

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 December 1, 2005, regarding Detailed Site Plan DSP-05011 for Marlboro Pointe Cluster Subdivision, the Planning Board finds:

1. **Request:** The subject application requests approval of a detailed site plan for a 108-lot cluster subdivision in the R-R Zone.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant	Residential
Acreage	74.97	74.97
Parcels	2	4
Lots	0	108

3. **Location:** The site is in Planning Area 79 and Council District 6. More specifically, it is located on the east side of Ritchie Marlboro Road, approximately 727 feet from its intersection with Foyette Lane.
4. **Surroundings and Use:** The subject property is bounded to the north by parkland and existing single-family detached residential development beyond; to the west and south by vacant land to be developed for single-family detached residential use; and to the east by an impound lot.
5. **Previous Approvals:** The site is the subject of an approved stormwater concept plan 35158-2003 and Preliminary Plan of Subdivision 4-04151, as formalized in PGCPB Resolution 04-2866
6. **Design Features:** The proposed subdivision is triangular in shape with Ritchie Marlboro Road as its hypotenuse. Access to the subdivision is provided from two points along Ritchie Marlboro Road. The northerly access, for the purposes of the detailed site plan application, is known as "Street A" and feeds through the subdivision, past the first stormwater management pond and the main recreational facility for the subdivision—a tennis court—to its terminus in the subdivision's northeastern corner where it intersects with "Street F" and creates a cul-de-sac. The southerly access from Ritchie Marlboro Road, "Street C," also extends back into the subdivision, past the second stormwater management pond and the open space of Parcel C, to its terminus in a mirror

image cul-de-sac at the opposite end of “Street F.” Streets “B,” “D,” and “E,” like “F Street,” are strung like the steps of a ladder between the two entrance streets, “Street A” and “Street C.” “Street B,” the street running most proximate to and roughly parallel to Ritchie Marlboro Road, extends beyond “Street A” in a northwesterly direction and beyond “Street C” in a southeasterly direction to terminate in culs-de-sac and provide additional frontage for lots. Lots are stacked back-to-back on both sides of all streets throughout the subdivision except for the central portions of the northern side of “Street A” and easterly side of “Street C,” where environmental features, inclusion of necessary stormwater ponds, and recreational facilities and open space provide some visual relief.

In addition to the tennis court already mentioned, recreational features planned for the subdivision include:

- A passive recreational area including benches and a gazebo
- A 1,100-foot, eight-foot-wide off-site hiker/biker trail
- A 1,000-foot, eight-foot-wide on-site hiker/biker trail

The architecture for the project includes a selection of well-designed single-family homes ranging from 2,482 square feet to 4,421 square feet. More particularly, the architecture for the proposed project includes:

Model Name	Total Base Finished Area (Square Feet)
Aaron Burr	4,388
Francis Scott Key II	2,712
James Monroe	3,254
Independence	3,120
The Victory	2,523
Abraham Clark II	2,482
Molly Pitcher	2,702
John Rutledge	2,705
Barrington Manor	4,421
Dorchester	3,640
Wellington	4,100
Fairwood	3,670
Manchester II	4,351
St. Ives	4,133
Winslow	3,598
Rosemont	3,741
Sheffield	3,158
Huntley	3,799
South Hampton	4,221

In order to improve the general appearance of the general architecture of the subdivision, staff is suggesting that 60 percent of the units in the subdivision have brick fronts. In addition, staff

suggests that on highly visible lots that the brick should wrap to the sides that are visible and that three, rather than two minimum endwall features be required. These suggestions are reflected in the recommended conditions below.

The lot sizes are distributed in the proposed subdivision as follows;

DSP-05011-Marlboro Pointe Cluster

Lot Size (Square Feet)	Number of Lots
10,000-12,000	39
12,001-14,000	30
14,001-16,000	26
16,001-18,000	9
18,001 and larger	4
Total Number of Lots	108

Landscaping for the project includes:

- An off-site “D” bufferyard exceeding the requirements of the *Landscape Manual* in width for the Section 4.7, Buffering Incompatible Uses, buffer between the impoundment yard and the subject project. Whereas a 40-foot buffer is required by the *Landscape Manual*, the applicant has, in this case, provided a 50-foot buffer. The Prince George’s County Office of Central Services has, in a letter dated November 1, 2005, expressed its willingness to grant a tree conservation easement for the Marlboro Pointe subdivision. Recommended condition 1(n) below ensures that such easement is recorded in the Land Records of Prince George’s County prior to signature approval of the subject detailed site plan.
- 4.7 Historic Bufferyard Planting for Ritchie Marlboro Road. Pursuant to Section 4.7(d) of the *Landscape Manual* which stipulates that if a developing lot adjoins a designated historic site, the developing lot shall provide a “D” buffer along the entire shared property line.
- 4.6 Buffering Residential Development from Streets.
- Section 4.1 Residential Requirements

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 cluster subdivision 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 additional regulations for development in residential zones.
8. **Preliminary Plan of Subdivision, 4-04151:** Preliminary Plan 4-04051 was approved by the Planning Board on December 9, 2004. The resolution of approval, PGCPB Resolution 03-222, was adopted on January 6, 2005. The preliminary plan remains valid until January 6, 2007, or until a final record plat is approved. The following conditions of approval apply to the review of the subject detailed site plan. Staff has included the Planning Board condition in **bold** type, followed by Urban Design staff's comments:
- 3. **In conformance with the adopted and approved Melwood-Westphalia Master Plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:**
 - a. **A trail connection from the subject site to the existing master plan trail on the adjacent M-NCPPC land at a location agreeable to the Department of Parks and Recreation.**

Comment: The trail connection from the subject site to the existing master plan trail on the adjacent M-NCPPC land is shown on the plans adjacent to the tennis court on the north central portion of the site. Recommended Condition 3 below requires that the trail be constructed prior to the issuance of the 54th building permit.
 - b. **Provide standard sidewalks along both sides of all internal roads, unless modified by the Department of Public Works & Transportation.**

Comment: Standard sidewalks are shown on both sides of all internal roads on the detailed site plan.
 - 8. **At the time of final plat approval, the applicant shall dedicate right-of-way along Ritchie Marlboro Road of 60 feet from the master plan right-of-way centerline of pavement.**

Comment: Right-of-way to be dedicated at the time of final plat is correctly shown on the detailed site plan.
 - 22. **Prior to the issuance of any permits, the Type II tree conservation plan and the technical stormwater management plan shall be consistent. A copy of the approved technical stormwater management plan shall be submitted to the Environmental Planning Section for inclusion in the TCPII file prior to the issuance of any grading permits. In the event the TCPII and technical stormwater management plans are not consistent one or both plans shall be revised as necessary prior to the issuance of**

the grading permits.

Comment: This preliminary plan condition has been included in the recommended conditions below to ensure that it is carried out prior to issuance of any building permits for the subject project.

- 25. The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit has been evaluated and will result in interior noise levels of 45 dBA Ldn or less.”**

Comment: This preliminary plan condition has been included in the recommended conditions below to ensure that it is carried out prior to the issuance of any building permits for the subject project.

- 29. The applicant shall submit a complete Phase I investigation with the application for DSP that shall include research into the property history and archeological literature, approximate dates, condition and character, as well as digital photographs of the buildings labeled “to be removed.” At the time of review of the DSP, the applicant shall submit Phase II and Phase III investigations as determined by Planning Department staff as needed. Depending on the results of any study required, the Historic Preservation staff may schedule a hearing before the Historic Preservation Commission to evaluate Historic Resource 79-000-36 and/or require a historic marker or other interpretive devices be placed at the site. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. Grading permits may be issued for areas not subject to a Phase I archeological investigation, subject to the required order of approvals.**

Comment: The applicant has submitted all materials required by staff. The staff archeologist’s comments and those of the Historic Planning Section have been incorporated as necessary into the recommended conditions below.

- 30. The applicant, his successors and/or assignees, shall provide adequate, private and public recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*. If wet areas must be traversed, suitable structures shall be constructed to assure dry passage along the trail.**

Comment: The applicant has provided adequate recreational standards in accordance with the standards of the Parks and Recreation Facilities Guidelines. In addition, a recommended condition below will require to note on the detailed site plan assuring dry passage along all trails.

31. **The applicant shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting at the time of review of the detailed site plan.**

Comment: The location and adequacy of the private recreational facilities proposed for the subdivision have been reviewed and found acceptable by the Urban Design Section.

32. **The applicant, his successors and/or assignees shall construct an eight-foot-wide asphalt trail, connecting the subject property to the existing trail system in the adjoining King's Grant Community Park.**

Comment: Such trail has been included in the plans and a recommended condition establishes a time table for its construction.

33. **The applicant, his successors and/or assignees, with submission of the detailed site plan, shall submit construction drawings for the construction of the trail on adjacent parkland for DPR review and approval. The DSP shall include a grading plan, limit of disturbance, and construction details for trail construction on park property. The location of the trail shall be staked in the field and approved by DPR prior to construction. All trails shall be constructed to assured dry passage. If wet areas must be traversed, suitable structures shall be constructed to assure dry passage along the trail. Review shall include a determination of appropriate triggers for construction of the trail.**

Comment: The Department of Parks and Recreation (DPR) has indicated that acceptable plans have been submitted for the trail. Conditions of approval assure that DPR shall approve the location of the trail prior to construction, that the trails shall ensure dry passage, and that the trail will be completed in a timely fashion.

Please see environmental referral comments in Finding 11 for a more detailed discussion of preliminary plan of subdivision Conditions 4, 17-23, 24, 26-28 relating to environmental issues.

9. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.1, Section 4.6, and Section 4.7 of the *Landscape Manual*.

The Urban Design staff reviewed the proposed landscape plan, including a letter dated November 1, 2005, from the Office of Central Services of Prince George's County to Whitney Chellis of the Subdivision Review Section, reflecting the willingness of Prince George's County to grant an easement on its land for an off-site Section 4.7 buffer. Staff has found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.

10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince

George's County Woodland Conservation Ordinance because the property has an approved tree conservation plan. A Type I Tree Conservation Plan, TCP11/27/04, was approved together with Preliminary Plan 4-04151. Type II Tree Conservation Plan TCP II/122/05 was submitted together with the subject detailed site plan and has been recommended for approval subject to conditions. Such conditions are included in the recommendation section of this report. Therefore, it may be said that the proposed detailed site plan is in conformance with the requirements of the Prince George's County Woodland Conservation Ordinance.

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

Historic Preservation and Archeological Review—In comments dated August 30, 2005, the Historic Planning Section and the consulting archeologist found that Historic Resource 79-000-36 (site of the Navajo Tenant House) is located on the subject property in Block C. They noted that, though the general notes refer to the historic resource, its location has not been delineated on the submitted plans. They also noted that the developing property is part of a larger farmstead called "Acreage of Navajo." Further, they noted that the applicant has submitted a Phase IB archeological report, though its final version has not been submitted. They said that with the submittal of four copies of the revised final report, no additional archeological investigations would be required. In closing, they mentioned that the proposed project would be scheduled for Historic Preservation Commission review in October, prior to Planning Board review of the detailed site plan application. Depending on the results of the field analysis, staff may recommend to the Historic Preservation Commission that any historic barns be retained and incorporated into lots. However, they stated, if no significant archaeological resources exist and all the existing buildings are modern, Historic Resource 79-000-36 may be recommended for deletion from the Inventory of Historic Resources and to require that a historic marker or other interpretive devices be placed at the site. In a separate e-mail, dated September 30, 2005, the staff archeologist indicated that there were no outstanding archeological issues raised by the subject project.

In revised comments, however, dated November 15, 2005, the Historic Planning Section stated that the following items should be conditions of approval:

1. The applicant shall identify the Historic Resource 79-000-36, Site of the Navajo House.

Urban Design Comment: The historic resource is correctly identified on the revised detailed site plan.
2. The applicant shall work with staff from the Department of Parks and Recreation and determine if material from the barns can be reused, and if so it shall be offered to the Department of Parks and Recreation, or to the *Newel Post*, the county's architectural salvage depot.

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