

## 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 April 21, 2005, regarding Detailed Site Plan DSP-00050/01 for Dolan's Addition to Southern Pines (Cluster), the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for 18 single-family detached homes, of which 17 are new houses and one is an existing house.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	R-R	R-R
Use(s)	Residential/Vacant	Residential
Acreage	14.7	14.7
Number of lots	1	18

### OTHER DEVELOPMENT DATA

	<b>REQUIRED</b>	<b>PROPOSED</b>
Cluster open space (acres)	3.08	6.96
Mandatory dedication		Fee-in-lieu
Minimum lot area (square feet)	10,000	10,000
Number of flag lots	—	0

### CLUSTER MODIFICATIONS

	<b>STANDARD</b>	<b>ALLOWED</b>	<b>PROPOSED</b>
Net lot coverage	25%	30%	30%
Lot width at building line (ft.)	100	75	75
Frontage along street (ft.)	70	50	50
Frontage along cul-de-sac (ft.)	60	50	50

#### ARCHITECTURAL MODEL DATA

Model	Base Finished Area (Sq.Ft.)
Ashley	3,600
Bennington	2,450
Bennington II	3,001
Lancaster	3,082
Morrison III	2,600
Windsor	3,350
Sareen	4,395

#### LOT SIZE DATA

Size (Sq.Ft.)	Number of Lots	Percentage
10,000–11,000	11	61.1
11,001–15,000	2	11.1
Larger than 15,001	5	27.8
Total	18	100

3. **Location:** The subject property is located at the northwest end of Arundel Drive, approximately 800 feet northwest of its intersection with Allentown Road, in Planning Area 76B and Council District 8.
4. **Surroundings and Use:** The proposed development is surrounded on the east, west, north and most of the south sides by existing single-family detached houses in the R-R Zone. To the southwest of the site is a C-O zoned property that is currently used by C&P Telephone Company of Maryland.
5. **Previous Approvals:** The subject site has two previously approved preliminary plans of subdivision, 4-96022 (Resolution PGCPB No. 96-235), including a Type I Tree Conservation Plan, TCPI/11/95 and 4-98080 (Resolution PGCPB No. 99-77), including a Type I Tree Conservation Plan, TCPI/45/98. Preliminary Plan of Subdivision 4-98080 was recorded as Final Plat REP 193@88 on June 8, 2001. On February 15, 2001, the Planning Board (PGCPB No. 01-32) approved a detailed site plan, DSP-00050, including TCPII/103/98 for the site with two conditions. The District Council affirmed the Planning Board's approval of DSP-00050 on June 11, 2001. However, no construction has materialized on the site. Detailed Site Plan DSP-00050 expired three years after the approval. TCPII/103/98 is still valid. The site also has a Stormwater Management Concept Approval, #30201-2004-00, which is valid through October 8, 2007.
6. **Design Features:** The subject property is in an irregular shape and is located in the middle of existing R-R-zoned subdivisions. The development will be accessed by three existing and stubbed streets. Lots 1-8, and 17 will be accessed through the extension of Arundel Drive, which terminates at a cul-de-sac. Lots 9-16 will be accessed through the extension of Capri Drive, which also terminates at a cul-de-sac. The existing lot, Lot 18, is accessed via Calvert Way.

7. **Recreational Facilities:** At the time of Preliminary Plan of Subdivision 4-98080 approval, the Department of Parks and Recreation recommended a payment of a fee-in-lieu of mandatory park dedication due to the unsuitable size and location of available land, in accordance with Section 24-135(a) of the Subdivision Regulations. At the time of Detailed Site Plan DSP-00050 approval, no on-site private facilities were required because of no suitable location on the site. The land dedicated to the Homeowners Association is either wetland, or steep slope, or landlocked by the existing lots. Therefore, no on-site private facilities have been required with this application.

#### COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-441(b), which governs permitted uses in residential zones. The proposed single-family detached dwellings are a permitted use in the R-R Zone.
  - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding net lot area, lot coverage and green area, lot/width frontage, yards, building height, and density.
9. **Preliminary Plan of Subdivision 4-98080 and Final Plat REP 193@88:** Preliminary Plan of Subdivision 4-98080 was approved by the Planning Board on May 13, 1999, subject to seven conditions. The Preliminary Plan of Subdivision 4-98080 was recorded as Final Plat REP 193@88 after approval of Detailed Site Plan DSP-00050. A review of the final plat by the Urban Design Section indicates that Lot 3 has a frontage of only 40.29 feet wide, which is narrower than the 50 feet that is the minimum width of the lot frontage pursuant to Section 27-442(d) for cluster developments in the R-R Zone. The applicant has revised the site plan to adjust the lot lines of the lots adjacent to Lot 3 to meet the minimum lot frontage requirement. Since the plan was recorded with the narrower frontage for Lot 3, a condition of approval has been proposed in the Recommendation section to require the applicant to record a new final plat prior to issuance of any building permits.

The following conditions attached to the approval of Preliminary Plan of Subdivision 4-98080 are relevant to the subject detailed site plan review:

1. **Appropriate landscape screening techniques shall be employed at each entrance to the subdivision, which techniques shall be described in detail at the time of Detailed Site Plan.**

**Comment:** The proposed 17 new single-family houses are an addition to the existing single-family subdivision in the same zone. Seven new lots will be accessed through the extension of the stubbed street Arundel Drive and the rest of the eight new lots will be accessed through the extension of another stubbed street Capri Drive. The Urban Design Section believes

that no landscape screening is necessary because the proposed development is compatible with the existing subdivision. But additional trees should be added on Lots 1 and 17 to enhance the point of arrival into the subdivision.

2. **Development of this subdivision shall be in compliance with the approved Type II Tree Conservation Plan (TCP II/103/98). The following note shall be placed on the Final Plat of Subdivision:**

**“A Development is subject to restrictions shown on the approved Type II Tree Conservation Plan (TCP II/103/98) which 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 and Subtitle 25.”**

**Comment:** Type II Tree Conservation Plan TCP II/103/98 was originally approved on October 6, 1998. The Planning Board re-approved TCP II/103/98 per the recommendation of the Environmental Planning Section at the time of Detailed Site Plan DSP-00050. According to the review by the Environmental Planning Section (Stasz to Zhang, February 22, 2005), the approved TCP II/103/98 is still valid. The proposed detailed site plan is in conformance with the approved TCP II/103/98. Since a new final plat is required for the subject site, the above note should be placed on the new final plat of subdivision for the site.

7. **Prior to Final Plat, a Detailed Site Plan shall be approved for the cluster subdivision.**

**Comment:** The subject property has gone through every stage of approval including preliminary plan of subdivision, detailed site plan and final plat. However, one lot with a street frontage narrower than the current minimum standard was recorded in the final plat. The applicant has adjusted the lot lines so that all lots meet the requirements of the current regulations. As a result, a new final plat is required prior to issuance of building permit to replace the existing one.

10. ***Landscape Manual:*** The proposed development is subject to Section 4.1, Residential Requirements, and Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.
  - a. Section 4.1(e) requires, for cluster development in the R-R Zone, a minimum of three major shade trees and two ornamental or evergreen trees for each lot. For 18 single-family detached lots, a total of 54 shade trees and 36 evergreen or ornamental trees are required for this subdivision. The landscape plan provides 69 shade trees and only 6 ornamental trees. A condition of approval has been proposed in the Recommendation section to require the applicant to revise the Landscape Plan to provide the required trees pursuant to Section 4.1(e).

- b. The subject site is adjacent to a C-O-zoned property used by C&P Telephone Company of Maryland to the southwest. Per Section 4.7, a public utility use or structure is considered a Medium Impact Use and a Type “C” bufferyard is required. Since the proposed residential development is a less intense development, if all or any part of the buffer has been provided on the adjacent property, the proposed use must only provide that amount of the buffer which has not been provided on the adjacent property. However, no Section 4.7 bufferyard has been found on the adjacent property. The Landscape Plan provides only a 20-foot-wide bufferyard and an Alternative Compliance application has been filed and is pending. A condition of approval has been proposed in the Recommendation section to require the applicant to revise the Landscape Plan to be in complete compliance with the requirements of Section 4.7, unless the applicant provides evidence that the Alternative Compliance has been approved.

- 11. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because the gross tract area 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 Type I Tree Conservation Plans, TCPI/11/95 and TCPI/45/98.

A review of the submitted Type II Tree Conservation Plan TCPII/103/98 by the Environmental Planning Section (Stasz to Zhang, February 22, 2005) indicates that the previously approved TCPII/103/98 is still valid. The subject Detailed Site Plan DSP-00050/01 is consistent with the approved TCPII/103/98.

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

- a. The Community Planning Division, in a memorandum dated February 22, 2005, noted that there are no master plan or General Plan issues related to this detailed site plan.
- b. The Transportation Planning Section, in a memorandum dated January 24, 2005, concluded that the application is acceptable.

In a separate memorandum from the Transportation Planning Section dated February 25, 2005, on detailed site plan review for master plan trail compliance, the trails planner noted that there are no master plan trail issues that impact the subject site. The sidewalks are shown along one side of the internal roadways and are consistent with the new subdivisions in the vicinity of the site.

- c. In a memorandum dated February 22, 2005, the Subdivision Section staff noted that the property has a previously approved Preliminary Plan of Subdivision 4-98080, which has been recorded as Final Plat REF 193@88. The subject application is subject to conditions attached to the previous approval. The Subdivision Section identified four errors that should be addressed by the applicant. In addition, the Subdivision Section also noted that
- d. Lot 3 does not have an adequate street frontage as required by the current regulations in

an R-R Zone Cluster subdivision.

**Comment:** The applicant has revised the site plan pursuant to the memorandum of the Subdivision Section. The applicant also has undertaken a limited lot line adjustment that results in no lots that have a street frontage narrower than the minimum requirement of 50 feet in an R-R Zone Cluster subdivision. However, the applicant has to record a new final plat to replace the existing record plat. A condition of approval has been proposed in the Recommendation section of this report.

- e. The subject application was also referred to the Department of Environmental Resources (DER). In a memorandum dated February 15, 2005, the staff noted that the site plan for Dolan's Addition to Southern Pines is consistent with approved stormwater management concept plan #30201-2004.
  - f. The Environmental Planning Section, in a memorandum dated February 22, 2005, indicated that the Environmental Planning Section re-approved TCPII/103/98 along with Detailed Site Plan DSP-00050 for the subject site in accordance with TCPI/45/98 on March 6, 2000. The approval is still valid and thus no review and approval of Type II Tree Conservation Plan is required for the subject application.
  - g. The Permit Section, in a memorandum dated February 9, 2005, provided five comments on the site plan regarding compliance with both the *Landscape Manual* and Zoning Ordinance. All relevant comments have been either incorporated into the Recommendation section of this report as conditions of approval or addressed through the revised plan.
  - h. The Department of Public Works and Transportation (DPW&T), in a memorandum dated March 9, 2005, provided standard referral comments on issues such as frontage improvement, street tree and street lighting, sidewalks, storm drainage systems and facilities, and soil study for the proposed subdivision streets. These requirements will be enforced by both DPW&T and the Department of Environmental Resources (DER) at time of issuance of relevant permits.
13. As required by Section 27-285 (b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-00050/01, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall

- a. Revise the Landscape Plan to show complete compliance with Section 4.7 of the *Landscape Manual*, or, alternatively, provide evidence of approval for the Alternative Compliance.
  - b. Provide additional trees on Lots 1 and 17 to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
  - c. Provide the required trees for the development pursuant to Section 4.1 (e) of the *Landscape Manual*.
2. At time of building permit, the applicant shall:
- a. Show exact building footprints on the site plan.

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