PGCPB No. 05-24 File No. DSP-03046/01

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 January 20, 2005, regarding Detailed Site Plan DSP-03046/01 for Rose Creek Estates (Formerly Rosewood Estates), the Planning Board finds:

1. **Request:** The subject application is for approval of a revision to the previously approved detailed site plan in the R-R Zone and includes the following specific requests:

   a. Revise Conditions 15 and 16 in the Order of Approval of District Council regarding brick elevations and lot coverage.

   b. Change the name of the project from Rosewood Estates to Rose Creek Estates.

   c. Add new architectural models: Sequoia, The Patuxent, The Potomac, The Severn, White Oak II, and Willow Oak II to be constructed by Timberlake Homes Inc.

   d. Adjust alignment of sewer line resulting into a limited revision to the approved Type II tree conservation plan.

2. **Development Data Summary** (as approved in resolution PGCPB No. 03-251)

	EXISTING	**PROPOSED**
Zone(s)	R-R	R-R
Use(s)	Vacant/wooded	Residential
Acreage	61.46	61.46
Cluster net tract area	43.19	43.19
Area within existing 100-year floodplain	18.27	18.27
Area of slopes greater than 25%	5.90	5.90
Number of lots	1	77
Minimum lot area (square feet)	N/A	10,000 (10,000 permitted)
Number of flag lots	N/A	0

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Cluster open space (acres)	13.74	33.16
Open space required to be outside of 100-year floodplain and SWM facility (acres)	9.16	13.15
Open space to be conveyed to HOA	-	31.08
Mandatory dedication	3.07	2.08 plus facilities

CLUSTER MODIFICATIONS

	STANDARD	ALLOWED	PROPOSED
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.)
Sequoia	4,235
The Potomac	3,464
The Patuxent	2,885
The Severn	2,609
White Oak II	3,073
Willow Oak II	2,740

3. **Location:** The site is located on the north side of McKendree Road, approximately 1,000 feet west of US 301 in Brandywine, Planning Area 85, and Council District 9.

4. **Surroundings and Use:** The subject property is surrounded by a mix of developed and undeveloped land in the R-R, R-E, R-A and C-M Zones. Adjoining the subject property to the east and the north are properties in the C-M and R-R Zones. To the west of the site is a large property in the R-R Zone. The site is bounded on the south side by the right-of-way of McKendree Road. Further south across McKendree Road are large properties in the R-E and R-A Zones.

5. **Previous Approvals**: The subject site has a Preliminary Plan of Subdivision, 4-02069, (including a Type I Tree Conservation Plan TCPI/40/02) known as Rosewood Estates, which consists of 61.46 acres of land for 77 lots, 8 parcels, and which was approved by the Planning Board (PGCPB No. 03-18) on February 13, 2003, subject to 25 conditions. The site also has an approved Stormwater Management Concept Approval, #31504-2001. On November 20, 2003, the Planning Board (PGCPB No. 03-251) approved DSP-03046 for the property with 12 conditions. On May 27, 2004, the District Council approved an order to affirm the Planning Board's decision with 16 conditions, four of which are new conditions added by the District Council. The applicant

has requested the Planning Board in the subject application to revise Conditions 15 and 16 contained in the Order of the District Council.

6. **Design Features:** The application proposes construction of 77 single-family detached houses. On-site environmental features such as streams and 100-year floodplain divide the site into four distinct pods, in three blocks—Blocks A, B and C. Each block is accessed through a cul-de-sac street off McKendree Road. One 12-foot-wide hiker/biker trail with a 50-foot-wide right-of-way running north/south bisects Block C. One stormwater management pond is located between Blocks B and C, close to the right-of-way of McKendree Road.

   Six new 2-story architectural models have been proposed with this revision request. The models are mainly of traditional architectural style with varied roof patterns and decorative elements. Except for Model Sequoia, all other five models have English basement as an option. Each model has a two-car garage as a standard feature and is finished with either standard vinyl siding or brick veneer. Total base finished area of the models, as indicated in the architectural model data table, varies from 2,609 to 4,235 square feet.

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 ofSection 27-441(b), which governs permitted uses in residential zones, because thisrevision does not propose any changes of use.

   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.

   One of the requests in this application is to ask the Planning Board to revise Condition 16 of the District Council's Order regarding lot coverage. As shown in the above Finding 2, cluster modification table, the allowed maximum lot coverage in the R-R Zone is 25 percent. When property is developed as a cluster subdivision, the Zoning Ordinance allows the lot coverage to be increased to 30 percent. The Planning Board approved the 30 percent lot coverage for this case pursuant to the Ordinance; however, the District Council Order requires the applicant to abide by the original maximum lot coverage of 25 percent. Since both the percentages are within the allowable limits of the Zoning Ordinance, the staff recommends that the Planning Board approve this application with no revision to Condition 16 in the District Council Order.

8. **Preliminary Plan of Subdivision 4-02069:** Preliminary Plan of Subdivision 4-02069 was approved by the Planning Board on February 13, 2003, subject to 25 conditions. All the applicable conditions have been fulfilled at the time of DSP-03046 review and approval.

9. **Detailed Site Plan DSP-03046:** Detailed Site Plan DSP-03046 was approved by the Planning

Board on November 20, 2003, subject to 12 conditions. The subject revision to DSP-03046 is limited to changing the name of the project and minor alteration to the limit of disturbance (LOD) on the approved Type II Tree Conservation Plan TCPII/169/03.

10. **The Order of District Council Affirming the Approval of Detailed Site Plan DSP-03046:** The District Council affirmed the Planning Board's approval of Detailed Site Plan DSP-03046 on May 27, 2004, with all findings and 12 conditions as stated in Planning Board Resolution PGCPB 03-251. The District Council attached four additional conditions, Conditions 13, 14, 15 and 16, to the approval as follows:

13. Before final inspection and release of permits for Lot 11, Block B, the Urban Design section must approve all landscaping.

14. Before final inspection and release of permits for Lot 1, Block A, and Lots 1 and 10, Block B, the Urban Design section must approve all bufferyards and landscaping.

Comment: The above two conditions will be enforced at the time of permit issuance for the identified lots.

15. The front and side facades of all units shall be brick, from grade to top of wall, where the structure permits.

Comment: Brick elevations have frequently been required in the review process in the county with the assumption that brick represents high quality because of its durability, thermal efficiency, and attractive appearance. The Planning Board sometimes requires brick front facades on a certain percentage of front elevations, but did not do so in this case. The Board has only rarely required brick on the sides of units.

Brick on elevations does increase cost as noted by the applicant in his statement of justification. However, it is technically feasible to apply brick on three sides of a house. In the judgment of the District Council, the expense of the additional brick is justified by the aesthetic and other benefits. The Urban Design Section does not recommend any modification of District Council Condition 15.

16. On each lot, area lot coverage may not exceed 25%, and the builder shall make reasonable efforts to separate (visually) individual units from one another.

Comment: As discussed in above Finding 7(b), the Zoning Ordinance allows increasing lot coverage from 25 percent to 30 percent if the property will be developed as a cluster subdivision. Since both percentages are within the allowable limits of the Zoning Ordinance, the Urban Design Section does not recommend any modification of District Council Condition 16.

11. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.1,

Residential Requirements; and Section 4.6, Buffering Residential Development from Streets, of the *Landscape Manual*. Compliance with the applicable sections has been addressed at the time of DSP-03046 approval. This application does not trigger any additional *Landscape Manual* issues.

12. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A tree conservation plan is required. The Environmental Planning Section reviewed the revision to the approved Type II tree conservation plan and indicates that the proposed revisions to the TCPII/169/03 are minor in nature and recommends approval of TCPII/169/03-01.

13. **Referral Comments:** Due to its limited impact on the approved Detailed Site Plan DSP-03046, this application was referred only to the Environmental Planning Section.

    In a memorandum dated November 30, 2004, the Environmental Planning Section staff recommended approval of DSP-03046/01 and the companion Type II Tree Conservation Plan TCPII/169/03-01.

14. 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 Detailed Site plan DSP-03046/01, Rose Creek Estates, and further APPROVED the Type II Tree Conservation Plan (TCPII/169/03-01), encompassing name change, addition of new architecture, and alignment of sewer line, and with no modification of conditions contained in the District Council Order dated May 27, 2004, affirming the Planning Board decision in DSP-03046, all of which conditions (as contained in PGCPB NO 03-251) remain in full force and effect.

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley and Vaughns voting in favor of the motion, and with Commissioner Eley and Chairman Hewlett absent at its regular meeting held on Thursday, January 20, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of February 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:rmk