

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 6, 2003, regarding Detailed Site Plan DSP-98007/02 for Daisey Fields, the Planning Board finds:

1. The subject revision to Detailed Site Plan DSP-98007/02 was submitted in order to replace a six-foot-high sound wall with an earth berm of equal or greater height. A six-foot-high sound wall was approved for this development. During construction, the applicant decided to replace the approved sound wall with an earth berm because there was additional dirt available. The earth berm has already been constructed. The approved sound wall has not been built.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Single-family residential	Single-family residential
Acreage	33.49 acres	33.49 acres
Lots	67	67
Parcels	7	7
Square Footage/GFA	NA	NA

3. The subject site in the R-R (Rural Residential) Zone consists of approximately 33.49 acres and is located south of Daisy Lane between Glendale Boulevard (MD 193) and Hillmeade Road. The subdivision is bounded to the north and east by single-family residential lots, zoned R-R; to the west by single-family residential lots, a landscape contactor property, and a proposed private school, all zoned R-R; and to the south by single-family residential lots and an existing Prince George's County fire station, zoned R-R. Daisy Lane bisects the property, with the majority of the required open space to the north and residential uses to the south.
4. Detailed Site Plan SP-98007 was approved by the Planning Board for 67 single-family detached lots and homeowners' open space on April 23, 1998 (PGCPB No. 98-109). A revision to the detailed site plan was approved for seven architectural models by staff as the Planning Board's designee on April 26, 2000. The subject revision to the detailed site plan was initially designated for Planning Director review in accordance with the provisions of CB-42-2002 which:

- Authorizes the Planning Director to approve minor revisions administratively without public hearing,
- Provides for notice, and

- Allows interested persons to request Planning Board public hearings.

The property was posted in accordance with the requirements of CB-42-2002 with signs stating that a written request for a public hearing must be submitted by December 17, 2002. On December 17, 2002, the owners of Lots 30 and 31, Daisey Fields (11801 Lilium Lane and 11800 Lilium Lane) submitted written requests for a public hearing. The reason for the requests was that the issue of fence placement and/or landscape redesign was not addressed by the homeowners association.

5. The applicant is replacing the approved six-foot-high wooden sound wall along the rear (western) property lines of Lots 29 and 30 with an 18-foot-high berm on portions of the rear yards of Lots 29 and 30. The berm slopes up gradually from the rear of the house (from an elevation of 192 to 210) to approximately 15 feet from the rear property line. From this point, the berm has a steep slope downwards to the rear property line (from an elevation of 210 to a level 202). A 30-foot-wide landscape easement runs along the rear property lines of these lots. The applicant is proposing landscaping in these easements that includes required landscaping according to the requirements of the *Landscape Manual* and additional landscaping requested by the homeowners.

The applicant sent letters to the owners of Lots 29, 30 and 31 and the homeowners association on January 29, 2003, requesting a review of the proposed landscaping on their lots. The letter explained that the proposed landscaping is in lieu of providing a six-foot-high fence along the rear of the lots. The applicant has sent a letter to staff dated February 3, 2003, stating that the proposed landscape plan for the three lots was developed with homeowners' input on two separate dates in December and January at their lots. A copy of the proposed landscape plan for the three lots has been submitted.

Staff met with the owner of Lot 31 on February 6, 2003. The owner had no concerns regarding the proposed landscaping but had some concerns regarding maintaining the landscaping on the steep slopes at the northwest corner of the property. He requested that the developer look into minimizing the steep slopes at the rear of the property for easier maintenance of the landscaping. The developer has submitted a letter dated February 24, 2003, stating that additional landscaping has been proposed along these slopes to minimize the maintenance and mowing of the steep slopes.

The applicant has not submitted landscape schedules that show compliance of the proposed landscaping with the requirements of the *Landscape Manual*. A condition of approval has been added requiring the above information.

6. The proposal is subject to the requirements of Section 4.1 (Residential Requirements) and Section 4.6 (Buffering Residential Development from Streets) of the *Landscape Manual*. The proposal complies with these requirements.
7. The Permits Review Section (Moore to Srinivas, December 2, 2002) has stated that there are no zoning issues to be addressed by the replacement of the sound wall with a berm of equal or greater height.

8. The Subdivision Section (Del Balzo to Srinivas, December 11, 2002) has stated that Condition #6 of PGCPB No. 95-125 for Preliminary Plan 4-95014 requires that a noise report be submitted prior to the detailed site plan approval. The use of a berm in lieu of a fence or wall raises no subdivision issues.
9. The Department of Environmental Resources (De Guzman to Srinivas, December 2, 2002) has stated that the center of the swale on Lot 31 must be moved 30 feet away from the rear of the house. A condition of approval has been added to require the same.
10. The Environmental Planning Section (Ingrum to Srinivas, January 24, 2003) has stated that the plan is in conformance with the Type II Tree Conservation Plan TCPII/13/98. The section has also stated that the proposed berm will fulfil the noise mitigation function as well as the wall would have.
11. The Community Planning Division (Fields to Srinivas, December 19, 2002) has stated that there are no Glenn Dale-Seabrook-Lanham and vicinity master plan issues raised by this subdivision.
12. A referral was sent to the City of Bowie. No comments have been received as of this date.
13. With the proposed conditions, Detailed Site Plan DSP-98007/02 is found to represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-98007/02, subject to the following conditions:

1. Prior to certification of the detailed site plan, the site/landscape plans shall be revised to show the following:
 - a. The overall landscape plan with the proposed landscaping and the revised grading of the proposed berm consistent with the site plan.
 - b. The current location of the swale on Lot 31 according to the requirements of the Department of Environmental Resources.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the

motion of Commissioner Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 6, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of March 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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