

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 February 23, 2006 regarding Detailed Site Plan DSP-05075 for Marlboro Ridge, Phase 1D, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for 144 single-family detached dwelling units and 44 townhouse units within Phase I, Part D, of Marlboro Ridge (formerly Clagett Property and the Village of Clagett Farms)
2. **Development Data Summary:**

	Existing	Proposed
Zone	R-R	R-R (Recreational Community Development-Equestrian)
Use	Agriculture	Residential (Single-family detached and attached)
Gross tract area of this DSP (Acre)	73.53	73.53
Number of lots	-	188
Single-family detached	-	144
Townhouse	-	44

OTHER DEVELOPMENT DATA (TOWNHOUSE)

	Required	Proposed
Total Parking Spaces (2.04/Unit)	90	190
Of which are Handicapped Spaces	6	3*
Number of Building Sticks	N/A	8

*A condition of approval has been proposed in the recommendation section to require the applicant to provide the required six spaces for the handicapped, of which two spaces shall be van-accessible.

TOWNHOUSE MODELS

Model	Base Finished Area (Sq.Ft.)
Bradbury	1,994 (2-car garage)
Emory/Easton	2,063 (2-car garage)
Knightbridge	2,068 (2-car garage)
Portsmouth	1,889 (2-car garage)
Sinclair	1,984 (2-car garage)

3. **Location:** The Marlboro Ridge project site as a whole is located southwest of Ritchie Marlboro Road, approximately 2,500 feet south of its intersection with Westphalia Road, in Planning Area 78, Council District 6. The subject DSP site is located in the middle of the project site east of the PEPCO power line.
4. **Surroundings and Use:** The Marlboro Ridge project site is bounded to the northeast by the right-of-way of Ritchie Marlboro Road. To the south of the property is an existing single-family detached residential subdivision in the R-R Zone; to the north and west are vacant and wooded properties in the R-A Zone; and to the east is a property zoned R-A. The subject DSP site is Part D of Phase I, which is located in the middle of the project property east of the PEPCO property. To the north of the subject DSP site is the second access point to the project site, the PEPCO power line corridor, and wooded areas; to the east are the proposed equestrian center, the proposed community center, and other proposed single-family detached houses; to the west are the PEPCO power line corridor and other single-family detached and attached dwelling units; and to the south are the existing single-family detached houses in the R-R Zone.
5. **Previous Approvals:** Marlboro Ridge is designed as a residential/recreational community with an equestrian center in the R-R Zone under the Recreational Community Development code of Section 27-444. The entire project has an approved Conceptual Site Plan CSP-03005, including a Type I Tree Conservation Plan TCPI/81/03, which was approved by the Planning Board (PGCPB No. 04-161) on July 8, 2004. Subsequently, Preliminary Plan of Subdivision 4-04080 was approved by the Planning Board (PGCPB No. 04-255) on October 28, 2004. Four detailed site plans have been either approved or are currently under review. DSP-04088 was approved by the Planning Board (PGCPB No. 05-136) on July 7, 2005, for 32 single-family detached houses and 32 townhouses. DSP-05040, an umbrella architecture detailed site plan for single-family detached houses, was approved by the Planning Board on January 26, 2006. DSP-05035, for the equestrian center and the community center, is currently under review. The site also has an approved Stormwater Management Concept Plan 21383-2003-00.
6. **Design Features:** The subject DSP proposes 144 single-family detached dwelling units and 44 townhouse units known as Phase I, Part D, which is the last part in Phase I. The DSP site is in the middle of the eastern property of the Marlboro Ridge project, stretching in a north/south direction from the area around the second access point to the area around the main entrance area, behind the equestrian components and the community center, and ending at the stream valley along the southern

boundary area. The section immediately behind the equestrian center between the two access roadways to the project consists of a mixture of the 44 townhouses and 110 single-family detached houses. The dwelling units are located along both sides of two looped curvilinear streets linking the main entrance and second entrance. The western loop street further extends to the south part of the property and provides access to the remaining 34 single-family houses.

Since the entire Marlboro Ridge project has an umbrella architecture approval (DSP-05040) for 28 single-family detached models, no single-family detached models have been provided with this detailed site plan.

The Planning Board approved the umbrella architecture Detailed Site Plan DSP-05040 with the following two conditions:

1. A minimum of 75 percent of single-family detached models in Marlboro Ridge shall have a full front façade (excluding gables, bay windows, trim, and door) of brick or equivalent masonry treatment.
2. Every side elevation on a corner lot that is visible from the public street shall display significant architectural features as provided in one of the following options:
 - a. Full brick, stone, stucco, or other masonry treatment combined with at least three windows, doors, or other substantial architectural features; or
 - b. Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side-entry door.

This application contains five townhouse models, which are identical to the townhouse models approved with the detailed site plan for Phase I, Part A. Five townhouse models have similar design features to those of the single-family detached houses, such as various elevations and front elevations finished with brick veneer. The townhouse models are three stories in height and each unit has a two-car garage at the first floor as a standard feature. The base finished square footage of the townhouse models varies from 1,889 to 2,068 square feet. No total height information has been provided with the elevations; a condition of approval has been proposed in the recommendation section of this report.

No signage information has been included with this DSP application.

7. **Recreational Facilities:** At the time of the conceptual site plan approval, the on-site recreational facility package was evaluated and a condition was attached to the approval to ensure that sufficient recreational facilities will be provided. In accordance with the *Parks and Recreation Facilities Guidelines*, with a development of 1,058 single-family dwelling units in Planning Area 78, approximately a \$1.2 million recreational facility package should be provided to serve this subdivision. In addition to the equestrian components, which include an indoor ring and an outdoor ring, pasture and equestrian trails system, the CSP also proposed a community center behind the

pasture to the southeast of the main entrance. Two tennis courts and one swimming pool are shown on the CSP. In addition, five on-site, small-scale neighborhood outdoor play areas and picnic areas have also been required as a part of the CSP approval. Since none of the approved recreational facilities is located within the boundary of the subject DSP, this DSP does not include any recreational facilities.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the R-R Zone, the additional requirements for Recreational Community Development, and requirements for development of attached dwellings in the R-T Zone as well as the site design guidelines of the Zoning Ordinance:

- a. The subject application is in accordance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs development in the residential zones. The single-family detached dwellings and townhouse units are permitted uses in the R-R Zone under the Recreational Community Development provisions (Section 27-444).
- b. The subject application is in general accordance with the requirements of Section 27-442, Regulations, except for those as modified in Section 27-444, on net lot area and lot width.
- c. The DSP is also in conformance with requirements of Section 27-444, Recreational Community Development.
- d. Per Section 27-444(b)(11), the minimum requirements for development of attached dwellings shall be those that apply to the R-T Zone (except those in Section 27-433(e)(1) (A) and (B)), including those which apply to common areas, except that there shall not be more than eight nor less than two attached dwellings in any one group.

The proposed 44 townhouse units are in general compliance with the requirements of Section 27-433, regarding regulations on dwellings, streets, access to individual lots, utilities, and front elevations plan, except for site plan. The proposed townhouse units are shown in eight building sticks. The proposed minimum width of internal dwellings is 24 feet, which is well above the required 20 feet for internal dwellings. The minimum based finished area for each townhouse unit is 1,889 square feet, which is also much larger than the required 1,250 square feet. All the townhouse units have a full front façade of brick. However, the subject DSP does not provide enough information to satisfy the requirements of Section 27-433(k)(2)(A) regarding identification of two or more dwelling units (at different locations within the proposed development) which have the potential to be made accessible through barrier-free design construction, given such site characteristics and design criteria as proposed grading, topography, elevation, walkways, and parking location; and (B) regarding the type and location of required streetlights. For the streetlights, the detail sheets show lighting cut sheet and the site plan shows them graphically, but no legend has been provided to illustrate the streetlight. Two conditions of approval have been proposed in the

recommendation section of this report to require the applicant to provide the required information prior to certificate approval of this detailed site plan. Given that the townhouse units included in this application are just a portion of the townhouse development within the Clagett project, the condition of approval on barrier-free units allows the application either to identify two or more units within this application or provide them at different locations within the proposed larger recreational community development.

- e. The subject DSP is in general compliance with the requirements of Section 27-274, Site Design Guidelines, regarding townhouse dwellings.
9. **Conceptual Site Plan CSP-03005** was approved by the Planning Board on July 8, 2004, subject to 13 conditions. The District Council affirmed the Planning Board's decision on November 22, 2004, with two additional conditions attached to the Order of Approval. The conditions of approval that are applicable to the review of this DSP are discussed as follows:

4. Prior to approval of a detailed site plan, the following shall be demonstrated on the plans:

- a. **The streetscape treatments such as special pavers in crosswalks, special pedestrian lighting, and furnishings including seating elements.**

Comment: The subject site plan shows special paver treatment in pedestrian crosswalks around the main entrance boulevard and special medium-height pedestrian lighting. The detail sheets also show benches for seating, but does not reflect them on the site and landscape plan. A condition of approval has been proposed to require the applicant to identify them on the plans.

- b. **Street trees on the main entrance boulevard shall be located approximately 35 feet on-center if they do not exist in the right-of-way. A staggered row of the same species shall be planted at the same interval on the other side of the sidewalk**

Comment: The subject detailed site plan contains the parts of Marlboro Ridge that are away from the main entrance boulevard and, thus, is not subject to this condition.

- c. **The building materials and architecture of the equestrian building, barns, and community clubhouse, shall be high quality and compatible to each other. The same materials shall be used and the colors of materials shall be strategically repeated to create a harmonious built environment.**
- d. **Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas in at least five locations, shall be reviewed by the Urban Design Review Section of the Development Review Division (DRD) for adequacy and property siting.**

Comment: This DSP is not subject to the above three conditions because neither the equestrian center nor the private recreational facilities are located within this DSP.

- e. Off-street parking and loading areas shall be provided in accordance with Part 11, and sign design shall be in accordance with Part 12 of the Zoning Ordinance.**

Comment: This DSP is in general compliance with the requirement regarding parking for the 44 townhouse units, as stipulated in Part 11, except for failing to identify enough handicapped parking based on the total parking spaces provided. A condition of approval has been proposed in the recommendation section of this report.

5. At the time of detailed site plan approval, the following areas shall be carefully reviewed:

- a. Access points to the equestrian complex from the community.**
- b. The screening and buffering of the rear yards from the views, smell and noise from the equestrian trails.**
- c. The screening and buffering of the rear yards of the lots that can be seen from Ritchie Marlboro Road and other perimeter lots.**
- d. The design and siting of the residential buildings on the lots fronting Ritchie Marlboro Road.**
- e. The design of the central green.**

Comment: Conditions 5.a and 5.e are not applicable to this DSP. A total of 17 single-family detached lots in Block Q have been shown on the site plan that are subject to conditions 5b, 5c and 5d. Lots 14-24 are screened by the existing on-site woodland. However, Lots 8 to 13 are located west of Part B. The landscape plan does not show enough information about screening. A condition of approval has been proposed in the recommendation section to require the applicant to provide additional screening information prior to certification of this DSP.

6. At the time of the applicable detailed site plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following trail-related information with the site plans:

- a. A composite trails map showing the connection to the regional trail network, multiuse master plan trails, equestrian trails, bikeways, and sidewalks shall be submitted with the first DSP. Trails widths and surface types should be indicated on that plan.**

- b. **A multiuse, hiker-biker-equestrian trail along the subject site's entire length of Cabin Branch. This trail should be constructed to DPR standards and guidelines.**
- c. **A hiker-equestrian trail along the subject site's entire length of Back Branch.**
- d. **Depending upon the road cross section required by DPW&T, one of the following should be constructed along the subject site's entire road frontage of Ritchie Marlboro Road:**
 - (1) **An eight-foot-wide hiker-biker trail.**
 - (2) **Wide (seven- to ten-feet-wide) asphalt shoulders and the placement of bicycle signage.**
- e. **A paved master plan trail running from the Cabin Branch stream valley trail to the northern property line, as indicated on the master plan.**
- f. **The proposed trail network shall be expanded to include the portions of the subject site north of the Cabin Branch.**
- g. **All equestrian trails shall meet the standards provided in Figure 3 of the Adopted and Approved Melwood-Westphalia Master Plan. Main trails should have a minimum ten-foot-wide trail width (with a two-foot-wide buffer on each side) and a minimum head clearance of 12 feet. Feeder trails, or trails receiving less volume, should meet the subdivision park trail standard, with a minimum trail width of six to eight feet, with a two-foot-wide buffer on each side. In order to accommodate equestrians, a minimum head clearance of 12 feet is recommended on these trails as well. All trails on land to be dedicated to the Department of Parks and Recreation should meet all DPR standards and guidelines.**
- h. **Due to the density of the proposed development, standard sidewalks shall be provided along both sides of all internal roads, subject to concurrence by DPW&T.**

Comment: The required trail map has been submitted to the Department of Parks and Recreation. In a memorandum dated January 23, 2006 (Asan to Zhang), DPR staff recommended approval of this DSP with several conditions that have been included in the recommendation section of this report.

- 9. i. **With the submission of the first detailed site plan, the applicant shall submit detailed construction drawings for trail construction to DPR for review and**

approval. The trail shall be designed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.

- k. The handicapped accessibility of all trails shall be reviewed during the review of the DSP.**

Comment: The condition has been fulfilled with the approval of the first detailed site plan DSP-04088.

- 11. All subsequent plan submittals for this property shall reflect the location of the unmitigated 65 dBA Ldn noise contour on the plans. Subsequent plan submittals shall not show any residential lots within the unmitigated 65 dBA Ldn noise contour unless a Phase II noise study is included with the submittal and all interior and exterior noise impacts are mitigated so as not to exceed the State of Maryland noise standards. All mitigation measures shall be shown on future preliminary plans of subdivision and associated tree conservation plans.**

Comment: The portion of the development, Part D, Phase I, covered by this DSP is located away from Ritchie Marlboro Road, the only major roadway fronting the Marlboro Ridge project. This condition is not applicable to this DSP.

- 15. The existing Ashford Drive right-of-way within the Roblee Acres subdivision shall not be extended into the proposed subdivision for the Clagett Farm.**

Comment: This condition has been added by the District Council in response to the citizens' request during Council's review of Conceptual Site Plan CSP-03005. Due to the addition of this condition, the following Condition 25, attached to the approval of Preliminary Plan of Subdivision 4-04080, is not valid.

- 10. Preliminary Plan of Subdivision 4-04080** was approved by the Planning Board on October 28, 2004, subject to 32 conditions, of which the following are applicable to the review of this DSP.

- 2. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/81/03-01). The following notes shall be placed on the final plat of subdivision:**

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/81/03-01), 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."

Comment: Type II Tree Conservation Plan TCPII/83/05-2 has been submitted with this DSP application. Per the review by the Environmental Planning Section of TCPII/83/05-2, which is a modification of the previously approved Type II Tree Conservation Plan TCPII/83/05, it is in compliance with the Woodland Conservation Ordinance.

3. **The detailed site plan and the Type II tree conservation plan shall refine the proposed trail alignment to follow proposed and existing alignments for other infrastructure components to the extent reasonable based in the type of trail proposed.**

Comment: Since this DSP does not involve much of the proposed trail as approved in both CSP-03005 and 4-04080, this condition will be reviewed at the time of subsequent related detailed site plans.

4. **During the review of the detailed site plan, all PMA impacts approved by this plan shall be evaluated in order to further minimize the number and extent of the proposed PMA impacts. This shall include documentation that identifies the impacts as approved by this plan and the revised impact as proposed by the detailed site plan.**

Comment: Per the review comments of the Environmental Planning Section (Shoular to Zhang, February 1, 2006), the Type II Tree Conservation Plan TCPII/83/05-2 submitted with this DSP is for the entire site and meets the requirements of the Woodland Conservation Ordinance. A total of 52 Patuxent River primary management area (PMA) impacts have been proposed at the time of the preliminary plan of subdivision. A letter of justification submitted with TCPII/83/05 identifies six distinct types of impacts and discusses those impacts as a group.

5. **Prior to submittal of the Detailed Site Plan the applicant shall meet with the Environmental Planning Section to evaluate alternatives that may allow for a reduction in the number and extent of the proposed PMA impacts. The Detailed Site Plan shall show a reduction of the following impacts supported with a condition: 8, 10, 12, 13, 19, 21, 22, 24, 32, E, H, Q, R, and the Trails.**

Comment: This condition had been fulfilled at time of the approval of Detailed Site Plan DSP-04088.

10. **This plan and all subsequent plan submittals for this property shall reflect the location of the unmitigated 65 dBA Ldn noise contour on the plans. Subsequent plan submittals shall not show any residential lots within the unmitigated 65 dBA Ldn noise contour unless a Phase II noise study is included with the submittal and all interior and exterior noise impacts are mitigated so as not to exceed the State of Maryland noise standards**

Comment: Per the review by the Environmental Planning Section, the location of the 65 dBA Ldn noise contour is shown on the DSP and the TCPII. No traffic-related noise impact to any proposed residential lot in this phase of the development is expected. A Phase II noise study is not required. No further action regarding traffic-generated noise is required with regard to this detailed site plan review.

- 13. The mitigated and unmitigated 1.5 safety factor lines shall be shown on the Type II tree conservation plan and the detailed site plan. All residential lots shall be located beyond the limits of the final mitigated 1.5 safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division, and a minimum 50-foot building restriction setback from the final mitigated 1.5 slope safety factor line shall be provided, unless a lesser setback is approved by DER.**

Comment: Per the review by the Environmental Planning Section, Sheet 5 of the TCPII shows several residential lots in areas where Marlboro clays exist. The location of the Marlboro clays, and the mitigated and unmitigated 1.5 safety factor lines, are not shown on the plan. The Environmental Planning Section recommends the condition be carried forward as a condition of this approval. This condition has been carried forward as Condition 6 of this report.

- 15. At the time of detailed site plan, the applicant, the applicant's heirs, successors and/or assignees shall provide the following trail-related information with the site plans:**
- a. A composite trails map showing the connection to the regional trail network, multiuse master plan trails, equestrian trails, bikeways, and sidewalks shall be submitted with the first DSP. Trails widths and surface types should be indicated on that plan.**
 - b. A multiuse, hiker/biker/equestrian trail along the subject site's entire length of Cabin Branch. This trail should be constructed to DPR standards and guidelines.**
 - c. A hiker/equestrian trail along the subject site's entire length of Back Branch.**
 - d. Depending upon the road cross section required by DPW&T, one of the following should be constructed along the subject site's entire road frontage of Ritchie Marlboro Road:**
 - (1) An eight-foot-wide hiker/biker trail, or**
 - (2) Seven- to ten-foot-wide asphalt shoulders and the placement of bicycle signage.**
 - e. A paved master plan trail running from the Cabin Branch stream valley trail**

to the northern property line, as indicated on the master plan.

- f. The proposed trail network shall be expanded to include the portions of the subject site north of the Cabin Branch.**
- g. All equestrian trails shall meet the standards provided in Figure 3 of the adopted and approved Melwood-Westphalia Master Plan. Main trails should have a minimum ten-foot-wide trail (with a two-foot-wide buffer on each side) and a minimum head clearance of 12 feet. Feeder trails, or trails receiving less volume, should meet the subdivision park trail standard, with a minimum trail width of six to eight feet, with a two-foot-wide buffer on each side. In order to accommodate equestrians, a minimum head clearance of 12 feet is recommended on these trails as well. All trails on land to be dedicated to the Department of Parks and Recreation should meet all DPR standards and guidelines. Due to the density of the proposed development, standard sidewalks shall be provided along both sides of all internal roads, subject to concurrence by DPW&T.**

Comment: See above Finding 9.

- 21. Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas in at least five locations, shall be reviewed by the Urban Design Section of the Development Review Division (DRD) for adequacy and property siting at the time of detailed site plan.**

Comment: This DSP does not include the approved neighborhood outdoor play areas and picnic areas, thus it is not subject to this condition.

- 22. A Type II tree conservation plan shall be approved at the time of detailed site plan.**

Comment: Type II Tree Conservation Plan TCPII/83/05-2 has been submitted with this application and will be heard and approved with this DSP.

- 25. The question of a primary residential street connecting the proposed subdivision to the adjacent North Roblee Acres community shall be addressed at the time of detailed site plan.**

Comment: See above Finding 9. The new Condition 15 added to the approval of Conceptual Site Plan CSP-03005 by the District Council explicitly prohibits any street connection from the Clagett Property to the adjacent North Roblee Acres Subdivision.

- 26. The applicant shall preserve the location for the planned right-of-way for the proposed A-37 master planned arterial by either removing lots within the proposed alignment, or adjusting lots and/or the A-37 alignment, as determined at the time of detailed site plan.**

Comment: The A-37 does not impact this part of the Marlboro Ridge contained in this DSP.

- 32. In accordance with Section 27-445, the applicant shall submit a detailed site plan for the private recreational area. The DSP shall be approved by the Planning Board or its designee prior to final plat.**

Comment: A separate Detailed Site Plan DSP-05035 has been filed for the proposed private community center and is pending Planning Board approval. The subject DSP does not contain any private recreational area.

- 11. Detailed Site Plan DSP-04088:** DSP-04088 is the first detailed site plan for the Marlboro Ridge project and is an approval for 32 single-family detached and 32 single-family attached dwelling units. The Planning Board approved this detailed site plan on July 7, 2005, with eight conditions. One condition specifically requires a special purpose detailed site plan be approved for the entire project site as follows:

- 5. Prior to approval of the next detailed site plan including residential lots, the applicant shall submit and obtain Planning Board approval of a special purpose DSP devoted to elements of streetscape and signage including, but not limited to, street trees, entry monuments, signage, special paving at equestrian facilities and intersections to ensure a high quality and harmonious built environment. This DSP shall be conceived based on the images for equestrian components and the project-wide signage package approved in Conceptual Site Plan CSP-03005 and should also address utilizing distinctive landscape treatments to emphasize important focal points, intersections and trail heads, and concentrations of particular species as an identifying feature for particular neighborhoods.**

Comment: Three detailed site plans have been filed with the Development Review Division after the approval of the DSP-04088. Detailed Site Plan DSP-05040 is an umbrella architecture approval for 28 eight single-family detached models that was approved by the Planning Board on January 26, 2005. Detailed Site Plan DSP-05035 is an approval for the Parts B & C of Phase I, including the proposed community center and the equestrian center. No residential units have been included in this detailed site plan, which is pending approval of the Planning Board. The subject detailed site plan DSP-05075 is the last part of Phase I, which is for a total of 188 dwelling units and is therefore subject to the above condition. However, no specific information has been provided during the review of this DSP. The above condition is still outstanding. The staff recommends the condition be carried forward as a condition of approval prior to certification of this detailed site plan.

12. ***Landscape Manual:*** The subject detailed site plan is subject to Section 4.1, Residential Requirements, and 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

- a. Section 4.1(b) requires that one-family detached lots of 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 DSP has 13 lots within this category and has provided 39 shade trees, 13 ornamental trees, and 13 evergreen trees.

Section 4.1(c) requires that one-family detached lots of 9,500 square feet or larger but less than 20,000 square feet shall be planted with a minimum of two major shade trees and one ornamental or evergreen tree per lot. The DSP has 77 lots fitting this category and has provided 154 shade trees, 54 ornamental trees, and 23 evergreen trees.

Section 4.1(d) requires that one-family detached lots of smaller than 9,500 square feet shall be planted with a minimum of one major shade tree and one ornamental or evergreen tree per lot. The DSP has 55 lots fitting into this category and has provided 55 shade trees, 37 ornamental trees, and 18 evergreen trees.

Section 4.1(f) requires that townhouses in any zone shall provide a minimum of 1.5 major shade trees and one ornamental or evergreen tree per dwelling unit, to be planted on individual lots and in common open space, so as to best fulfill the design criteria set forth in Section 3 of the *Landscape Manual*. The DSP has 44 townhouses and has provided 85 shade trees, 29 ornamental trees, and 27 evergreen trees. The subject DSP is in general compliance with the requirements of Section 4.1.

- b. Section 4.7 requires a Type “A” bufferyard to be placed between one-family detached development and townhouse units. A Type A bufferyard requires a minimum 20-foot building setback and a minimum 10-foot-wide landscaped yard with 40 plant units per 100 linear feet of property line. The site plan shows approximately 145 linear feet of property line and provides 65 planting units, which is 7 plant units more than required for this landscaped yard. However, the landscaped yard is not identified on the site plan. A condition of approval has been proposed in the recommendation section of this report.

Section 4.7 requires a Type C bufferyard be placed between one-family detached development and public utilities. In this case, a PEPCO power line is located to the west of the single-family detached houses. Type C bufferyard requires a minimum 40-foot building setback and a minimum 30-foot-wide landscaped yard with 120 plant units per 100 linear feet of property line. The site plan shows approximately 543 linear feet of property line and provides 655 planting units, which is 3 units more than required for this landscaped yard. However, the landscaped yard is not identified on the site plan. A condition of approval has been proposed in the recommendation section of this report.

13. **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 is a previously approved Type I Tree Conservation Plan TCPI/81/03, which was approved in conjunction with the approval of Conceptual Site Plan CSP-03005 and the revised Type I Tree Conservation Plan, TCPI/81/03-01, which was approved with Preliminary Plan 4-04080.

- a. The detailed forest stand delineation (FSD) submitted with this application was previously reviewed in conjunction with Conceptual Site Plan CSP-03005 and has been found to address the criteria for a forest stand delineation in accordance with the *Prince George's County Woodland Conservation and Tree Preservation Technical Manual and Policy Document*. No further information is required with this DSP.
- b. The Type II Tree Conservation Plan, TCPII/83/05-2, submitted with this application has been reviewed and was found to require significant revisions. A second review by the Environmental Planning Section of the revised plans indicates that TCP II/83/05-2 is in general conformance with the requirements of the Woodland Conservation Ordinance.

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

- a. In a memorandum dated December 21, 2005, the Community Planning Division noted that the application is consistent with the 2002 General Plan development pattern policies for the Developing Tier and is in conformance with the 1994 Melwood-Westphalia Master Plan land use recommendations for residential land use in the South Westphalia community of this planning area.
- b. In a memorandum dated January 3, 2006, the Subdivision Section staff listed all conditions attached to the approval of Preliminary Plan of Subdivision 4-04080 (see above Finding 10 for a detailed discussion on the applicable conditions). In addition, the Subdivision Section staff also noted the conditions of approval attached to Conceptual Site Plan CSP-03005 and the applicable provisions of the *Landscape Manual* (see above Finding 11 for a detailed discussion on the applicable conditions and provision).
- c. The Environmental Planning Section, in a memorandum dated February 1, 2006, indicated that the application has generally addressed the environmental constraints of the site and the requirements of the Prince George's County Woodland Conservation Ordinance. The staff recommends the approval of this detailed site plan and the Type II Tree Conservation Plan TCPII/83/05-2, subject to three conditions that have been incorporated into the recommendation section of this staff report.
- d. The Transportation Planning Section, in a memorandum dated December 12, 2005, provided a detailed discussion on roadway improvements, which will be enforced at the time of building permit issuance, as required by the approval of Preliminary Plan of Subdivision 4-04080. The staff noted that Condition 24(c) of 4-04080, which requires a connection to the adjacent Roblee Acres subdivision to the north, is no longer valid because the District

Council's Order of Approval (affirming the Planning Board's approval of Conceptual Site Plan CSP-03005) has denied any access from the subject development into the existing Roblee Acres Subdivision. In conclusion, the staff indicated that this DSP conforms to the approved preliminary plan.

In a separate memorandum from the Transportation Planning Section, dated February 3, 2006, on detailed site plan review for master plan trail compliance, the trails planner noted that the subject application is in conformance with prior approvals (CSP-03005 and 4-04080) for trail conditions. The staff recommends approval of this CSP subject to three conditions regarding sidewalks and trails. Since the site plan has shown sidewalks along both sides of all internal streets, only the conditions regarding the trails have been incorporated into the recommendation section of this report.

- e. The Department of Environmental Resources (DER), in a memorandum dated December 9, 2005, indicated that the site plan for Marlboro Ridge, Phase 1D, is consistent with the approved stormwater management concept plan #313-2005.
- f. The Historic Preservation and Public Facilities Planning Section, in a memorandum dated December 12, 2005, indicated that the Clagett property is not subject to the Prince George's County Historic Preservation Ordinance because the two historic dwellings on site, Keokuk (listed in the *Historic Sites and Districts Plan* as Historic Resource 78-00-14a) and Ingleside (listed in the *Historic Sites and Districts Plan* as Historic Resource 78-00-14b) are outside the boundary of this phase of the development.

In addition, the Historic Preservation section staff listed two historic preservation related conditions, of which conditions 18 and 19 are related to archeological study as follows:

- 18. The applicant shall provide for professional examination of the small outbuilding known as the slave quarter, on the grounds of the Keokuk house. If this examination indicates that this may have been a dwelling for members of the Keokuk slave force, the applicant shall make arrangements for preservation of the building.**
- 19. If it is determined that potentially significant archeological resources exist in the project area, the applicant shall, prior to signature approval of the preliminary plan, provide a plan for:**
 - a. Evaluating the resource at the Phase II level, or**
 - b. Avoiding and preserving the resource in place.”**

However, no archaeological investigation has been carried out for the subject site yet; Historic Preservation staff recommends such study be conducted prior to certificate approval

of this detailed site plan. This condition has been incorporated in the recommendation section of this report.

- g. The Department of Parks and Recreation (DPR), in a memorandum dated January 23, 2006, recommended approval of the subject detailed site plan with four conditions that have been included in the recommendation section of this report.
 - h. The Permit Section, in a memorandum dated December 29, 2005, provided five comments concerning the detailed site plan's compliance with the Zoning Ordinance. The comments have been incorporated into the conditions of approval.
 - i. The Department of Public Works and Transportation (DPW&T), in a memorandum dated December 29, 2005, provided standard conditions on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, and storm drainage systems and facilities in order to be in accordance with both the requirements of DPW&T and the Department of Environmental Resources (DER). Those conditions will be enforced at time of issuance of access permit.
 - j. The Maryland State Highway Administration (SHA) had not responded to the referral request at time of staff report was written.
15. 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 Type II Tree Conservation Plan (TCPII/83/05-02) and further APPROVED Detailed Site Plan DSP-05075 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall
 - a. Submit and obtain Planning Board approval of a special purpose detailed site plan (DSP) devoted to elements of streetscape and signage including, but not limited to, street trees, entry monuments, signage, special paving at equestrian facilities and intersections to ensure a high quality and harmonious built environment. This special purpose DSP shall be conceived based on the images for equestrian components and the project-wide signage

package approved in Conceptual Site Plan CSP-03005 and should also address utilizing distinctive landscape treatments to emphasize important focal points, intersections and trail

heads, and concentrations of particular species as an identifying feature for particular neighborhoods.

- b. Identify archeological resources in the project area by conducting Phase I archeological investigations as follows:
 - (1) A qualified archeologist shall conduct all investigations and follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994) and the *Prince George's County Planning Board Guidelines for Archeological Review* (May 2005). Archeological excavations shall be spaced at a minimum of 15-meter intervals. These investigations shall be presented in a draft report following the same guidelines. Following approval of the draft report, four copies of the final report shall be submitted to M-NCPPC Historic Preservation staff. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations is required prior to signature approval.

The design of a Phase I archeological methodology shall be appropriate to identify slave dwellings and burials. Documentary research shall include an examination of known slave burials and dwellings in the surrounding area and their physical locations as related to known structures, as well as their cultural interrelationships. The field investigations shall include a pedestrian survey to locate attributes such as surface depressions, fieldstones, and vegetation common in burial/cemetery environs.
 - (2) Upon receipt of the report by the Planning Department, if it is determined that potentially significant archeological resources exist in the project area, the applicant shall provide a plan for:
 - (a) Evaluating the resource at the Phase II level, or
 - (b) Avoiding and preserving the resource in place.
- c. Mark and label all trails on the site plan and landscape plan.
- d. Revise the plan to show that all trails are located within land dedicated to M-NCPPC, HOA land, or within the public right-of-way. The trail west of Dappled Grey Way shall be clearly marked and labeled off Lot 35.
- e. Revise the plan for the hiker/biker and equestrian trails per the requirements of the Department of Parks and Recreation (DPR). DPR staff shall review and approve the construction drawings for the master planned hiker/biker and equestrian trails along the Cabin Branch and Back Branch Stream Valleys and of the connecting trails from the adjoining residential areas.

- f. Revise the TCP worksheet to correctly show the total acreage, floodplain acreage, and existing woodland acreage in the floodplain and on the net tract.
- g. Provide all residential lots with at least 40 feet of rear activity area from woodland conservation areas.
- h. Correctly show the LOD on all sheets of the DSP.
- i. Show the original tree line as delineated in the forest stand delineation date-stamped as received by the Environmental Planning Section on December 17, 2003.
- j. Remove the proposed tree line from the plans and show a limit of disturbance consistent with the revised TCPII.
- k. Revise the TCP legend to correctly identify all symbols used on the plans. Those symbols that are not used shall be eliminated from the plans.
- l. Correctly show all areas to be cleared, in particular the floodplain area on Sheets 2 and 4 of the TCPII and Sheet 30 of the DSP.
- m. Correctly show the environmental features on all sheets, in conformance with the approved TCPI.
- n. Identify two or more dwelling units that have the potential to be made accessible through barrier-free construction within this DSP or at different locations within the rest of townhouse section prior to issuance of the 360th townhouse permits.
- o. Label Section 4.7 bufferyards on the landscape plan.
- p. Identify the location of the proposed seating elements on both the detailed site plan and landscape plan.
- q. Provide additional screening information for Lots 8-13, Block Q, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
- r. Revise the site plan to include the dedicated parkland as shown in Staff Exhibit A of Preliminary Plan of Subdivision 4-04080.
- s. Revise the Type II tree conservation plan as follows:
 - (1) Eliminate all areas less than 35 feet wide as woodland conservation.
 - (2) Show afforestation for all areas within the PMA that are not currently forested.

- (3) Revise the plan to show the correct existing tree line and the proposed clearing in and out of the 100-year floodplain.
 - (4) Remove the symbol “TSF” and use “TPD” throughout the plans.
 - (5) Revise the key on Sheet 1 to reflect all the phases included in the plan and the area of rough grading;
 - (6) Revise the plan to provide a label for each treatment area including preservation areas, reforestation areas, afforestation areas, woodland not counted, clearing areas, clearing areas in the floodplain, and off-site clearing; provide a table showing the acreage of each with the floodplain and off-site clearing shown separately;
 - (7) Revise the TCPII so that all tree protection signs are located along the edge of all limits of disturbance.
 - (8) Have the revised plans signed and dated by the qualified professional who prepared the plans.
2. Applicant shall dedicate the parkland required by Preliminary Plan of Subdivision 4-04080, as shown in Staff Exhibit A, for the overall site, to the Department of Parks and Recreation in phases commensurate with each detailed site plan, and record the dedicated parkland among the Land Records of Prince George’s County prior to final plat for the portion(s) of the site covered by each respective detailed site plan.
3. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. The construction drawings for the hiker/biker and equestrian trails shall include typical sections and details. The construction drawings shall include details for any structures necessary to assure dry passage, such as a bridges, boardwalks, and retaining walls.
4. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by the Department of Parks and Recreation.
5. Prior to construction, the location of the trails shall be approved by the Department of Parks and Recreation (DPR) and staked in the field with DPR staff.
6. The mitigated and unmitigated 1.5 safety factor lines shall be shown on the Type II tree conservation plan and the detailed site plan. All residential lots shall be located beyond the limits of the final mitigated 1.5 safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division, and a minimum 50-foot building restriction setback from the final mitigated 1.5 slope safety factor line shall be provided, unless a lesser setback is approved by DER.

7. No two units located next to or right across the street from each other may have identical front elevations.
8. 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, landscape plan, and plans for recreational facilities.

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 Eley voting in favor of the motion, and with Hewlett temporarily absent at its regular meeting held on Thursday, February 23, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of March 2006.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:bjjs