

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 July 3, 2003 regarding Detailed Site Plan DSP-98010/01 for Windbrook, Oliveira’s Second Addition, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for six single-family detached houses in the R-R Zone.

2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	RR	RR
Use(s)	Vacant/wooded	Residential
Acreage	2.37	2.37
Number of lots	6	6
Minimum lot area (square feet)	N/A	15,000

OTHER DEVELOPMENT DATA

	<b>REQUIRED</b>	<b>PROPOSED</b>
Minimum Lot size (Square Feet) (Reduced to 15,000 square feet by Lot Size Averaging)	20,000	15,000

**Architectural Model**

<b>Model</b>	<b>Base Finished Area (Square Feet)</b>
Grant	2,400
Madison	2,128
Norwood	2,628
Webster	2,448
Washington	2,282

3. **Location:** The site is in Planning Area 81B, Council District 9. More specifically, it is located on the east side of Windbrook Drive, north of Floral Park Road.
4. **Surroundings and Use:** To the south of the subject site is Historic Site #81B-7, the Harold C. Townshend House, and to the north of the site are undeveloped lots for Windbrook. The subject site is bounded by the right-of-way of Windbrook Drive to the west and by a parcel containing approximately 3.24 acres of land to be conveyed to M-NCPPC to the east.

5. **Previous Approvals:** The subject site has a Preliminary Plan of Subdivision, 4-96085, (including TCPI/12/96) known as Windbrook, Oliveira's Second Addition, consisting of a 9.49-acre parcel of land for 13 lots and 1 parcel, which was approved by the Planning Board (PGCPB No. 89-38) on January 16, 1997, subject to 11 conditions. The subdivision was recorded in VJ 187 @ 99. On October 6, 1998, Detailed Site Plan SP-98010 for Lots 8-13 was approved by the Planning Board (PGCPB No. 98-266) pursuant to Condition 5 of Preliminary Plan of Subdivision 4-96085, which requires a detailed site plan approval for Lots 8-13 prior to final plat, subject to four conditions. No activity on the site has been undertaken by the applicant since the approval of Detailed Site Plan SP-98010. This application is for reapproval of the above-noted Detailed Site Plan because the validity period for the prior approval has expired. The site also has an approved Stormwater Management Concept approval #968006180.
6. **Design Features:** The application proposes construction of six single-family detached houses on the southern portion of the site that was contained in Preliminary Plan of Subdivision 4-96085. The six lots are fronting on Windbrook Court, which is a cul-de-sac connected to Windbrook Drive, which has a right-of-way of 80 feet. The Historic Site, Harold C. Townshend House, is adjacent to Lots 8-13 to the south. No sidewalk is provided.

Five two-story architectural models are proposed for the development. The models are mainly of traditional architectural style with varied roof patterns and decorative elements. Each model has a two-car garage as a standard feature and is finished with either standard siding or brick veneer, or various combinations thereof. The total base finished area of the models, as indicated in Finding 2, architectural model data table, varies from 2,128 to 2,628 square feet.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R Zone and the site plan design guidelines of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27- 441(b), which governs permitted uses in residential zones. The proposed single-family detached dwellings are a permitted use in the R-R Zone.
  - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding net lot area, lot coverage and green area, lot/width frontage, yards, building height, and density.
8. **Preliminary Plan of Subdivision 4-96085 and Final Plat VJ187 @ 99:** Preliminary Plan of Subdivision 4-96085 was approved subject to 11 conditions. The conditions that are relevant to the subject detailed site plan review are discussed as follows:

**“3. A type II Tree Conservation Plan shall be approved for this site in conjunction with the Detailed Site Plan.”**

**Comment:** TCPII/105/98 was submitted and approved by the Planning Board with Detailed Site Plan SP-98010. TCPII/105/98-01 was submitted with the subject detailed site plan application, DSP-98010/01. The Environmental Planning Section reviewed TCPII/105/98-01 and recommends approval of TCPII/105/98-01 with two conditions that have been incorporated into the recommendation section of this report.

- “5. A Detailed Site Plan for Lots 8-13 shall be submitted by the applicant prior to Final Plat approval. The Historic Preservation Commission shall have the opportunity to review this site plan for Lots 8-13. This review shall address: dwelling unit sitings, massing, elevations and roof lines of proposed dwelling units within the view line of the historic site.”**

**Comment:** At the time of Detailed Site Plan DSP-98010, the Historic Preservation staff made a careful review of the site plan. In a memorandum dated July 23, 1998 (Pearl to Whitmore), the Historic Preservation and Public Facilities Planning Section concluded that:

*“The section drawing shows appropriate sightlines between the Historic Site and the new subdivision houses. Setback and buffering of developing lots satisfactorily preserve the views from the Historic Site. Elevation drawings adequately indicate the lines of the proposed houses.”*

During the review of the subject detailed site plan, the Historic Preservation staff has reexamined the site plan. The staff found that the cross-sections showing the relationship between the proposed development and Historic Site # 81B-7 are identical to what were approved for DSP-98010. The staff recommends the same findings as those made during the review of DSP-98010.

9. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.1, Residential Requirements, Section 4.6, Buffering Residential Development from Streets, and Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.
- a. The application proposes a total of six lots; one lot is between 20,000 and 39,999 square feet and five lots are larger than 9,500 square feet but smaller than 19,999 square feet. According to the requirements of Section 4.1(b) and (c), a total of 13 shade trees and 7 ornamental or evergreen trees are required for the application. The application proposes 13 shade trees and 7 ornamental trees and is, therefore, in compliance with the *Landscape Manual*.
  - b. The layout of Lot 13 results in its rear yard facing Windbrook Drive, which is a residential collector with a right-of-way width of 80 feet. Section 4.6 requires a minimum 35-foot-wide bufferyard to be planted with 4 shade trees, 15 evergreen trees, and 30 shrubs per 100 linear feet of right-of-way. The linear feet of street frontage toward which the rear yard is oriented is approximately 120 feet. The landscape plan provides 5 shade trees, 18 evergreen trees, and 36 shrubs and is in compliance with the *Landscape Manual*.

- c. A Historic Site, the Harold C. Townshend house, is located to the south of Lots 8-13. Per Section 4.7, a Type D buffer, which is a minimum 40-foot-wide landscape bufferyard to be planted with 160 plant units per 100 linear feet of property line. The landscape plan provides a combination of the existing woodland, a landscaped strip, and a six-foot-high fence to screen the proposed development from the Historic Site. The landscape plan is in conformance with the *Landscape Manual*.
10. **Woodland Conservation Ordinance:** The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland.
- a. The site has a Forest Stand Delineation, which was reviewed and approved with 4-96085. According to the Environmental Planning Section, no further action regarding the Forest Stand Delineation is needed as it relates to this Detailed Site Plan review.
  - b. A Type II Tree Conservation Plan, TCPII/105/98-01, has been submitted with this application. A review by the Environmental Planning Section indicates that the submittals are in general conformance with the approved TCPI/12/96. But the TCPII/105/98-01 proposes different house types and grading to those shown on the subject detailed site plan. A condition of approval has been proposed by the Environmental Planning Section.
11. **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 June 2, 2003, the Community Planning Division found that there are no additional land use issues associated with this application.
  - b. The Transportation Planning Section, in a memorandum dated May 20, 2003, stated that the site plan is acceptable.  
  
In a separate memorandum from the Transportation Planning Section dated June 25, 2003, on detailed site plan review for master plan trail compliance, the trails planner recommends a sidewalk be provided along the subject site's frontage of Windbrook Court.
  - c. The subject application was also referred to the Department of Environmental Resources/Concept. In a memorandum dated May 20, 2003, the staff noted that the site plan is consistent with the approved Stormwater Management Concept # 968006180.
  - d. In a memorandum dated June 3, 2003, the Subdivision Section staff found no subdivision issues with this application.
  - e. The Environmental Planning Section, in a memorandum dated June 6, 2003, recommended approval of the subject detailed site plan and Type II Tree Conservation Plan subject to two conditions. These two conditions have been incorporated into the recommendation section of

this report.

- f. The Permit Review Section asked one question concerning compliance with the requirements of the *Landscape Manual* in a memorandum dated May 14, 2003. The plan has been provided to the Urban Design Section. The staff review indicates that the landscape plan complies with the *Landscape Manual* as discussed in the above Finding 9.
  - g. The Historic Preservation Section, in a memorandum dated May 6, 2003, indicated that the submittals are identical to the plans that had been reviewed by the section in 1998. No further review is needed.
  - h. The Department of Public Works and Transportation of Prince George's County had not responded to the referral request at the time the staff report was written.
12. 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/105/98-01) and further APPROVED Detailed Site Plan DSP-98010/01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this Detailed Site Plan, the applicant shall make the following revisions:
  - a. The Type II Tree Conservation Plan shall be revised to show the same grading and house types as on the revised Detailed Site Plan.
  - b. The Landscape Plan and the Site Plan shall be revised to show only the proposed house types.
  - c. A standard sidewalk shall be provided on one side of Windbrook Court per the concurrence of DPW&T
  - d. Only the Webster Model may be built on Lot 13. All six houses shall have 100 percent brick on front elevations, wherever permitted by the structure
2. Prior to the issuance of any grading permits for the construction of Windbrook Court or any permits for Lots 1-7, the applicant shall have an approved TCPII for that portion of the site.
3. No two units located next to or across the street from each other may have identical front elevations.

4. The endwalls of all units shall have a minimum of two architectural features, such as windows, doors, side entry garage and/or brick veneer fireplace chimneys.
5. 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, the 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 Vaughns, seconded by Commissioner Scott, with Commissioners Vaughns, Scott and Eley voting in favor of the motion, and with Commissioner Lowe opposing the motion and with Chairman Hewlett absent at its regular meeting held on Thursday, July 3, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24<sup>th</sup> day of July 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:HZ:rmk