Phase 2 via North Riding Road, which traverses the northern portion of the site from east to west and terminates in a “T” intersection with Polo Place, an internal street that will be stubbed out to the north and south. The single-family detached lots approved herein are sited so that lots will front on North Riding Road and four short culs-de-sac and one stub street that

connects to North Riding Road. The townhouse lots are approved herein to be located in the northeastern corner of the section, northwest of the PEPCO right-of-way, and accessed by and located both north and south of North Riding Road. This location was previously occupied by 21 single-family detached units. A stormwater management facility is approved herein in the southernmost portion of Phase 5 within a homeowners association (HOA) parcel, south of the lots that front on North Riding Road. Master plan hiker-biker and equestrian trails follow the southern lot-lines of the lots between the stormwater management facility and North Riding Road and connect to the stream valley park to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC). In the previously approved DSP, North Riding Road was more of a serpentine and aesthetic design, with periodic spaces between the units to provide some visual relief from what is otherwise a very regular lotting pattern. A condition of this approval requires that, prior to certificate approval, open space be provided periodically between the units so that there is more visual variety in between the dwelling units.

#### **Architecture**

The architectural models used for the single-family detached units in the DSP will be selected from the umbrella architecture previously approved as Detailed Site Plan DSP-05040, including a variety of models that ranged in size from 2,400 to 4,955 square feet. The architecture approved herein for the townhouses included in this application consists of eight different models, three of which have been approved in other sections of the Marlboro Ridge community. The five new townhouse models are alterations of a previously-approved model, with certain options that are frequently sold becoming standard features.

The previously included townhouse models and their base square footage are as follows:

| <b>Model Name</b> | <b>Total Base Finished Square</b> |
|-------------------|-----------------------------------|
| The Portsmouth    | 1,889                             |
| The Ellicott      | 2,248                             |
| The Bradbury      | 1,994                             |

The new models approved as part of the subject DSP are as follows:

| <b>Model Name</b>    | <b>Base Square Footage</b> |
|----------------------|----------------------------|
| The Bluefield        | 2,613                      |
| The Bluefield Elite  | 2,613                      |
| The Belle View       | 2,613                      |
| The Belle View Elite | 2,613                      |
| The Groveton         | 2,901                      |

**Recreational Facilities:** At the time of the CSP approval, the on-site recreational facility package was evaluated and a condition was attached to the approval to ensure that sufficient recreational facilities will be provided for the overall development. In addition to the equestrian components, which include an indoor ring and an outdoor ring, pasture, and an equestrian trails system, the CSP

also proposed a central park and a community center behind the pasture, to the southeast of the main entrance. Two tennis courts and one swimming pool are shown on the CSP. In addition, five on-site, small-scale, neighborhood outdoor play areas and picnic areas were also required as a part of the CSP approval. This DSP does not include any of the recreational facilities approved with the Conceptual Site Plan, CSP-03005; but will be served by the recreational facilities.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP approved herein has been reviewed for compliance with the requirements in the R-R and the Military Installation Overlay (M-I-O) Zones and the additional requirements for recreational community development, as well as the site design guidelines of the Zoning Ordinance:
  - a. The subject DSP is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs uses in residential zones. The single-family detached and single-family attached units are permitted uses in the R-R/M-I-O Zones under the recreational community development provisions (Section 27-444). The development approved in this DSP is subject only to the height requirements of the M-I-O Zone. Since only single-family homes are included in this development, they are all well below the required 150 feet in height.
  - b. The subject DSP is in conformance with the requirements of Section 27-442, Regulations, of the Zoning Ordinance, as modified in Section 27-444, Recreational Community Development (net lot area and lot width).
  - c. The subject DSP is in conformance with the requirements of Section 27-274, Design Guidelines, of the Zoning Ordinance.
  
8. **Conceptual Site Plan CSP-03005:** Conceptual Site Plan CSP-03005 was the first approval for the entire Marlboro Ridge development and was approved by the Planning Board on July 8, 2004, subject to 13 conditions. The District Council affirmed the Planning Board's decision on November 22, 2004 with two additional conditions attached to the Order of Approval. Although the CSP included 125 single-family detached lots and no townhouses for this phase, the subject DSP does not affect the previous findings and conditions of CSP-03005, as CSPs are intended to be general in nature, with project details defined as a project goes through the subsequent stages of development (preliminary plan of subdivision and DSP). The conditions relevant to this DSP approval are as follows:
  4. **Prior to approval of a detailed site plan, the following shall be demonstrated on the plans:**
    - a. **The streetscape treatments such as special pavers in crosswalks, special pedestrian lighting, and furnishings including seating elements.**

- b. Street trees on the main entrance boulevard shall be located approximately 35 feet on-center if they do not exist in the right-of-way. A staggered row of the same species shall be planted at the same interval on the other side of the sidewalk**
- c. The building materials and architecture of the equestrian building, barns, and community clubhouse, shall be high quality and compatible to each other. The same materials shall be used and the colors of materials shall be strategically repeated to create a harmonious built environment.**
- d. Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas in at least five locations, shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and property siting.**
- e. Off-street parking and loading areas shall be provided in accordance with Part 11, and sign design shall be in accordance with Part 12 of the Zoning Ordinance.**

The streetscape elements, including pedestrian lighting, crosswalk treatments, and street trees, approved in the subject DSP are consistent with these requirements and, therefore, with the already developed sections of the larger Marlboro Ridge development. This phase will be using those architectural models approved in Umbrella Architecture DSP-05040. The DSP meets this condition.

- 5. At the time of detailed site plan approval, the following areas shall be carefully reviewed:**
  - a. Access points to the equestrian complex from the community.**
  - b. The screening and buffering of the rear yards from the views, smell and noise from the equestrian trails.**
  - c. The screening and buffering of the rear yards of the lots that can be seen from Ritchie Marlboro Road and other perimeter lots.**
  - d. The design and siting of the residential buildings on the lots fronting Ritchie Marlboro Road.**
  - e. The design of the central green.**

The subject project does not affect previous findings of conformance with these requirements. The relocated trail no longer runs behind private residential lots, so screening and buffering of the rear yards from the views, smell, and noise of the equestrian trail is no longer relevant. There are no lots proximate to Ritchie Marlboro Road in the subject DSP, nor is the central green included in it.

**6. At the time of the applicable detailed site plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following trail-related information with the site plans:**

- a. A composite trails map showing the connection to the regional trail network, multiuse master plan trails, equestrian trails, bikeways, and sidewalks shall be submitted with the first DSP. Trails widths and surface types should be indicated on that plan.**

A condition of this approval requires that the composite trails map be updated in accordance with this approval.

- b. A multiuse, hiker-biker-equestrian trail along the subject site's entire length of Cabin Branch. This trail should be constructed to DPR standards and guidelines.**

The portions of the Cabin Branch Trail located within the land area of Phase 5 are included on a plan, and enforcement of the bond and trail construction by the Prince George's County Department of Parks and Recreation (DPR) will ensure that the trail will be constructed in accordance with DPR's standards and guidelines, in accordance with this subcondition.

- e. A paved master plan trail running from the Cabin Branch stream valley trail to the northern property line, as indicated on the master plan.**

The portions of the Cabin Branch Trail located within the land area of Phase 5 are included on a plan in accordance with this subcondition.

- f. The proposed trail network shall be expanded to include the portions of the subject site north of the Cabin Branch.**

This expansion has been done.

- g. All equestrian trails shall meet the standards provided in Figure 3 of the Adopted and Approved Melwood-Westphalia Master Plan. Main trails should have a minimum ten-foot-wide trail width (with a two-foot-wide buffer on each side) and a minimum head clearance of 12 feet. Feeder trails, or trails receiving less volume, should meet the subdivision park trail standard, with a minimum trail width of six to eight feet, with a**

**two-foot-wide buffer on each side. In order to accommodate equestrians, a minimum head clearance of 12 feet is recommended on these trails as well. All trails on land to be dedicated to the Department of Parks and Recreation should meet all DPR standards and guidelines.**

The equestrian trails located within the subject DSP are shown and will be installed in accordance with the standards established in Figure 3 of the 1994 *Approved Melwood-Westphalia Master Plan and Sectional Map Amendment* (Melwood-Westphalia Master Plan and SMA). The equestrian trails located on land to be dedicated to DPR will also be constructed to DPR's standards.

- h. Due to the density of the proposed development, standard sidewalks shall be provided along both sides of all internal roads, subject to concurrence by DPW&T.**

Standard sidewalks have been provided on all internal roads in accordance with this subcondition.

- 11. All subsequent plan submittals for this property shall reflect the location of the unmitigated 65 dBA Ldn noise contour on the plans. Subsequent plan submittals shall not show any residential lots within the unmitigated 65 dBA Ldn noise contour unless a Phase II noise study is included with the submittal and all interior and exterior noise impacts are mitigated so as not to exceed the State of Maryland noise standards. All mitigation measures shall be shown on future preliminary plans of subdivision and associated tree conservation plans.**

The subject DSP for Phase 5 of the larger Marlboro Ridge development is located a distance away from Ritchie Marlboro Road and there are no traffic-related noise impacts to any proposed residential lot in this phase of development.

- 12. Prior to issuance of the 530th building permit, the facilities such as community clubhouse, swimming pool, and tennis courts that serve the entire Recreational Community Development shall be completed and open to the residents.**

The community clubhouse and associated recreational facilities have already been completed and are open for use in accordance with this condition.

- 13. Prior to issuance of the 300<sup>th</sup> building permit, the main equestrian facility shall be developed.**

The main equestrian facility has already been completed and is open for use in accordance with this condition.



9. **Preliminary Plan of Subdivision 4-04080:** Preliminary Plan of Subdivision 4-04080 was approved by the Planning Board on October 28, 2004, subject to 32 conditions for 125 single-family detached lots for Phase 5, of which 20 were located on the perimeter of the development. Per Section 27-444(b)(12) of the Zoning Ordinance, in recreational community developments, all lots which are located along the perimeter of the community and that abut property or streets not within the community are limited to one-family detached dwellings. However, this excludes lots separated from the project boundary by intervening HOA-owned land, and this exclusion applies to this case.

The conditions attached to the approval of 4-04080 that are relevant to this DSP approval are discussed as follows:

3. **The detailed site plan and the Type II tree conservation plan shall refine the proposed trail alignment to follow proposed and existing alignments for other infrastructure components to the extent reasonable based in the type of trail proposed.**

The master plan trail alignment was reviewed and approved in previously-approved Detailed Site Plan DSP-07058.

4. **During the review of the detailed site plan, all PMA impacts approved by this plan shall be evaluated in order to further minimize the number and extent of the proposed PMA impacts. This shall include documentation that identifies the impacts as approved by this plan and the revised impact as proposed by the detailed site plan.**

The PMA impacts located within Phase 5 were reviewed and approved previously with DSP-07058 and there are no additional PMA impacts proposed with the subject revision.

13. **The mitigated and unmitigated 1.5 safety factor lines shall be shown on the Type II tree conservation plan and the detailed site plan. All residential lots shall be located beyond the limits of the final mitigated 1.5 safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division, and a minimum 50-foot building restriction setback from the final mitigated 1.5 slope safety factor line shall be provided, unless a lesser setback is approved by DER.**

A geotechnical report was reviewed for the subject approval showing the location and unmitigated 1.5 safety factor line. According to the geotechnical study, the proposed grading has a factor of safety above the required 1.5. The design of the subject phase follows the specific recommendations of the study regarding the placement and construction of structures on the site in accordance with this condition. This condition has been carried forward with this approval to ensure that the plans for the project get proper subsequent review by the Department of Environmental Resources.

**15. At the time of detailed site plan, the applicant, the applicant's heirs, successors and/or assignees shall provide the following trail-related information with the site plans:**

**a. A composite trails map showing the connection to the regional trail network, multiuse master plan trails, equestrian trails, bikeways, and sidewalks shall be submitted with the first DSP. Trails widths and surface types should be indicated on that plan.**

A condition of this approval requires that an updated composite trail map be provided in accordance with this subcondition.

**b. A multiuse, hiker/biker/equestrian trail along the subject site's entire length of Cabin Branch. This trail should be constructed to DPR standards and guidelines.**

The portions of the required Cabin Branch Master Plan Trail located within Phase 5 are shown on the subject DSP and, as enforcement of the bond and trail construction will be by DPR, the trail will be constructed to DPR's standards and guidelines, in accordance with this condition.

**e. A paved master plan trail running from the Cabin Branch stream valley trail to the northern property line, as indicated on the master plan.**

The portions of the required Cabin Branch Master Plan Trail located within the land area of Phase 5 are shown on the subject DSP and will be constructed to DPR's standards, as enforcement of the bond and trail construction will be by DPR.

**g. All equestrian trails shall meet the standards provided in Figure 3 of the adopted and approved Melwood-Westphalia Master Plan. Main trails should have a minimum ten-foot-wide trail (with a two-foot-wide buffer on each side) and a minimum head clearance of 12 feet. Feeder trails, or trails receiving less volume, should meet the subdivision park trail standard, with a minimum trail width of six to eight feet, with a two-foot-wide buffer on each side. In order to accommodate equestrians, a minimum head clearance of 12 feet is recommended on these trails as well. All trails on land to be dedicated to the Department of Parks and Recreation should meet all DPR standards and guidelines. Due to the density of the proposed development, standard sidewalks shall be provided along both sides of all internal roads, subject to concurrence by DPW&T.**

The equestrian trails located within Phase 5 are shown on the subject DSP and will be installed in accordance with the standards established in Figure 3 of the Melwood-Westphalia Master Plan and SMA. The equestrian trails located on land to be dedicated to DPR will be constructed to DPR's standards.

- 21. Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas in at least five locations, shall be reviewed by the Urban Design Section of the Development Review Division (DRD) for adequacy and property siting at the time of detailed site plan.**

Phase 5 contains approximately 2,308 of ten-foot-wide asphalt hiker/biker trail and 2,182 feet of ten-foot-wide grass equestrian trail in accordance with this requirement. Five small neighborhood outdoor play and picnic areas were provided in the previously-approved sections of the larger Marlboro Ridge development, also in accordance with this condition.

- 22. A Type II tree conservation plan shall be approved at the time of detailed site plan.**

A revised TCPII was reviewed for this approval and is approved herewith, with conditions. The approval is in conformance with this requirement.

- 23. Prior to the issuance of any building permit on the subject property, the following improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**

**a. MD 4/Westphalia Road Intersection**

- (1) Construct an additional left turn lane (approximately 200 feet in length) for the northbound approach, to provide a double left, a shared through-left, and a right turn lane.**
- (2) Construct an additional right turn lane (approximately 300 feet in length) for the southbound approach, to provide a double right, a through, and a left-turn lane.**

**b. Ritchie Marlboro Road/Westphalia Road**

- (1) Construct a northbound left turn lane from Ritchie Marlboro Road onto Westphalia Road.**
- (2) Conduct a traffic signal warrant study and install traffic signal(s) if deemed necessary.**

**c. Ritchie Marlboro Road/Site Access Points**

- (1) Construct auxiliary turn lanes to provide a left lane and a through lane on the northbound approaches to both site access 1 and site access 2.**
- (2) Construct auxiliary turn lanes to provide a right turn lane and a through lane on the southbound approaches to both site access 1 and site access 2.**
- (3) Conduct a traffic signal warrant study and install traffic signal(s) if deemed necessary.**

**d. Ritchie Marlboro Road/Brown Road**

**Conduct a traffic signal warrant study and install traffic signal if deemed necessary.**

Subsections a and b of the above condition are still applicable, the work required by Subsection c was completed and, regarding Subsection d, the Planning Board requires evidence of a signal warrant study having been completed. A condition in this resolution requires that, prior to certificate approval, the applicant provide such evidence.

10. **Umbrella Architecture Detailed Site Plan DSP-05040:** The Planning Board approved Umbrella Architecture Detailed Site Plan DSP-05040 with two conditions on January 26, 2006. The subject project may use the models approved in Detailed Site Plan DSP-05040.
11. **Detailed Site Plan DSP-05035:** Detailed Site Plan DSP-05035 was particularly for Phase I, Parts B and C of the Marlboro Ridge development, but also serves as a special purpose DSP devoted to elements of streetscape and signage including street trees, entry monuments, signage, special paving at equestrian facilities and intersections, etc. for the entire development to ensure a high-quality and harmoniously-built environment. Detailed Site Plan DSP-05035 was conceived based on images for equestrian components and the project-wide signage package approved in Conceptual Site Plan CSP-03005. No new and specific signage information has been provided in this DSP. Therefore, the subject DSP is subject to the approval of Detailed Site Plan DSP-05035 for community character.
12. **Detailed Site Plan DSP-07058:** Detailed Site Plan DSP-07058 was approved by the Planning Board on February 25, 2010, subject to 16 conditions. Subsequently, on March 18, 2010, the Planning Board adopted PGCPB Resolution No. 10-23 formalizing the approval. The conditions relevant to the review of this DSP are discussed as follows:

- 8. The applicant shall dedicate approximately 23 ± acres of land (Parcel G) to M-NCPPC.**

As this required dedication of land has not been previously implemented by the applicant in accordance with this requirement, the condition has been made a condition of this resolution.

**10. The bond for the Cabin Branch Trail construction shall be submitted to DPR prior to the issuance of the 439<sup>th</sup> building permit.**

As the 439<sup>th</sup> building permit has not yet been issued and the bond for the Cabin Branch Trail construction has not yet been submitted, this condition has been made a condition of this resolution.

**11. The applicant and the applicant's heir, successors, and/or assignees, shall construct the trail in phase with development. No building permits shall be issued for lots directly adjacent to the trail until the trail is under construction (under construction is defined as installation of the gravel base). Prior to issuance of the 529<sup>th</sup> residential building permit, a ten-foot-wide asphalt hiker/biker trail along the Cabin Branch and Back Branch shall be completed. Six-foot-wide feeder trails shall be constructed in phase with development.**

This condition has been made a condition of this resolution.

**12. All single-family detached models shall have a full front façade (excluding gables, bay windows, trim, and door) of brick or equivalent masonry treatment.**

This condition has been made a condition of this resolution.

**13. Every side elevation on a corner lot that is visible from the public street shall display significant architectural features as provided in one of the following options:**

- a. **Full brick, stone, stucco, or other masonry treatment combined with at least three windows, doors, or other substantial architectural features; or**
- b. **Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows, or one side-entry door.**

**The side elevations visible from the street on the following lots shall receive this treatment:**

- **Lots 1, 10, 11, 17, 18 and 30, Block A**
- **Lots 1 and 8, Block B**
- **Lots 1, 4, 5, 8, 14, 15, 20, 24, 28, and 29, Block C**

This condition has been made a condition of this resolution.

**14. No two units located next to or directly across the street from each other may have identical front elevations.**

This condition has been made a condition of this resolution.

**13. Prince George's County Landscape Manual:** The DSP is subject to Section 4.1, Residential Requirements; Section 4.7, Buffering Incompatible Uses, and Section 4.9, Sustainable Landscaping Requirements of the *Prince George's County Landscape Manual* (Landscape Manual).

- a. Section 4.1(b) requires that single-family detached lots measuring 20,000–40,000 square feet provide four shade trees and three ornamental or evergreen trees. There are four such lots in the development and the applicant has provided 16 shade trees, 6 ornamental trees, and 6 evergreen trees, meeting this requirement.
- b. Section 4.1(c) requires that single-family detached lots measuring 9,500–20,000 square feet provide 3 shade trees and 2 ornamental or evergreen trees per lot. There are 55 lots of this description and the applicant has provided 165 shade trees, 65 ornamental trees, and 45 evergreen trees, meeting this requirement.
- c. Section 4.1(d) requires that each townhome provide 1.5 shade trees and one ornamental or evergreen tree. There are 62 such lots. The applicant has provided 93 shade trees, 37 ornamental trees, and 25 evergreen trees, meeting this requirement.
- d. A condition of this approval requires that the single-family attached dwellings are required to be buffered from the PEPCO power lines pursuant to Section 4.7, Buffering Incompatible Uses. However, the Section 4.7 schedule provided on Sheet 12 of the landscape plan incorrectly referred to the adjacent residential development as single-family detached. This schedule should be corrected and the requirements included thereon recalculated prior to certification of this DSP.
- e. The project is subject to the requirements of Section 4.9 of the Landscape Manual, Sustainable Landscaping Requirements. However, no Section 4.9 schedule was provided on the landscape plan. Therefore, a condition of this approval requires that, prior to certificate approval, a Section 4.9 Schedule be added to the landscape plan demonstrating conformance with its requirements. Section 4.9 requires that 50 percent of shade and ornamental trees and 30 percent of evergreen trees and shrubs be native species, as defined in the Landscape Manual.

**14. Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This site is subject to the provisions of the Woodland Conservation Ordinance because several TCPs and TCPIIs were previously approved. A revised Type II Tree Conservation Plan (TCPII-083-05-12) was reviewed by the Planning Board and is approved herein with conditions.

The project is in conformance with the requirements of the Woodland Conservation and Tree Preservation Ordinance.

15. **Prince George's County Tree Canopy Coverage Ordinance:** The project is subject to the requirements of the Tree Canopy Coverage Ordinance as included in Section 25-128 of the Prince George's County Code. On the basis of the project's location in the R-R Zone, 15 percent of the property is required to be covered in tree canopy. As the appropriate schedule has not been provided on the landscape plan, a condition of this resolution requires that, prior to certificate approval, the applicant include a tree canopy coverage schedule demonstrating that 15 percent of the property, 12.77 acres or 556,305 square feet, will be covered in tree canopy.
16. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Historic Preservation**—The subject approval will not impact any historic sites or historic resources.
  - b. **Archeology**—Phase I and II archeological investigations were conducted on the subject property in 2004 and 2005 and identified three historic-period domestic sites (18PR791, 18PR794, and 18PR854) and one prehistoric Native American lithic scatter (18PR855). Phase II archeological evaluation of historic Archeological Sites 18PR791 and 18PR794 was then required and completed in 2005. Due to a lack of intact subsurface deposits within these sites, no further work was recommended or required. The subject approval will not impact any significant archeological resources.
  - c. **Community Planning**—The application is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan and SMA). As to land use, the land use map (page 19) in the sector plan shows the subject property designated as low-density residential and that the DSP is consistent with that designation. With respect to parks and trails, noting that the sector plan calls for development of the Marlboro Ridge site to include appropriate park amenities as part of the parks system vision for the Westphalia Sector Plan, dedicating the main primary management area on-site as the Cabin Branch Greenway is part of this vision. With respect to Aviation and Interim Land Use Controls (ILUC), the western portion of the site is within the M-I-O Zone for Joint Base Andrews, in Horizontal Surface E, where the height limit ranges from 150 to 500 feet. The sector plan readopted the existing R-R zoning for the property per CR-2-2007 (DR-2). There are no planning issues connected with the subject approval and the approval meets the sector plan's low-density residential and rural residential objectives.

d. **Transportation—**

**Background**

Pursuant to PGCPB Resolution No. 04-255, the property is the subject of a preliminary plan that was approved on October 28, 2004. The property was approved with multiple conditions, including Condition 23, which pertains to transportation. See Finding 9 of this report for a discussion of transportation-related Condition 23.

**Site Plan Review**

In reviewing the street layout, the Planning Board found a lack of consistency with the approved road network for the preliminary plan. This phase of the development will be served primarily by North Riding Road, a primary residential road within a 60-foot right-of-way. The alignment follows a rather straight east/west geometry, while the alignment on the approved preliminary plan reflected a more serpentine geometry. Second, the preliminary plan alignment showed stub connections to the properties to the north and west of the subject property, while the alignment approved herein stopped short of both adjacent properties. The proposed North Riding Road ends with a “T” connection (roundabout) with proposed Polo Place. The southern end of Polo Place ends as a stub connection, which coincides with the limit of the proposed Phase 5. When the next phase of the development moves forward, the stubbed end of Polo Place will be extended (to the south) to provide access for that phase.

Regarding the northern stub end of Polo Place, however, it does not end at the northern property line, as is customary. Instead, the northern stub end of Polo Place stops about 75 feet south of the property line. In discussions with the applicant, he has indicated that the elevation of the proposed road, relative to the existing topography, makes grading to the property line an engineering challenge. The Planning Board agrees that there are topographic challenges, but maintains that the applicant still has a legal obligation to provide for the connection of the 75-foot gap of Polo Place to the property line. While the need for this missing connection is not immediate, there needs to be some agreement between the applicant and the County that, at such time in the future when the need for the extension of Polo Place exists, the applicant will provide for the funding of said extension.

Beyond the funding for the extension of Polo Place, approved herein are 61 townhouses in an area once approved for 30 single-family detached homes. While 61 townhouses will generate more traffic than 30 single-family detached houses, the overall development, with the changes approved herein, will not exceed the overall traffic generation identified at the time of the approval of the preliminary plan.

The on-site traffic circulation approved herein for Phase 5 presents no transportation planning issues.

The DSP is deemed acceptable from the standpoint of transportation, as it is approved with the following condition.



- (1) Prior to issuance of any building permit for the Phase 5 development, the applicant shall provide a letter from DPIE to indicate the final disposition of the Polo Place gap between its proposed terminal point and the adjacent property line to the north.

See Finding 10 for a discussion of transportation-related Condition 23 of the preliminary plan.

- e. **Subdivision**—The property is the subject of Preliminary Plan of Subdivision 4-04080 (PGCPB Resolution No. 04-255) that was approved by the Planning Board on October 28, 2004, with 32 conditions, for 1,058 dwelling unit lots, including 2 for existing dwellings. This included 370 attached (townhouse) lots, 686 single-family lots, and 2 lots for existing dwellings.

The DSP approved herein shows the total development lot breakdown. Sole public vehicular access to the phases under review for this DSP is across land owned by PEPCO. Two other phases of development to the south are also located to the west of the PEPCO property. Prior to approval of any final plat for land solely accessed through the PEPCO property, approval for public right-of-way dedication across the PEPCO property must be secured in accordance with Section 24-123(a)(2) of the Subdivision Regulations. This information is provided for the applicant's benefit.

The site is developed under the Recreational Community Development (RCD) land use, which is permitted in the R-R Zone subject to the regulations of Section 27-444 of the Zoning Ordinance. The RCD requires the approval of a CSP prior to approval of the preliminary plan, and approval of a subsequent DSP prior to final plat approval. Conceptual Site Plan CSP-03005 was approved by the District Council and the CSP was certified on November 22, 2004. The CSP identified the area of this revision to DSP-07058-01 as part of Phases 4, 5, and 6. The DSP has previously been reviewed for conformance with the conditions of approval of the preliminary plan applicable to these phases.

Section 27-444 provides for a variety of single-family and townhouse lots subject to specific percentages and lot sizes. Of note is the requirement that "Perimeter Lots (to the boundary)" are required to be a minimum of 15,000 square feet, a reduction from the standard conventional R-R Zone requirement of 20,000 square feet. The CSP for this part of Phases 4, 5, and 6 (subject of this DSP revision) approved 20 "Perimeter Lots – (to Boundary)" of the 125 single-family lots in this phase of the development. The preliminary plan was then approved with 125 single-family dwelling unit lots which conformed with the CSP and retained the single-family dwelling lots, including the 15,000 "perimeter lots-to boundary." Based on the CSP and the preliminary plan, not all designated perimeter lots "abut" the property boundary, but are lots between the interior lots and the site boundary (see Sheet 4 of 6 of the certified CSP-03005 as specifically

designated), which include an intervening HOA parcel. Based on the certified CSP and preliminary plan the perimeter lots were provided where the properties adjacent and abutting the site boundary were zoned R-A to the north and west. Lots in the R-A Zone have a minimum two-acre lot size requirement. Lots within the site along the southern property line were not designated as perimeter lots where the site abuts R-R-zoned land.

The DSP shows HOA land between the proposed lots and site boundary and, therefore, the lots do not directly abut the property boundary. This relationship is consistent with the intent of the code and prior approvals.

Detailed Site Plan DSP-07058 was then approved in 2010 and increased the lots in the area of this DSP (Phases 4, 5, and 6) from 125 single-family lots to 155 single-family lots, while retaining the 15,000-square-foot perimeter lots. At the time of DSP approval, Parcels 5 and 14 abutting the subject site to the northwest had been rezoned from the R-A Zone to the R-M Zone, a comprehensive design zone allowing for smaller residential lots. With the approval of DSP-07058, lots within that part of Phases 5 and 6 that had previously been approved as perimeter lots were no longer identified as such. The perimeter lots were specifically called out in the Lot Regulations table in General Note 3 on the certified DSP. However, Lots 5–7 and 13–15, Block T, remained designated as perimeter lots where they continued to abut R-A-zoned land (see Sheet 1 of 13 of DSP-07058).

The current ‘-01’ revision to DSP-07058 is approved herein to convert the part of Phase 4 abutting and adjoining the R-A-zoned land (Parcel 27) from single-family to townhouse lots. Townhouse Lots 20–46 are within a geographic area of what were perimeter single-family lots abutting and adjoining the R-A-zoned land, and are proposed to be graded to an elevation roughly 14 feet higher than the land abutting the northern site boundary. This conversion is consistent with the approved preliminary plan, which was found to be consistent with the CSP and the original DSP certified for this portion of the property.

The townhouse lotting pattern introduces a series of private streets to serve the townhouse lots. Although the site plan provides no dimensions for the private streets, based on the scale of the drawings, the applicant is proposing 40-foot-wide private streets with a 22-foot-wide paving section to serve the front-loaded townhouse dwelling units on the north side of North Riding Road, and a 32-foot-wide private right-of-way with an 18-foot-wide paving section to serve the townhouse dwelling units on the south side of North Riding Road. These private streets include sidewalks and parking in some locations. The previous preliminary plan, DSP-05075, and DSP-04088 were approved with private streets of 38 and 32 feet wide with no less than 26-foot-wide paving sections based on an initial review of these cases. This was, however, determined to be unclear drafting, and clarification prior to certificate approval is required by condition of this approval.

With this DSP, the applicant is introducing a reduced section private street with a pavement width of 22 and 18 feet wide. The Subdivision Regulations require that each lot have frontage on and direct access to a public street, unless authorized by the Planning Board. Section 24-128(b)(6) of the Subdivision Regulations specifically provides that:

**(b)(6) Private roads may be deemed adequate to serve a recreational community development provided for by the Zoning Ordinance, provided that:**

**(A) Such private roads shall be conveyed to a homes association and provisions for maintenance charges shall be made; and**

**(B) Such private roads shall be improved to the standards set forth in Section 23-121(b)\* of Subtitle 23 of this Code.**

\*Section 23-121(b) of the County Road Ordinance is unrelated to right-of-way standards and establishes standards for the expiration of street construction permits.

Based on discussions with the Prince George's County Department of Public Works and Transportation (DPW&T) and DPIE, and the County Road Ordinance, the minimum paving section for all private streets in townhouse developments is 22 feet wide. While this standard is less than what has previously been approved throughout the development, it is a permitted standard. However, the right-of-way serving townhouse Lots 1–10, Block XX, has a paving section of 18 feet wide within a private street right-of-way of 32 feet wide, and does not conform to the requirements of the County Road Ordinance or Section 24-128(b)(6), which is specifically for RCD communities.

In a meeting with the applicant, it was discovered that, while the graphic representation on the plans appeared to indicate that certain of the private streets in the development had a paving requirement less than the required minimum 22-foot width, the streets were, in fact, designed in accordance with the width requirement.

Phases 5 and 6 and part of Phase 4 conform to the preliminary plan.

Review of the certified plans for foregoing Conceptual Site Plan CSP-03005 and Preliminary Plan of Subdivision 4-04080 clearly indicates that single-family detached units were located in that area of the subject site where 62 townhouse units are currently shown.

The Planning Board found that there appears to be adequate information on the site plan to determine conformance to Section 27-444 of the Zoning Ordinance. However, the Planning Board requires that additional information be provided which would include, but not be limited to, the total number of lots in the subdivision with the breakdown of the different lot types and number of townhouse lots beyond each phase. The District Council

established a minimum lot size of 6,000 square feet, which is not reflected in the development tables.

The applicant has provided the required chart on a revised set of plans, which indicates that the project meets the requirements of Section 27-444(b)(7) of the Zoning Ordinance. More particularly, it demonstrates that the subject recreational community development does not include more than 65 percent of the total number of dwelling units as attached units or a combination of attached units and small-lot detached units. The subject project includes 60.8 percent of the total number of dwelling units that are a combination of townhouses and small-lot detached units, which is within the 65-percent maximum-allowable limit.

- f. **Trails**—The Planning Board has reviewed the DSP approved herein for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements.

The subject approval is an amendment to an approved DSP for Phase 5 of the Marlboro Ridge Development. Phase 5 covers 85.14 acres within the larger overall Marlboro Ridge Development. Phase 5 has 59 single-family detached lots and 62 townhouse lots.

**Review Comments (Master Plan Compliance and Prior Approvals)**

Prior approvals for the site include Preliminary Plan 4-04080 and DSP-07058, both of which included conditions of approval for trail and bicycle facilities. Many of these have already been implemented through the development of earlier phases.

For a discussion of trails-related Condition 15 of Preliminary Plan 4-04080 (PGCPB Resolution No. 04-255), see Finding 10 of this resolution. For a discussion of trails-related Conditions 1(g), 6, 10, and 11 of DSP-07058 (PGCPB Resolution No. 10-23), see Finding 12 of this resolution.

Both the MPOT and area master plan emphasize the importance of complete streets with bicycle and pedestrian accommodations along new road construction. The Complete Streets section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians which relate to frontage improvements and internal pedestrian circulation on the site:

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

Standard sidewalks are provided along both sides of all internal roads on the submitted DSP.

- g. **Prince George’s County Department of Parks and Recreation (DPR)**—In comments dated February 27, 2017, DPR stated that the revisions have minimal impacts and that DPR had no objection to the revisions.
- h. **Permits**—All zoning criteria have been met and, by condition of this resolution, the DSP should include an updated recreational facility table including trigger dates for bonding and completion prior to certificate approval.
- i. **Environmental Planning**—

**Background**

This site was previously reviewed by the Planning Board in conjunction with the approvals of the Conceptual Site Plan CSP-03005, Type I Tree Conservation Plan TCPI/081/03, Preliminary Plan of Subdivision 4-04080, revised Type I Tree Conservation Plan TCPI/081/03-01, Detailed Site Plan DSP-04088, Type II Tree Conservation Plan TCPII/083/05, Detailed Site Plan DSP-05035, Type II Tree Conservation Plan TCPII/083/05-01, Detailed Site Plan DSP-05075, and Type II Tree Conservation Plan TCPII/083/05-02. Detailed Site Plan DSP-04088 and TCPII/083/05 were for Phase IA of this site. Detailed Site Plan DSP-05035 and TCPII/083/05-01 were for an equestrian facility in Phase 1B, a community center in Phase 1C, a revision to Phase 1A, and rough grading for infrastructure on 366.34 acres of the 588.63-acre project. Detailed Site Plan DSP-05075 and TCPII/083/05-02 were for residential lots in Phase 1D and revisions to Phases 1A, 1B, and 1C. Detailed Site Plan DSP-06010 and the revision to the TCPII were for additional residential lots, and revisions to Phases 1A, 1B, 1C, and 1D and the remainder of the area east of the PEPCO right-of-way, as well as a stormwater management pond on the west side of the PEPCO right-of-way. Detailed Site Plan DSP-09018 and a revision to the TCPII are under review for Phases 3 and 4.

**Grandfathering**

The current approval is grandfathered with respect to the environmental regulations contained in Subtitles 25 and 27 of the Prince George’s County Code that came into effect on September 1, 2010 because the phase is in conjunction with a Preliminary Plan (4-04080) that was approved prior to that date.

**Site Description**

The overall 588.63-acre site in the R-R Zone is located on the west side of Ritchie Marlboro Road, approximately 0.5 miles south of its intersection with Westphalia Road. A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly-erodible soils are found to occur on

the property. Transportation-related noise impacts associated with Ritchie Marlboro Road have been found to impact this site. The soils found to occur, according to the Prince George's County Soil Survey, include soils in the Bibb, Collington, Fallsington, Howell, Iuka, Johnston, Marr, Matapeake, Mixed alluvial land, Ochlockonee, Sandy land, Sassafras, Westphalia, and Woodstown series. Some of these soils have limitations that will have an impact during the building phase of the development, but will not significantly affect the layout or grading approved herein. According to available information, Marlboro clay is found to occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on this property or on adjacent properties. However, there are a number of large contiguous forest areas that provide habitat for forest interior dwelling species. Ritchie Marlboro Road is a designated historic road. This property is located in the Back Branch and Cabin Branch watersheds of the Patuxent River basin and in the former Developing Tier, as reflected in Plan Prince George's 2035.

#### **Review of Previously Approved Conditions**

##### **Conceptual Site Plan CSP-03005 (PGCPB Resolution No. 04-161)**

This DSP has been reviewed and was found to be in conformance with all of the environmental conditions of approval of CSP-03005.

##### **Preliminary Plan 4-04080 (PGCPB Resolution No. 04-255)**

For a review of environmentally-related Condition 13 of this approval, see Finding 9.

For a discussion of environmentally-related conditions of this approval, Conditions 13, 14, and 22, see Finding 10 of this report.

#### **Environmental Review**

##### **Natural Resources Inventory/Existing Conditions**

An approved natural resources inventory equivalency letter was submitted with the review package, NRI-120-16-01, which was approved on October 19, 2016. The letter was issued because the site has a previously-approved and implemented TCPII. No revisions are required for conformance to the NRI.

##### **Woodland Conservation**

This site is subject to the provisions of the Woodland Conservation Ordinance because a TCPII was previously approved. A revised Type II Tree Conservation Plan (TCPII-083-05-12) was submitted for the current DSP.

The woodland conservation worksheet shown on the TCP, as submitted, shows that the woodland conservation threshold for the overall 588.96-acre property is 20 percent of the net tract area, or 99.34 acres. The total woodland conservation requirement, based on the

amount of clearing currently shown on the TCP, is 136.19 acres. The woodland conservation requirement is proposed to be met entirely on-site with a combination of preservation and reforestation.

The plan required technical revisions to be in conformance with the Woodland Conservation Ordinance. Revisions have been made to the areas of clearing, reforestation, and preservation on the plan. The summary tables have been updated to reflect the changes; however, the totals provided in the summary tables do not match the worksheet. The area of preservation shown in the summary table was 75.20; however, the total preservation through Phase 5 in the worksheet was 75.22. The area of reforestation shown in the summary table was 33.48; however, the total preservation through Phase 5 in the worksheet was 33.47. The total site area at the top of the worksheet was shown as 588.96 and the floodplain was shown as 92.28; however, the total area for all of the phases is 588.94 and the floodplain was shown as 92.32. These minor discrepancies in the worksheet shall be addressed prior to certification of the plan, by conditions of this resolution.

A table of notes provided the area of gross tract and net tract for the current Phase 5; however, the gross and net tract areas shown in the worksheet were different than the areas shown in the table of notes. The worksheet, summary table, and notes shall be revised by condition of this approval to reflect consistent areas of gross tract and net tract for Phase 5, and for clearing, reforestation, and preservation areas on Phase 5, as well as the entire site. The reforestation table shown on Sheet 3 of the plan set shall be updated to reflect the total reforestation for the site, as well as for Phase 5 by condition of this resolution.

The revisions shall be made and the qualified professional who prepared the plan shall sign and date it and update the revision box with a summary of the revisions made. A digital color copy of the plan shall be submitted for State reporting purposes with the plans for certification.

### **Specimen Trees**

The current approval is grandfathered with respect to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 and, therefore, did not require a variance for specimen tree removal. However, the approval requested the removal of three additional trees and the preservation of one that was previously approved for removal. The trees to be removed included Tree 382, a 30-inch poplar in good condition; Tree 383, a 40-inch hickory in fair condition; and Tree 385, a 38-inch red oak in fair condition. The tree preserved is Tree 401, a 40-inch red oak in fair condition. The Planning Board supported the removal of Trees 382, 383, and 385 based on the location and condition of the trees.

### **Primary Management Area**

Impacts to the primary management area (PMA) were approved with the preliminary plan and are grandfathered for this project; however, this approval originally showed two new impacts to the PMA. Exhibits were provided to calculate the area of the proposed new impacts.

One minor change to impacts was shown along Lots 13–18. A reduction of 753 square feet of previously-approved impacts and a new impact of 1,274 square feet was proposed; for a net increase of 521 square feet. The Planning Board supports the revision to the PMA in this area because it is a small area located on the rear of lots and is consistent with a similar previously-approved impact to the PMA on Lots 12 and 13.

Another impact was for 5,283 square feet for an equestrian trail to be located below a pond outfall. The previously-approved plans showed the trail along the pond embankment; however, DPIE would not allow this use to cross a pond outfall. The plans show grading below the outfall to accommodate the outfall flow to the receiving stream channel. The Planning Board has concerns that establishing a trail location below a stormwater outfall may impede the flow of the outfall to the receiving stream channel. An alternate equestrian trail location along the roadway was discussed during a meeting with the applicant. The preferred trail location would be one that would minimize equestrian conflicts with traffic and avoid the rears of lots, which the location which would herein be approved provides. However, DPIE must determine whether the proposed location is acceptable from a stormwater management perspective. The Planning Board supports the impact dependent on DPIE approval, otherwise, the trail must be located along North Riding Road from the PEPCO right-of-way to the west of the stormwater management facility.

The Planning Board herein approves the minor PMA impacts, subject to DPIE's final technical approval.

### **Stormwater Management**

An approved Stormwater Management Concept Plan, 21383-2003-04, was submitted for the subject approval. The overall stormwater requirements include one-year extended detention and retention ponds for water quality, groundwater recharge volumes, and channel protection volumes. Stormwater management fee payment in-lieu of providing on-site attenuation/quality control measures has also been approved. The approval letter states that the site is impacted by the presence of Marlboro clay and that no lots shall be located where the slope-stability safety factor is less than 1.5.

- j. **Prince George's County Fire/EMS Department**—In a memorandum dated January 4, 2017, the Fire/EMS Department provided information regarding private road design, needed accessibility, and the location and performance of fire hydrants. The requirements will be enforced through their separate permitting process.



- k. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum received March 7, 2017, DPIE offered comments on issues such as stormwater management, erosion and sediment control requirements, public roads, lighting, street trees, and pedestrian, bicycle, and trail facilities. DPIE also stated that the revision to the layout of Phase 5 meets the intent of the approved Stormwater Management Concept Plan, 21383-2003-04, approved on November 20, 2003 and amended on October 23, 2015. DPIE's memorandum has been provided to the applicant and is attached as backup to this report. The issues raised by DPIE therein will be addressed through their separate permitting process.
- l. **Prince George's County Police Department**—The Police Department did not provide any comments on this DSP.
- m. **Prince George's County Health Department**—In a memorandum dated January 26, 2017, the Health Department offered the following comments. Each comment is followed by a response from the Urban Design Section.
- (1) No construction noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

A condition of this approval requires that the applicant provide a site plan note, prior to signature approval, indicating that the applicant intends to conform to construction noise control requirements as specified in Subtitle 19 of the County Code, which is adopted by reference to the Code of Maryland Regulations (COMAR).

- (2) During the construction/demolition of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

A condition of this approval requires that the applicant provide a site plan note, prior to certificate approval, indicating that the applicant intends to conform to dust control requirements as specified in 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- (3) There are no existing carry-out/convenience store food facilities and grocery stores or markets within a one-half mile radius of this site. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity.

This information has been provided to the applicant. Please note that the subject project is Phase 5 of the larger residential subdivision.

- (4) The specific design plan should include open spaces and “pet friendly” amenities for pets and their owners. Designated park areas may consist of the appropriate safe playing grounds, signage, and fencing. Pet refuse disposal stations and water sources are recommended at strategic locations in the designated outdoor play/picnic areas and along the trails.

A condition of this approval requires that the site design leave open space between units for aesthetic purposes. Such redesign could serve this purpose as well. A second condition of this approval requires two pet refuse disposal stations and a water source, as suggested by the Health Department, if possible and practical.

- n. **Maryland State Highway Administration (SHA)**—In an e-mail dated February 27, 2017, a SHA stated that they had no comments regarding the subject project.
- o. **Washington Suburban Sanitary Commission (WSSC)**—In a letter dated January 22, 2012, WSSC offered numerous comments regarding the provision of water and sewer to the development. These comments have been provided to the applicant and will be addressed through WSSC’s separate permitting process.
- p. **Verizon**—Verizon did not offer any comments.
- q. **Potomac Electric Power Company (PEPCO)**—PEPCO did not offer any comments.
17. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP 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.
18. As required by Section 27-285(b)(4) of the Zoning Ordinance, in accordance with the review by the Environmental Planning Section, the regulated environmental features on the subject site have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Section 24-130(b)(5) of the Subdivision Regulations.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George’s County Code, the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/083/05-06-01) and further APPROVED Detailed Site Plan DSP-07058-01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan (DSP), the applicant shall:
  - a. Revise the Composite Trails Map for Marlboro Ridge to include the revised layout for Phase 5 and the latest designs for the Cabin Branch Trail.
  - b. Provide open space of a minimum 20-foot between every 10 single-family detached units to provide view into nature areas.
  - c. The applicant shall provide evidence that a signal warrant study has been completed for the intersection of Ritchie Marlboro Road and Brown Road.
  - d. Provide an updated recreational facility phasing table including trigger dates for both bonding and completion of the facilities.
  - e. Provide a site plan note indicating that the applicant intends to conform to dust control requirements as specified in 2011 Maryland standards and Specifications for Soil Erosion and Sediment Control and to construction noise control requirements as specified in Subtitle 19 of the Prince George's County Code, which is adopted by reference to the Code of Maryland Regulations (COMAR).
  - f. Revise the plans to include two pet waste disposal stations and a water source for dogs within the phase, if it is possible and practical, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - g. A geotechnical report based on the proposed layout shall be submitted to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for approval of the Marlboro clay 1.5 safety factor lines. The approved 1.5 safety factor lines shall be both shown on the DSP and the Type II tree conservation plan. All residential lots shall be located at higher elevations than those of the final mitigated 1.5 safety factor line and a minimum 50-foot building restriction setback from the final mitigated 1.5 slope safety factor line shall be provided, unless a lesser setback is approved by DPIE.
  - h. The Type II tree conservation plan shall be revised as follows:
    - (1) Revise all tables, notes, and the woodland conservation worksheet as necessary to ensure that the areas reflected in each are consistent in all locations on the plan.
    - (2) Revise the Reforestation Table on Sheet 3 to reflect revisions to planting areas.
    - (3) Have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.
    - (4) Provide a digital color copy of the plan.

- i. The proposed equestrian trail location shall be submitted to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) for evaluation of potential conflicts with stormwater flow. If conflicts are identified, the trail shall be relocated along North Riding Road from the Potomac Electric Power Company right-of-way to the west of the stormwater management facility, or as required by DPIE.
- j. Revise the landscape plan to:
  - (1) Include a Section 4.9 schedule demonstrating conformance with the requirements of Section 4.9 of the 2010 *Prince George's County Landscape Manual*, including that 50 percent of the shade and ornamental trees and 30 percent of the evergreen trees and shrubs be native species, as defined therein; and
  - (2) Correct the Section 4.7 schedule provided on Sheet 12 of the landscape plan to correctly reflect the nature of the adjacent development and to recalculate the requirements.
- k. Include a tree canopy coverage schedule demonstrating conformance with the requirements of Section 25-128 of the Prince George's County Code.
- l. The applicant shall provide a minimum 50-foot-wide planted landscape bufferyard between the townhouses and the northern property line. The design of the bufferyard shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
- m. A minimum of 60 percent of the townhouse units shall have full front façades (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco, unless different standards are authorized pursuant to the Prince George's County Zoning Ordinance.
- n. A minimum of four standard endwall features combined with full brick, stone, or stucco shall be provided in a balanced composition on corner and highly-visible single-family attached lots, including:
  - Lots 1 and 10, Block XX
  - Lots 1, 5, 11, and 16, Block YY
2. Prior to issuance of any building permit for the Phase 5 development, the applicant shall provide a letter from the Prince George's County Department of Permitting, Inspections and Enforcement indicating the final disposition of the Polo Place gap between its proposed terminal point and the adjacent property line to the north.
3. The applicant shall dedicate approximately 23 ± acres of land (Parcel GGGG) to The Maryland-National Capital Park and Planning Commission.

4. The land to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for public parkland shall be subject to the following:
  - a. An original, special warranty deed for the property to be conveyed, (signed by the Washington Suburban Sanitary Commission Assessment Supervisor) shall be submitted to the Prince George's County Department of Parks and Recreation along with the final plats.
  - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to the final plat.
  - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
  - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration or repair or improvement made necessary or required by M-NCPPC developmental approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
  - e. Any storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
  - f. All waste matter of any kind shall be removed from the property to be conveyed. The Prince George's County Department of Parks and Recreation shall inspect the site and verify that land is in an acceptable condition for conveyance, prior to final plat approval.
  - g. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of the Prince George's County Department of Parks and Recreation (DPR). DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond, maintenance and easement agreements shall be required prior to issuance of grading permits.
5. The bond for the Cabin Branch Trail construction shall be submitted to the Prince George's County Department of Parks and Recreation prior to issuance of the 439<sup>th</sup> building permit.

6. The applicant and the applicant's heir, successors, and/or assignees shall construct the trail in phase with development. No building permits shall be issued for lots directly adjacent to the trail until the trail is under construction (under construction is defined as installation of the gravel base). Prior to issuance of the 529th residential building permit, a ten-foot-wide asphalt hiker/biker trail along the Cabin Branch and Back Branch shall be completed. Six-foot-wide feeder trails shall be constructed in phase with development.
7. All single-family detached models shall have a full front façade (excluding gables, bay windows, trim, and door) of brick or equivalent masonry treatment.
8. Every side elevation on a corner lot that is visible from the public street shall display significant architectural features as provided in one of the following options:
  - a. Full brick, stone, stucco, or other masonry treatment combined with at least three windows, doors, or other substantial architectural features; or
  - b. Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows, or one side-entry door.

The side elevations visible from the street on the following lots shall receive this treatment:

- Lots 1 and 24, Block T
  - Lots 1, 4, 13, 14, 23, 28, 34, and 35, Block U
9. No two units located next to or directly across the street from each other may have identical front elevations.
  10. The developer, the developer's 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, the detailed site plan, landscape plan, and plans for recreational facilities.
  11. The mitigated and unmitigated 1.5 safety factor lines shall be shown on the Type II tree conservation plan and the detailed site plan. All residential lots shall be located beyond the limits of the final mitigated 1.5 safety factor line, as determined by the slope stability analysis as approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), and a minimum 50-foot building restriction setback from the final mitigated 1.5 slope safety factor line shall be provided, unless a lesser setback is approved by DPIE.

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, March 16, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of April 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator

PCB:JJ:RG:rpg