

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 March 29, 2007 regarding Detailed Site Plan DSP-06010 for Marlboro Ridge, Phase II, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for 198 single-family detached dwelling units and 77 townhouse units within Phase II of Marlboro Ridge.
2. **Development Data Summary:**

| | Existing | Proposed |
|-------------------------------------|-----------------|---|
| Zone | R-R | R-R (recreation community development-Equestrian) |
| Use | Agriculture | Residential (Single-family detached and attached) |
| Gross tract area of this DSP (Acre) | 138.37 | 138.37 |
| Number of lots | - | 275 |
| Of which Single-family detached | - | 198 |
| Townhouse | - | 77 |

OTHER DEVELOPMENT DATA (TOWNHOUSE)

| | REQUIRED | PROPOSED |
|----------------------------------|-----------------|-----------------|
| Total Parking Spaces (2.04/Unit) | 158 | 159 |
| Of which are Handicapped Spaces | 6 | 0* |
| Number of Building Sticks | N/A | 13 |

Note: * A condition of approval has been proposed in the Recommendation section of this report to require the applicant to identify a minimum of six handicapped accessible parking spaces, of which one should be van accessible.

ARCHITECTURAL MODELS

Townhouse

| Model | Base Finished Area (Sq.Ft.) |
|--------------|------------------------------------|
| Bradbury | 1,994 (2 car-garage) |
| Emory | 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 subject DSP is a portion of a larger development known as Marlboro Ridge, which 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 areas covered in the subject DSP are in several discrete locations on the east side of the PEPCO the power line. Most of the DSP is located around the major entrance area off Ritchie Marlboro Road, to the west and south of the proposed equestrian center.
4. **Surroundings and Use:** The Clagett 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 covers areas in Phase Two, which is located east of the PEPCO power line. The subject site is bounded to the north and part of the west by the PEPCO power line; another part of the western edge by the development in Phase Three; to the south by the existing single-family detached houses in the R-R Zone and to the east and part of the north by the development in Phase One of the Clagett project.
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 property has an approved Conceptual Site Plan CSP-03005 including Type I Tree Conservation Plan TCPI/81/03, which was approved by the Planning Board (PGCPB# 04-161) on July 8, 2004. Subsequently, the Preliminary Plan of Subdivision 4-04080 was approved by the Planning Board (PGCPB# 04-255) on October 28, 2004. On June 16, 2005, the Planning Board approved (PGCPB# 05-136), the first Detailed Site Plan DSP-04088 (Phase I, Part A) for 64 dwelling units (32 single-family detached and 32 single-family attached). On January 26, 2006, the Planning Board approved (PGCPB# 06-21) an umbrella architecture Detailed Site Plan DSP-05040 including 28 single-family detached houses. On March 30, 2006, the Planning Board approved (PGCPB# 06-83) Detailed Site Plan DSP-05035 (Phase I, Part B and C) for an equestrian center and community center for the development. On February 26, 2006, the Planning Board approved (PGCPB# 06-48) the last Detailed Site Plan DSP-05075 (Phase I, Part D) for the Phase I development for 144 single-family detached and 44 single-family attached dwelling units. The site also has an approved Stormwater Management Concept Plan # 21383-2003-00, which will be valid through November 6, 2009.

6. **Design Features:** The subject DSP proposes 198 single-family detached dwelling units and 77 townhouse units known as Phase II. The areas covered in this DSP site are in the eastern portion of the Clagett project, near the Phase I residential and the equestrian components, accessed mainly through the main entrance area. The proposed 198 single-family detached and 77 attached dwelling units are arrayed along both sides of the internal roadways. The central green as identified in Conceptual Site Plan CSP-03005, the Clagett Property, located at the T-intersection of Marlboro Ridge Road and Bridge Ridge Road is included in this DSP. There are also play and picnic areas included in the central green. One of the five on-site small-scale neighborhood outdoor play areas and picnic areas as approved in CSP-03005 is located in the middle of the townhouse section.

According to the applicant, the detached models used in the DSP will be selected from the umbrella architecture approval (DSP-05040 for 28 single-family detached models); no additional single-family detached models have been provided with this detailed site plan. The site plan shows only the generic footprint of the largest model that will be used in this section. A condition has been proposed in the recommendation section that will require the applicant to provide specific details for each model at the time of building permit.

This application also contains five townhouse models, which are identical to those approved with the Detailed Site Plan DSP-04088 for Phase I, Part A. The 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 to remedy that omission.

The approved Detailed Site Plan DSP-05035 for Phase I Part B and C also serves as a special purpose DSP devoted to elements of streetscape and signage including street trees, entry monuments, signage, special paving at equestrian facilities and intersections, etc. for the entire development to ensure a high quality and harmonious built environment. DSP-05035 has been conceived based on the images for equestrian components and the project-wide signage package approved in Conceptual Site Plan CSP-03005. As such no specific signage information has been provided in this DSP.

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 sufficient recreational facilities will be provided. In accordance with the Parks and Recreation Facilities Guidelines, for a development of 1,058 single-family dwelling units in Planning Area 78, approximately \$1.2 million worth of recreational facilities are needed 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 central park and 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 CSP approval. This DSP includes the central green and one of the five on-site small-scale neighborhood outdoor play areas and picnic areas as approved in the

approved Conceptual Site Plan CSP-03005. The proposed on-site private recreational facilities with a total value of approximately \$766,015.00 include the following items:

Tot lot (at the intersection of Ranch Road and Buggy Path)

- One multi-function play structure
- Five picnic tables
- One arbor
- Approximately 332 linear feet of decorative fence
- Four benches

Central Green

- Two tot lots each with one multi-function play structure
- One double tennis court (120'x120')
- Approximately 5,410 linear feet of 10-foot-wide asphalt hiker biker trail
- Four segments of 10-foot-wide continental bridges for stream crossings along the master plan trails (51' to 75' long)

Two timing conditions have been proposed in the recommendation section to ensure that the proposed recreational facilities will be open to the residents in a timely fashion.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements in 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 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 which 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 be not more than eight, nor less than two attached dwellings in any one group.

The proposed 77 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 four to eight units per building stick. The proposed minimum width of internal dwelling is 24 feet, which is well above the required 20 feet for internal dwellings. The minimum base 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. 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 project; the condition of approval on barrier-free units allows the application either to identify two or more units within this application or, to 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:** Conceptual Site Plan CSP-03005 is the first approval for the entire Clagett development. 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: This condition will be carried forward in a modified form as condition of approval for this DSP.

- 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**

- 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.**

Comment: These two conditions had been fulfilled at time of the approval of Detailed Site Plans DSP-04088, DSP-05035 and DSP-05075.

- 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: The subject site plan includes one of the five small-scale neighborhood outdoor play areas and picnic areas along with the central green with similar components. The layout of the recreational facilities is acceptable. Two timing conditions have been proposed in the recommendation section that requires the applicant to ensure timely completion of the facilities to be enjoyed by the residents.

- 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: A special purpose DSP for signs and amenities has been approved for the Clagett development that will cover the design of signs and amenities for this section.

This DSP includes 77 townhouse units. In accordance with Part 11, a parking calculation should be provided for the proposed townhouse section. The parking for the physically handicapped should also be identified on the site plan. A minimum of six parking spaces is required for the townhouse section and, at minimum, one of the six parking spaces should be van accessible. A condition has been proposed in the recommendation section to require the applicant to provide the required spaces prior to certification of this DSP.

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.

Comment: The above four conditions had been fulfilled at time of the approval of Detailed Site Plans DSP-04088, DSP-05035 and DSP-05075.

e. The design of the central green.

Comment: The topography of the site limits the developable envelope of the central green. The site plan shows a pod with two tennis courts approximately 20 feet south of the proposed single-family lots and another pod of circular improvement close to the intersection of Cross Country Terrace Road and Dappled Grey Way. Two play areas and a picnic area have been shown on the plan. A segment of 10-foot-wide asphalt hiker/biker trail is also provided in the central green. Staff has several concerns about the layout. First, the proposed tennis courts are too close to the single-family houses. In addition to the noise related to the sport, errant balls will likely be hit into the yards of the adjacent single-family houses. Second, there is no connection between the tennis courts and the circular landscape area. Third, one of the segments of the proposed trail terminates in a cul-de-sac. The Urban Design Section recommends that the tennis courts be relocated along Dappled Grey Way, a greater distance from the single-family detached houses. The applicant should re-examine the relationship among the tennis courts, landscape area and the hiker/biker trails. A condition has been proposed to require the applicant to provide a design of the central green to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to certification.

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-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 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.**
- 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 required detailed construction drawings have been submitted to the Department of Parks and Recreation (DPR) at the time of DSP-04088 approval. A review by the DPR (Solomon to Zhang, March 6, 2007) on this DSP indicates that additional information regarding the entire Cabin Branch stream valley trails system is needed. The DPR recommends approval of this DSP with five trail-related conditions that have been incorporated into the recommendation section of this report.

- 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 was added by the District Council in response to citizens' requests during Council's review of the Conceptual Site Plan CSP-03005. Due to the addition of this condition, Condition 25 attached to the approval of Preliminary Plan of Subdivision 4-04080 is not valid. This section of the Clagett development includes areas directly adjacent to the existing Roblee Acres subdivision. No road connection to the existing Ashford Drive has been shown in the DSP.

10. **Preliminary Plan of Subdivision 4-04080:** Preliminary Plan of Subdivision 4-04080 was approved by the Planning Board on October 28, 2004, subject to 32 conditions, of which the following conditions 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: A Type II Tree Conservation Plan TCPII/83/05-03 has been submitted with this DSP application. Per the review by the Environmental Planning Section, TCPII/83/05-03, which is a modification of previously approved Type I Tree Conservation Plan TCPII/83/05, 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: An extensive network of internal and master plan trails will also be provided at Marlboro Ridge. These include master plan facilities such as hiker/biker/equestrian trails along Cabin Branch and Back Branch, an eight-foot-wide trail along Ritchie-Marlboro Road and internal HOA trails and sidewalks along both sides of all roads. A review by the Transportation Planning Section (Shaffer to Zhang, March 13, 2007) indicates that the subject DSP satisfies this condition and the Transportation Planning Section recommends approval of this DSP with three conditions that have been included in the recommendation section of this report.

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 (Stasz to Zhang, February 23, 2007), the Type II Tree Conservation Plan TCPII/83/05-03 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, 43 of which were approved at the time of Preliminary Plan of Subdivision. The Environmental Planning Section notices that a new impact has been proposed. Additional PMA impact areas without any development are also shown on the TCPII. The Environmental Planning Section concludes that the new PMA impacts are not necessary and should be removed from this DSP.

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 was fulfilled at the time of Detailed Site Plan DSP-04088 approval.

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: Since the subject DSP covers Phase II of the Clagett development that is located some distance from Ritchie-Marlboro Road, 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.

12. **Prior to approval of the first detailed site plan for the Clagett Property the September 20, 2004, geotechnical report, referenced by IC&E file number 40-04065-8, shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.**

Comment: The subject DSP is the fifth detailed site plan for the Clagett development. This condition was fulfilled at the time of Detailed Site Plan DSP-04088 approval.

- 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: The Clagett property is located in an area with extensive amounts of Marlboro clay, which is known to be an unstable, problematic geologic formation. The presence of this formation immediately raises concerns about slope stability and the potential for constructing buildings on unsafe land. Marlboro clay is found on this property at an approximate top elevation ranging between 113.1 feet above sea level and 142.1 feet above sea level based on the August 11, 2003 "Preliminary Geotechnical Exploration Report" prepared by Geo-Technology Associates, Inc. The map included with the original report, date stamped as received by the Environmental Planning Section on July 16, 2004, identified the unmitigated 1.5 safety factor line, the boring locations, the Marlboro clay outcrops and cross-section areas that were evaluated for potential slope failure. The addendum to that report, date stamped as received by the Environmental Planning Section on October 1, 2004, reflects a mitigated 1.5 safety factor line based on the conceptual site grading. The mitigated 1.5 safety factor line is also reflected on the Type I Tree Conservation Plan, TCPI/81/03-01. According to the review by the Environmental Planning Section (Shoulars to Zhang, February 23, 2007), the TCPII shows several residential lots in areas where Marlboro clays exist. The Environmental Planning Section recommends the above condition be carried forward as a condition of approval for this DSP.

- 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 includes the central green and one of the five on site small-scale neighborhood outdoor play areas and picnic areas. See the above Finding 9 for a detailed discussion.

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

Comment: A Type II Tree Conservation Plan TCPII/83/05-03 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 Clagett property.

30. **The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to DRD for approval prior to the submission of final plats for construction of recreational facilities on homeowners land. Upon approval by DRD, the RFA shall be recorded among the county Land Records.**

Comment: This DSP includes two private recreational facility sites that are subject to this condition. This condition will be carried forward in a modified form as condition of approval for 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: This DSP includes two private recreational areas identified in the first approval of the Clagett development CSP-03005. The Urban Design Section has concerns with the layout of the central green and recommends a new layout for the area be reviewed and approved prior to certification of this DSP.

11. **Umbrella Architecture Detailed Site Plan DSP-05040:** The Planning Board approved the Umbrella Architecture Detailed Site Plan DSP-05040 with two conditions on January 26, 2006. The District Council affirmed the Planning Board's approval with modification of the first condition of approval on June 12, 2006 as follows:

1. **All 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.**

Comment: The above two conditions are applicable to this DSP. Staff recommends that the two architecture-related conditions be carried forward as conditions of approval for this DSP in the form of site plan notes since no specific models have been identified at this time.

- 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 which are 20,000 square feet or larger but less than 40,000 square feet shall be planted with a minimum of three major shade trees and two ornamental or evergreen trees per lot. The DSP has 21 lots within this category and has provided 72 shade trees, 43 ornamental trees and 15 evergreen trees which are above and beyond the requirements.

Section 4.1 (c) requires that one-family detached lots which are 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 75 lots fitting into this category and has provided 150 shade trees, 76 ornamental trees and 13 evergreen trees. The subject DSP is in general compliance with the requirements of Section 4.1 (c).

Section 4.1 (d) requires that one-family detached lots which are 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 102 lots fitting into this category and has provided 102 shade trees, 73 ornamental trees and 29 evergreen trees. The subject DSP is in general compliance with the requirements of Section 4.1 (d).

Section 4.1 (f) requires that for a townhouse, a minimum of 1.5 major shade trees and one ornamental or evergreen tree per dwelling unit shall be provided to be located on individual lots and in common open space. The subject DSP has 77 townhouse units and has provided 167 shade trees, 61 ornamental trees and 26 evergreen trees. The subject DSP is in general compliance with the requirements of Section 4.1 (f).

- b. Section 4.7 requires a landscape bufferyard to be placed between two incompatible uses. In this DSP, Section 4.7 landscape bufferyards are required between the proposed single-family detached houses and the PEPCO power line; between the single-family attached (townhouses) and the PEPCO power line; and between the single-family detached and single-family attached houses. The Landscape Plan has shown eight landscape bufferyard schedules. However, it is difficult to relate the schedules to the bufferyards. The numbering system of the proposed schedules is also confusing. The bufferyard schedules should be revised to identify the sheet number of the landscape plan where the bufferyard is located

and clearly number Section 4.7 per the sequence it appears on the Landscape Plan.

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, was approved with Preliminary Plan 4-04080.
 - a. The Detailed Forest Stand Delineation (FSD) submitted with this application was previously reviewed in conjunction with the Conceptual Site Plan, CSP-03005, and was 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/83/05-03 submitted with this application has been reviewed and was found to be 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 February 13, 2007, 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 land use recommendations for residential land use in the South Westphalia community as contained in the 2007 Westphalia Sector Plan.

However, the Community Planning Division states that the site plan does not conform to the Design Principals for the low-density residential neighborhoods of the Westphalia Sector Plan by not placing driveways and garages to allow cars to be parked to the rear or side of the house and to not be visible from the street. The Design Principles also require the front door to dominate the front façade.

Comment: The Clagett development as a whole has obtained a conceptual site plan and preliminary plan of subdivision approvals for the entire site and an Umbrella Architecture approval for 28 single-family models that predate the 2007 Westphalia Sector Plan. There are also five townhouse models approved with Detailed Site Plan DSP-04088. The Design Principles cited by the Community Planning Division such as parking at the rear or side would necessitate a change of lotting pattern except for corner lots. The strict application of the guidelines on elevation design would also necessitate redesign of the five approved townhouse models. The Urban Design Section believes that the corner lots included in this DSP should be revised to allow a side entry to garage to the extent possible in accordance with the Design Principles. Additional architectural treatments such as dividing the garage

door visually into two smaller parts should be explored for the townhouse elevations to be consistent with the intent of the Design Guidelines in order to minimize the visual dominance of garages. A condition has been proposed in the recommendation section to require the applicant to revise the siting of houses on corner lots to accommodate side entry to the garages and provide elevation treatments for the townhouse models to be reviewed and approved by the Urban Design Section prior to certification.

- b. In a memorandum dated March 8, 2007, the Subdivision Section staff listed all conditions attached to the approval of Preliminary Plan of Subdivision 4-04080 that are applicable to the review of this DSP (see above Finding 10 for a detailed discussion). In addition, the Subdivision Section staff raised one concern regarding the location of the tot lot in the townhouse section that needs traffic calming measures, signage and clearly delineated crosswalks to ensure a safe environment for children

Comment: The proposed tot lot for the townhouse section is centrally located as an “island” in the middle of the private internal streets. This design provides a focal point to the townhouse section. However, additional safety measures such as those identified by the Subdivision Section should be put into place in order to ensure a safe environment for children. Two conditions have been proposed in the recommendation section to require the applicant to revise the site plan to identify traffic calming and signage locations on Buggy Path and Ranch Road that leads to the play area. Additional pedestrian crossings at the above three locations should also be provided on the site plan. The three mitigation measures should be put in place prior to issuance of the first building permit for townhouse.

- c. The Environmental Planning Section, in a memorandum dated February 23, 2007, 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 Type II Tree Conservation Plan TCPII/83/05-03 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 February 13, 2007, provided a detailed discussion on roadway improvements, which will be enforced at time of building permit, as required by the approval of Preliminary Plan of Subdivision 4-04080. The staff noted that Condition 24 (c) and 25 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 conditions of previous approvals.
In a separate memorandum from the Transportation Planning Section dated March 13, 2007, 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. An extensive network of internal and master plan trails is located within the

subject application. The staff recommends approval of this DSP subject to three conditions regarding sidewalks, ramps and curb cuts for sidewalks at all intersections and a composite trails map for the entire project. Since the site plan has shown sidewalks along both sides of all internal streets, only the conditions regarding ramp and curb cuts and a composite trails map have been incorporated into the recommendation section of this report.

- e. The subject application was also referred to the Department of Environmental Resources (DER). At the time the staff report was written, DER had not responded to the referral request.

Comment: The site has an approved stormwater management plan. However, at the time this staff report was written, the Department of Environmental Resources (DER) had not responded to the referral request. A condition has been proposed in the recommendation section to require the applicant to provide evidence that the DSP is consistent with the approved stormwater management plan prior to certificate approval of this DSP.

- f. The Historic Preservation and Public Facilities Planning Section, in a memorandum dated February 6, 2007, indicated that Phase I and Phase II investigations required by Preliminary Plan of Subdivision 4-04080 are complete. The Historic Preservation and Public Facilities Planning Section staff concurs that no further archeological work is necessary on the property.

The Historic Preservation and Public Facilities Planning Section, in another memorandum dated January 29, 2007 noted that this DSP has no effect on historic resources.

- g. The Department of Parks and Recreation (DPR), in a memorandum dated March 6, 2007, provided a discussion on the DSP's conformance with previously approved plans. The DPR recommends approval of this DSP with five conditions that have been incorporated into the Recommendation section of this report.
 - h. The Permit Section, in a memorandum dated February 13, 2005, provided 14 comments concerning the detailed site plan's compliance with the Zoning Ordinance. The comments have either been addressed in the review process or been incorporated into the conditions of approval.
 - i. The Department of Public Works and Transportation (DPW&T) has not responded to the referral request at the time that the 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/83/05-03) and further APPROVED Detailed Site Plan DSP-06010, Marlboro Ridge, Phase II for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall
 - a. Add site plan notes as follows:

“At least 60 percent of the townhouse units shall have brick front facades.”

“All single-family detached models shall have a full front façade (excluding gables, bay windows, trim, and door) of brick or equivalent masonry treatment.”

“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:

 - “(1) Full brick, stone, stucco, or other masonry treatment combined with at least three windows, doors, or other substantial architectural features; or
 - “(2) Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows, or one side-entry door.”
 - b. Provide parking calculations for the townhouse portion on the site plan
 - c. Either identify two or more dwelling units which have the potential to be made accessible through barrier-free construction within this DSP or at different locations within the rest of the townhouse sections prior to approval of a detailed site plan including the 200th townhouse unit.
 - d. Provide a minimum of six handicapped accessible parking spaces, of which one shall be van accessible, on the site plan in the townhouse section.
 - e. Revise the Section 4.7 schedule to identify the sheet number of the landscape plan where the bufferyard is located and clearly number Section 4.7 bufferyard per the sequence it appears on the Landscape Plan.
 - f. Revise the DSP to reflect the same limit of disturbance as shown on the Type II Tree Conservation Plan.
 - g. Identify traffic calming and signage locations on Buggy Path and Ranch Road that lead to the play area. Additional pedestrian crossings at three locations shall also be provided on the site plan.
 - h. Provide evidence that the DSP is consistent with the approved stormwater management plan

prior to certificate approval of this DSP.

- i. Submit detailed construction drawings for the entire Cabin Branch stream valley trail system to be reviewed and approved by the Department of Parks and Recreation (DPR).
- j. Provide detailed construction drawings (including proposed grading, landscaping, details for any structures, limits of disturbance) for the master planned hiker/biker and equestrian trails along the Cabin Branch Stream Valley to be reviewed and approved by DPR. All connecting trails from the adjoining residential areas will be shown on the construction drawings and the exact locations will be made subject to final engineering by the applicant at a later date.
- k. Revise the DSP to incorporate the changes made to the construction drawings. These changes shall be reviewed and approved by DPR prior to certification of this DSP.
- l. Prior to the certificate approval of this detailed site plan, the applicant shall revise Type II Tree Conservation Plan as follows:
 - (1) Eliminate the proposed ponds located west of the PEPCO right-of-way that are not associated with this phase of development.
 - (2) Show the associated stormwater outfall for the proposed pond on Sheets 43, 44, and 46.
 - (3) Revise the worksheet and phasing plan so that each area is consistent with each other, in particular, the rough graded area as identified on the TCPII worksheet.
 - (4) Show a continuous limit of disturbance for the entire area of the application. The limit of disturbances shall be consistent with the proposed areas to be disturbed.
 - (5) Revise the worksheet as necessary.
 - (6) Have the revised plans signed and dated by the qualified professional who prepared the plans.
 - (7) Revise the limit of disturbance to reflect the proposed grading or development.
- m. Provide ramps and curb cuts for sidewalks at all intersections, unless modified by Department of Public Works and Transportation.
- n. Provide a composite trails map showing the entire trail and sidewalk network for the Marlboro Ridge development, per condition 15 (a) of Preliminary Plan of Subdivision 4-04080. This map shall reflect connections to the regional trail network, multiuse master

plan trails, equestrian trails, bikeways, and sidewalks. Trail widths and surface types shall be indicated on that plan. This composite trails map shall be reviewed and approved by the Trails Coordinator, Department of Parks and Recreation, and the Urban Design Section.

- o. Provide the development standards as approved in CSP-03005 on the site plan.
2. At time of building permit, exact building footprints, dimensions, and lot coverage shall be shown on the site plan and height information for each house also shall be provided on the building elevations.
3. The mitigated 1.5 safety factor line 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.
4. Prior to issuance of the 77th townhouse building permit included in this DSP, the applicant shall install traffic calming measures and signage at the three locations on Buggy Path and Ranch Road. The pedestrian crossings at the above three locations shall be printed at the time the final topping of the street is installed.
5. Prior to issuance of the 77th townhouse building permit included in this DSP, the construction of the play areas and picnic areas in the townhouse section shall be complete and be open to the residents.

Prior to issuance of the 120th single-family detached building permit included in this DSP, the central green shall be complete and be open to the residents.

All play equipment shall comply with the requirements of the Consumer Product Safety Commission (CPSC) and the American Society for Testing and Materials (ASTM). All play area shall comply with the requirements of the Americans with Disabilities Act and with the *Parks and Recreation Facilities Guidelines*.

6. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to Development Review Division for approval prior to the submission of final plats for construction of recreational facilities on the central green and the tot lot in the townhouse section. Upon approval by DRD, the RFA shall be recorded among the Land Records of Prince George's County.
7. The trails 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, and details for any structures necessary to assure dry passage such as a bridge, boardwalk or retaining wall.

8. 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 DPR.
9. The location of the trail shall be staked in the field and approved by DPR prior to construction.
10. No two units located next to or directly across the street from each other may have identical front elevations.
11. 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.
12. Prior to issuance of the first building permit, the applicant shall provide a new detailed plan for the central green to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Clark, seconded by Commissioner Vaughns, with Commissioners Clark, Vaughns and Eley voting in favor of the motion, and with Commissioners Squire and Parker absent at its regular meeting held on Thursday, March 29, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of April 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:HZ:bjs