

RESOLUTION

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 November 3, 2005, regarding Detailed Site Plan DSP-05039 for Oaklawn Knolls Subdivision, the Planning Board finds:

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. **Request:** The subject application consists of site, landscape and tree conservation plans and architectural elevations for 12 single-family detached lots. The site consists of 9.247 acres in the R-R Zone.

2. **Development Data Summary**

| | EXISTING | PROPOSED |
|--------------------|----------|------------------------|
| Zone(s) | R-R | R-R |
| Use(s) | Vacant | Single-family detached |
| Acreage | 9.247 | 9.247 |
| Lots | 2 | 12 |
| Parcels | 0 | 0 |
| Outlots | 0 | 2 |
| Square Footage/GFA | N/A | N/A |
| Dwelling Units: | | |
| Attached | 0 | 0 |
| Detached | 0 | 12 |
| Multifamily | 0 | 0 |

3. **Location:** The property is located in Planning Area 76B, Council District 8 on the north side of Oaklawn Drive, between Allentown Road and Sleepy Hollow Road.

COMPLIANCE WITH EVALUATION CRITERIA

4. **Preliminary Plan of Subdivision 4-94142 (PGCPB No. 95-107):** The detailed site plan is in conformance with the Preliminary Plan, 4-94142, and applicable conditions. Condition 5 of the preliminary plan requires detailed site plan approval of the development by the Planning Board prior to final plat approval. For further information with regard to conformance with this condition, see Finding 7 below.

5. **Architecture:** The following architectural models have been provided for the development for Marco Homes, Inc.:

| House Type | Square footage with all options* |
|--------------------|----------------------------------|
| Marco Homes | |
| Aspen Standard | 3,775 |
| Hickory | 3,762 |
| Redwood | 3,222 |
| Juniper | 4,020 |
| Sycamore | 3,258 |
| Hemlock | 4,076 |
| Neal Standard | 3,640 |
| Sequoia Standard | 3,406 |
| Mahogany | 3,586 |

*Finished square footage

All of the above models offer a variety of architectural details and exterior finish materials such as brick, siding, stucco or stone. Each model offers several different front elevations with a variety of roof pitches and styles, and all offer two-car garages. Prior to certification of the detailed site plan, side elevations for the models should be revised to provide a minimum of two standard architectural features.

6. **Zoning Ordinance:** The detailed site plan is in general conformance to the requirements of Section 27-428 of the Zoning Ordinance, which regulates development in the R-R Zone, and is also in conformance with the applicable sections of the Prince George's County *Landscape Manual*. The site plan provides details of a gateway sign; however, the location of the sign has not been provided on the site and landscape plans. The location of the sign as well as attractive landscaping at the base of the sign should be provided. Additionally, there are several areas of the plan where retaining walls are provided; however, details of the walls are not provided. The walls should consist of durable materials, such as split-faced modular CMU, not landscape timbers, and the details should be approved by the Planning Board's designee, prior to certification of the plans.

REFERRALS

7. In a memorandum dated October 11, 2005, (Stasz to Wagner), the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the revised tree conservation plan for Oaklawn Knolls, TCPII/20/98-01, stamped as received on October 5, 2005. After notification that the package was lacking a copy of a revised DSP, a new package was received on October 11, 2005, that contained a revised DSP and the required stormwater management information. The Environmental Planning Section recommends approval of DSP-05039 and TCPII/20/98-01, subject to the

conditions at the end of this memorandum.

BACKGROUND

Preliminary Plan of Subdivision, 4-94142, and Type I Tree Conservation Plan, TCPI/72/94, were approved with conditions by PGCPB. 95-107. This detailed site plan was required prior to final plat by Condition 5 of PGCPB. No. 95-107. A Detailed Site Plan, DSP-98002, and Type II Tree Conservation Plan, TCPII/20/98, were approved by PGCPB. No. 98-88. The final plat was recorded in the Prince George's County land records at VJ 184-19 on August 19, 1998. The Detailed Site Plan, DSP-98002, expired on April 16, 2001, and a new detailed site plan is required. The proposal is for 12 lots and 2 outlots in the R-R Zone.

SITE DESCRIPTION

This 10.44-acre site in the R-R Zone is located north of the intersection of Oaklawn Road and Shady Rest Road. The site is mostly wooded. There are streams, wetlands and 100-year floodplain on the property that are associated with Piscataway Creek in the Potomac River watershed. According to the "Prince George's County Soil Survey," the principal soils on the site are in the Bibb, Howell and Sassafras series. Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no nearby sources of traffic-generated noise. The proposed use is not expected to be a noise generator. There are no designated scenic or historic roads affected by this proposed development. No portion of this property contains regulated areas or evaluation areas of the Green Infrastructure Plan. This property is located in the Developing Tier as reflected in the adopted General Plan.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject applications. The text in **bold** is the actual text from the previous cases or plans.

PGCPB No. 95-107, File No. 4-94142

- 1. Development of this subdivision shall be in accordance with the approved Conceptual Stormwater Management Concept Plan, CSD #958002020.**

Comment: Stormwater management is discussed in detail in the Environmental Review section below.

- 2. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/72/94). The following note shall be placed on the Final Plat of Subdivision:**

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/72/94), or as modified by the Type II Tree Conservation Plan, and 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: Woodland conservation is discussed in detail in the Environmental Review section below.

3. **Prior to certificate approval of the Type I TCP, the following revisions shall be made to the plan:**
 - a. **The Woodland Conservation Worksheet shall be revised to exclude dedicated land.**
 - b. **A Table of Specimen Trees shall be added.**

Comment: These changes were made and the TCPI and preliminary plan were signed.

4. **A Type II Tree Conservation Plan shall be approved by the Planning Board at the time of Detailed Site Plan. The TCP II shall illustrate any areas of reforestation in the floodplain required by DER's approval of the Conceptual Stormwater Management Plan.**
5. **Prior to approval of a Final Plat of Subdivision, a Detailed Site Plan shall be approved by the Planning Board for this property. The site plan shall address, but not be limited to the following:**
 - a. **The location and types of water quality treatment.**
 - b. **Stream stabilization required by approval of the Conceptual Stormwater Management Plan.**
 - c. **Protection of specimen trees and wooded, steep slopes. Every effort shall be made to reduce the amount of disturbance to these areas necessary to develop the site.**
 - d. **Preservation of the stream buffer.**

The TCP II does not address these two conditions. The stormwater concept approval letter discusses the need for stream stabilization work on Outlot B, but the work is not shown and the reforestation is not shown for this area or the other areas of proposed disturbance. In

addition, no protection is provided for one of the specimen trees to be preserved and another specimen tree has grading within the critical root zone.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to show the areas of stream stabilization to be provided on Outlot B, the areas for staging and access for this work, and all areas within the floodplain buffer to be replanted per DER's approval of the stormwater concept (8002020-1995-01). All areas that are disturbed shall be counted as clearing in the worksheet and shall be mitigated at a ratio of 1:1.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to show no disturbance within the critical root zone of specimen tree "O" and tree protection devices shall be shown on the plan. The limits of disturbance around specimen tree "A" shall be revised to eliminate all grading.

7. **At the time of Final Plat, non-tidal wetlands, 100-year floodplain, stream buffers and/or other conservation areas shown on the Preliminary Plat, and as modified during Detailed Site Plan review, shall be placed into a conservation easement by note on the plat.**

Comment: The conservation areas are shown on the final plat that was recorded in the Prince George's County land records at VJ 184-19 on August 19, 1998.

ENVIRONMENTAL REVIEW

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

1. There are streams, wetlands and 100-year floodplain on the property that are associated with Piscataway Creek in the Potomac River watershed. The wetlands, streams, wetland buffers and stream buffers were evaluated with Preliminary Plan 4-94142 and again with Detailed Site Plan DSP-98002. Variation requests were approved with Preliminary Plan 4-98142 for impacts to the regulated areas and the areas not impacted were placed into conservation easements on Record Plat VJ 184-19. The conservation easements and floodplain easements are clearly shown on the DSP, but are not clearly distinguishable on the TCPII.

Recommended Condition: Prior to certification of the DSP, the TCPII shall be revised to delete the shading in the 100-year floodplain and provide a clear depiction of the existing easements on the site.

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the property has a previously approved tree conservation plan. A Type I Tree Conservation Plan, TCPI/72/904, was approved with 4-94142. A Type II Tree Conservation Plan, TCPI/20/98, was approved with DSP-98002. The new DSP adds two lots where existing homes were to remain in the previous application.

A revised Type II Tree Conservation Plan, TCPII/20/98-01, has been reviewed and was found to require revisions. As noted earlier, the conservation easements and floodplain easements must be shown on the Type II tree conservation plan. An area within the 100-year floodplain easement is erroneously shown as woodland conservation. Areas on Lots 1 and 2 that are not counted toward meeting the requirements must be counted as cleared because they are as close as 10 feet from the rear of the houses and in one place the grading extends beyond the limits of disturbance. The plan shows several areas of off-site clearing that have not been indicated in the worksheet.

Recommended Conditions: Prior to certification of the DSP, the TCPII shall be revised to:

- a. Clearly show the platted conservation easements and platted 100-year floodplain.
 - b. Eliminate the use of areas within the 100-year floodplain easement from counting toward meeting the requirements.
 - c. Illustrate all areas with steep slopes.
 - d. Count areas on Lots 1 and 2 as cleared that are currently shown as not being counted toward meeting the requirements.
 - e. Add to the worksheet all off-site clearing and provide mitigation at a ratio of 1:1.
 - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
3. A copy of the approved Stormwater Management Concept Plan, 8002020-1995-01, was submitted with the new review package. It contains several notes that must be addressed on the TCPII. As noted above, the stream stabilization work must be shown on the TCPII and the clearing counted in the worksheet. The approval letter also states that certain areas are to be replanted with trees of a specified size.

The letter also states that two of the lots are showing existing residences to remain. This is in conflict with the plans currently under review.

Because conflicts remain between the DER approvals and the TCPII, the technical stormwater approvals must be obtained prior to certification of the DSP.

Recommended Condition: Prior to certification of the DSP, technical stormwater management approval shall be obtained and the plans submitted for review. The TCPII shall be revised to show all of the proposed on-site and off-site work and the worksheet shall be adjusted accordingly. All of the notes on the concept approval letter must be addressed, including the addition of two new lots in place of the existing houses that will no longer remain.

8. In a memorandum dated August 25, 2005 (Masog to Wagner), the Transportation Planning Section indicates that the site plan is acceptable.
9. In a memorandum dated August 23, 2005 (Bienenfeld to Wagner), the archeological consultant has indicated that a Phase I archeological survey is not recommended for the property.
10. In a memorandum dated August 12, 2005 (Rea to Wagner), the Department of Environmental Resources has indicated that the site plan is consistent with the approved stormwater concept plan 8002020-1995.
11. As required by Section 27-285(b) of the Zoning Ordinance, 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-05039, subject to the following conditions:

1. Prior to certification the following revisions shall be made to the detailed site plan:
 - a. Side elevations for the architectural models shall be revised to provide a minimum of two standard architectural features.
 - b. The location of the gateway sign shall be shown on the site and landscape plan, and attractive landscaping shall be provided at the base of the sign.
 - c. Details of all retaining walls shall be provided. All retaining walls shall consist of modular split-faced CMU, the design of which is to be approved by the Planning Board's designee.
2. Prior to certification of the DSP, the TCPII shall be revised to show the areas of stream stabilization to be provided on Outlot B, the areas for staging and access for this work, and all areas within the floodplain buffer to be replanted per DER's approval of the stormwater concept (8002020-1995-01). All areas that are disturbed shall be counted as clearing in the worksheet and shall be mitigated at a ratio of 1:1.
3. Prior to certification of the DSP, the TCPII shall be revised to show no disturbance within the critical root zone of specimen tree "O" and tree protection devices shall be shown on the plan. The limits of disturbance around specimen tree "A" shall be revised to eliminate all grading.
4. Prior to certification of the DSP, the TCPII shall be revised to delete the shading in the 100-year floodplain and provide a clear depiction of the existing easements on the site.

5. Prior to certification of the DSP, the TCPII shall be revised to:
 - a. Clearly show the platted conservation easements and platted 100-year floodplain.
 - b. Eliminate the use of areas within the 100-year floodplain easement from counting toward meeting the requirements.
 - c. Illustrate all areas with steep slopes.
 - d. Count areas on Lots 1 and 2 as cleared that are currently shown as not being counted toward meeting the requirements.
 - e. Add to the worksheet all off-site clearing and provide mitigation at a ratio of 1:1.
 - f. Have the revised plan signed and dated by the qualified professional who prepared the plan.
6. Prior to certification of the DSP, technical stormwater management approval shall be obtained and the plans submitted for review. The TCPII shall be revised to show all of the proposed on-site and off-site work and the worksheet shall be adjusted accordingly. All of the notes on the concept approval letter must be addressed, including the addition of two new lots in place of the existing houses that will no longer remain.

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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley abstaining from the motion at its regular meeting held on Thursday, November 3, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of December 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:mas