

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 May 16, 2002, regarding Detailed Site Plan DSP-02012 for Church Knolls, Lots 2 and 4, the Planning Board finds:

1. Request: The subject application is for approval of a Detailed Site Plan for two single-family detached houses in the R-R Zone.
2. Location: The sites of both Lots 2 and 4 are located in Planning Area 71A, Council District 6. They are situated specifically on Church Road, approximately 0.6 mile south of MD 450.
3. Surroundings and Uses: The subject sites of Lots 2 and 4 are bounded on the west by Church Road. To the south of Lot 2 is Lot 1; to the north of Lot 2 is Lot 3; and to the west of Lot 2 is the proposed 200-foot-wide right-of-way of A-44. All the adjacent uses to Lot 2 are in the R-R Zone. To the south of Lot 4 is Lot 3; to the north of Lot 4 is Lot 5 in the R-R Zone; and to the east of Lot 4 is Parcel C, Block B, zoned R-O-S.
4. Previous Approvals: The subject properties have a previously approved Preliminary Plan of Subdivision, 4-92030, which is an 8.26-acre parcel of land known as Church Knolls (Lots 1-7 and Parcel A). The approval of the above-noted plan included a Type I Tree Conservation Plan (TCPI/36/92). Following the approval of 4-92030, a final plat of this property was recorded in plat book VJ165@17. Both sites of Lots 2 and 4 also have an approved Stormwater Management (SWM) Concept Plan, #891009-24, at the time of Preliminary Plan of Subdivision. The current Stormwater Management Concept Plan, #8006480-1993-01, was approved on January 19, 2001. This SWM plan will be valid through January 19, 2003. A Type II Tree Conservation Plan, TCPII/79/93, was approved for Church Knolls Subdivision in 1993, which contains the subject sites.
5. Site Plan Data : (As proposed by the applicant)

Zone	R-R
Use	Single-Family Detached House
Number of Proposed Lots	2 Lots
Lot Area	1.096 acres
of which Lot 2 (Lot coverage)	23,269 square foot (12.5 %)
Lot 4 (Lot coverage)	24,500 square foot (15.9 %)

6. Design Features: The Preliminary Plan of Subdivision dictates a shared driveway entrance treatment (shared curb cut onto Church Road) for Lots 1 to 6. The subject Lot 2 will share a curb cut with Lot 1, while the subject Lot 4 will share a curb cut with Lot 3.

An architectural model, Milan, which has four different front elevations and uses many of the popular architectural vocabularies of Colonial houses, is proposed for both Lots 2 and 4. The siting of the architecture on both lots is oriented toward Church Road. The proposed model is a two-story, single-family detached house with a two-car garage. The house has a total base finished area of 2,836 square feet and a building height of 28 feet. The design is acceptable.

COMPLIANCE WITH EVALUATION CRITERIA:

7. 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, which governs permitted uses in residential zones. The proposed single-family detached dwelling is 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/width frontage, yards, building height, density, lot coverage and green area.
8. Preliminary Plan of Subdivision, 4-92030 and Final Plat, 5-92030: The Preliminary Plan of Subdivision for the subject property was approved by the Prince George's County Planning Board on August 6, 1992 ,subject to eight conditions. Specific conditions and considerations which warrant discussion regarding conformance of the Detailed Site Plan with the Preliminary Plan of Subdivision are discussed below:

A 1. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, CSD#891009-24.@

Staff Comments: Stormwater Management Concept Plan CSD#891009-24, which covers the subject Lots 2 and 4, was submitted and approved at the time of Preliminary Plan of Subdivision 4-92030. Since then, several revisions and new plans regarding stormwater management for this subdivision have been approved. The current stormwater management plan, #8006480-1993-01, was approved on January 19, 2001, and will remain valid through January 19, 2003. The proposed single-family detached houses on both Lots 2 and 4 are consistent with approved stormwater management plan #8006480-1993-01 according to the referral comments from DER dated April 5, 2002.

A 3. A Type II Tree Conservation Plan shall be approved for this site by the Planning Board at the time of Detailed Site Plan approval.@

Staff Comments: A Type II Tree Conservation Plan, TCPII/79/93 was approved by Prince George's County Planning Board Resolution No. 94-366. The TCPII was subsequently revised twice. A Type II Tree Conservation Plan, TCPII/79/93-03, for the subject Lots 2 and 4 is proposed with this Detailed Site Plan application. A review of TCPII by the Environmental Planning Section indicates that TCPII/79/93 is generally consistent with TCPI/36/92. The Environmental Planning Section recommends approval of TCPII/79/93-03 subject to a condition.

A 4. Lots 1 and 2, Lots 3 and 4, and Lots 5 and 6, shall share common access points (curb cuts into Church Road) off of which individual driveways shall stem.@

Staff Comments: Common access points for Lots 1 and 2, Lots 3 and 4, and Lots 5 and 6, are recorded in covenants in Liber 7698, Folio 770. The proposed site plans are consistent with this requirements except for the required minimum width.

A 5. Prior to the issuance of any permits for this site, a Detailed Site Plan shall be approved by the Planning Board. The Detailed Site Plan shall address, but not be limited to the following:

- a. Retention of existing vegetation through the site, especially along the right-of-way of Church Road and along the right-of-way of A-44.**
- b. Review of proposed necessary grading and clearing for the four access points onto Church Road.**
- c. Placement of homes and driveways on Lots 1, 2, 6 and 7 with particular attention to proximity to A-44 and to the floodplain area.**@

Staff Comments: The subject Detailed Site Plan application was filed in order to fulfill these requirements. A review of the site plans for Lots 2 and 4 indicates that the placement of the houses on both lots has given much attention to the retention of the existing vegetation along both Church Road and the right-of-way of A-44. The location of the house on Lot 2, however, is not consistent with the approved TCPII/79/93. On Lot 2, all the woodland preservation areas are located adjacent to the right-of-way of A-44 which leaves no woodland preservation area along Church Road. The preservation and clearing of the existing woodland for Lot 2 should be revised in order to be in conformance with the approved TCPII/79/93.

The proposed grading for both the access points onto Church Road for Lots 2 and 4 conforms with the approved grading plan in TCPII/79/93. The clearing for the access point onto Church Road for Lot 4 is also consistent with the approved TCPII/79/93.

As discussed above, the placement of the building on Lot 2 is too close to Church Road with all the preservation areas in the rear yard adjacent to the right-of-way of A-44 only. The approved TCPII/79/93 shows a more balanced layout with the preservation areas located in both the front yard and rear yards. The layout of Lot 2 should be revised to provide retention of wooded areas along Church Road.

Final Plat 5-92030 for this property was recorded in plat book VJ 165 in 1993 with six notes which are mainly carried forward from the Preliminary Plan approval. Notes 3 and 6 will be enforced at the time of building permit. Note 4 is not applicable to the subject application. The following notes are relevant to the subject Detailed Site Plan.

ANote 1. . . . Type II Tree Conservation Plan shall be approved prior to a detailed site plan approval.@

Staff Comments: A Type II Tree Conservation Plan TCPII/79/93, for the entire Church Knolls Subdivision was approved on July 28, 1993, which contains the subject Lots 2 and 4. The proposed Detailed Site Plans for both Lots 2 and 4 are in substantial conformance with the approved TCPII if the recommended revisions are made. A Type II Tree Conservation Plan will be approved with this Detailed Site Plan application.

ANote 2. Common access points for Lots 1 and 2, Lots 3 and 4, and Lots 5 and 6, are subject to covenants recorded in Liber 7698, Folio 770.@

Staff Comments: The covenants recorded in Liber 7698, Folio 770, require a minimum 22-foot-wide driveway. Site plans for both Lots 2 and 4 must be revised to comply with this width requirement.

ANote 5. This plat is subject to approval of a detailed site plan by the Planning Board prior to the issuance of any permits on this site.@

Staff Comments: The subject application will fulfill the requirement for Lots 2 and 4 upon the approval of the Planning Board.

9. Landscape Manual: The proposed construction of two single-family detached houses in the R-R Zone is subject to the requirements of Section 4.1, Residential Requirements, and Section 4.6, Buffering Residential Development from Streets, of the *Landscape Manual*.
 - a. Section 4.1, Residential Requirement: Section 4.1(b) requires that all one-family detached lots which are 20,000 square feet or larger, but less than 40,000 square feet, shall be planted with a minimum of three major shade trees and two ornamental or evergreen trees per lot. The proposed Lots 2 and 4 are in this area size category. The applicant provides four shade trees and three evergreen trees on Lot 2 and four shade trees, four evergreen trees, as well as four shrubs on Lot 4. The Landscape Plans of both Lots 2 and 4 are in conformance with Section

4.1.

- b. Section 4.6, Buffering Residential Development from Streets: Section 4.6 (b) requires that when the rear yards of one-family attached or detached dwellings in any zone are oriented toward a collector or an arterial street, a freeway or an expressway, a buffer area shall be provided between the dwelling and the public right-of-way. The subject Lot 2 is adjacent to the right-of-way of A-44, which is a Master Plan freeway. Per Section 4.6(b), a minimum 75-foot-wide buffer will be required. The site plan of Lot 2 provides a 95-foot-wide woodland preservation area. The required number of plant units is fulfilled 100 percent by the existing woodland.

10. Woodland Conservation Ordinance: This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size, contains more than 10,000 square feet of woodland, and has the previously approved Type I and Type II Tree Conservation Plans.

- a. A Detailed Forest Stand Delineation (FSD) was reviewed in conjunction with Preliminary Plan 4-92030. The Environmental Planning staff concluded that the submitted FSD addressed the requirements for an FSD in accordance with the Prince George=s County Woodland Conservation and Tree Preservation Technical Manual. Conditions on the site have not changed significantly and a revised FSD is not required.
- b. Type I Tree Conservation Plan TCPI/36/92 for the subject sites was approved at the time of Preliminary Plan of Subdivision, 4-92030. TCPII/79/93 was approved by Prince George=s County Planning Board Resolution No. 94-366 with Detailed Site Plan SP-94042. The Type II Tree Conservation Plan was revised once during the approval of the Detailed Site Plan, SP-99015, for Lot 6, and again during the approval of the Detailed Site Plan, SP-99015/01, for Lot 1. The Type II Tree Conservation Plan, TCPII/79/93, is generally consistent with TCPI/36/92. Because the subject application does not propose significant changes to the TCP, TCPI/36/92 remains in effect and will not be required to be revised.

11. Referral Comments: The subject application was referred to all concerned agencies and divisions. Major referral comments are summarized as follows:

- a. The Transportation Planning Section, in a memorandum dated April 4, 2002, had no objection to the approval of this Detailed Site Plan. The staff states that:
A No comment, except to indicate that the plans should more clearly

indicate the center line of Church Road so that correct R/W (right-of-way) can be more easily verified. Note that Condition 8 of the Preliminary Plan of Subdivision resolution will be enforced at the time of building permit.@

In a separate memorandum from the Transportation Planning Section dated April 15, 2002, regarding Detailed Site Plan Review for Master Plan Trail Compliance, the Trails Planner noted that:

A The Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan recommends a trail/bikeway facility along Church Road. In keeping with the goal of preserving the rural qualities for Church Road and based on discussions with the applicant for the Fairwood development and DPW&T, Church Road will be constructed as an open-section road with six-foot wide asphalt shoulders along each side. These shoulders will serve as the master plan trail facility and accommodate bicycle traffic along Church Road. These improvements will be made by DPW&T and no trails recommendations are necessary for the subject application.@

- b. The Community Planning Division in a memorandum dated April 12, 2002, found that this Detailed Site Plan is in accordance with the master plan recommendation for Low Suburban Development. There are no master plan issues raised by the development of this Detailed Site Plan.
- c. In a memorandum dated April 5, 2002, the Subdivision Section staff found that five of the conditions that were attached to the approval of Preliminary Plan of Subdivision 4-92030 and Final Plat 5-92030 are applicable to the review of the subject Detailed Site Plan. Those conditions have been discussed in detail in Finding 8 of this report.
- d. The Permit Section, in a memorandum dated April 5, 2002, asked two technical questions concerning compliance of the *Landscape Manual* and requested information regarding common driveways. The questions have been addressed in Finding 9 of this report.
- e. In a memorandum dated April 5, 2002, the Department of Environmental Resources/ Concept found no issues with the Detailed Site Plan application. The staff states that:

A The site plans for Church Knolls, Lots 2 and 4 -DSP-02012 is consistent with approved stormwater concept#938006480.@

- f. The application was also referred to the Department of Public Works and Transportation of Prince George's County. In a memorandum dated February 20,

2002, the staff offered the following comments:

AThe subject property is located on Church Road approximately 1.5 miles south of MD Route 450. Right-of-way dedication for all proposed public roads and existing road frontages is required in accordance with the Department of Public Works and Transportation's (DPW&T) Specifications and Standards and the ultimate section of said roadways as indicated on Maryland-National Capital Park and Planning Commission's (M-NCPPC) latest approved Master Plan.

AAll improvements within the public right-of-way, as dedicated to the County, are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act.

AThe combined driveway entrance as portrayed on the referenced submittal is unacceptable. Please refer to Section 23-139 of the County Code A Road Ordinance@.

AAll storm drainage systems and storm drainage facilities are to be in accordance with DPW&T's and the Department of Environmental Resources' requirements.

AConformance with street tree and street lighting standards is required.

AExisting utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.

AA soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation for public streets, is required.@

Staff Comments: The combined driveway entrance was required by Condition 4 at the time of Preliminary Plan approval. Condition 6(a) mandates a note to be placed on the Final Plat of Subdivision that requires the common access points are subject to covenants recorded in Liber 7698, Folio 770. Church Knolls Subdivision was recorded in 1993 with the above-mentioned note. DPW&T acknowledged this access point treatment for Church Knolls Subdivision during the Preliminary Plan review process. Since the Final Plat, construction has been carried out in this subdivision.

In a separate memorandum dated May 6, 2002, the DPW&T staff revised his comments regarding shared driveways as follows:

AThe combined driveway access as shown is acceptable if the record plat is revised to include a note stating that the combined driveway shall be the maintenance responsibility of both owners or if a maintenance

agreement is executed and recorded in county tax land records whereby both owners agree to maintain the combined driveway.@

Staff Comments: The combined driveway access as shown has been recorded in Liber 7698, Folio 770. The covenants about this shared apron easement will govern the maintenance of the combined driveway in question.

- g. In a memorandum dated May 6 , 2002, the Environmental Planning Section recommended approval of both Detailed Site Plan DSP-02012 and Type II Tree Conservation Plan TCPII/79/93-03, subject to conditions. The conditions proposed by the Environmental Planning Section have been incorporated into the Recommendation section of this report.
 - h. The City of Bowie had not responded to the referral request at the time the staff report was written.
12. The Detailed Site Plan, if revised in accordance with the proposed conditions, will represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended uses.

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/79/93-03) and further APPROVED Detailed Site Plan DSP-02012 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of Detailed Site Plan DSP-02012, the applicant shall:
 - a. Revise the site plans for both Lots 2 and 4 to show a minimum 22-foot-wide abutting driveway with a shared curb cut onto Church Road.
 - b. Delineate and label the existing C&P right-of-way, Liber 28, Folio 294, crossing Lot 4.
 - c. Indicate clearly the center line of Church Road on both site plans of Lots 2 and 4.
 - d. Revise the Detailed Site Plan of Lot 2 to provide 75 feet of woodland conservation adjacent to the right-of-way for A-44 and provide a woodland conservation area approximately 20 feet deep, adjacent to the public utility easement, and approximately 80 feet wide as measured from the north property line.
 - e. Revise the Detailed Site Plan for Lot 4 to remove the symbol for a woodland conservation area from the retained woodland within the C&P right-of-way and

widen the woodland conservation area east of the C&P right-of-way to be no less than 35 feet wide.

- f. Add the Section 4.6 schedule for both Lots 2 and 4
 - g. Delete the words ATCP II@ from the two site plans.
2. Prior to issuance of a building permit for Lot 2 or Lot 4, the Type II Tree Conservation Plan, TCPII/79/93-03, shall be revised to be in conformance with the approved Detailed Site Plan, DSP-02012.
 3. No two units located next to or across the street from each other may have identical front elevations.
 4. The developer, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the Detailed Site Plan and Landscape Plan, in order to ensure that prospective purchasers in this subdivision are made aware of the plans approved by the Planning Board.

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.

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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 Scott, seconded by Commissioner Lowe, with Commissioners Scott, Lowe, Brown and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, May 16, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of June 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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