

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 January 8, 2004, regarding Detailed Site Plan DSP-98029/01 for Roswil Property, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan for 78 single-family detached houses in the R-80 Zone.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-80	R-80
Use(s)	Vacant/wooded	Residential
Acreage	37.31	37.31
Net tract area	34.64	34.64
Number of lots	N/A	78 (158 permitted)
Minimum lot area (square feet)	N/A	6,000 (6,000 permitted)

Other Data—Development Standards

	STANDARD IN R-80 ZONE	AS APPROVED IN 4-95063
Minimum Lot Size	9,500 sq. ft.	6,000 sq. ft.
Maximum Lot Coverage	30%	30%
Minimum Lot Width at Front Building Restriction Line	65 feet	55 feet
Minimum Lot Width at Front Street Line	45 feet	30 feet
Minimum Front Yard	25 feet	15 feet
Total of Both Side Yards/ Minimum of Either Yard	17 feet/8 feet	10 feet/5 feet
Depth of Rear Yard without Deck/ with a Deck	20 feet	15 feet/10 feet

Architectural Model Data

Model	Base Finished Area (Sq. Ft.)
Ash	1,646
Birch	1,504
Logan II	2,379
Hampton	2,397
Madison II	1,977

3. **Location:** The site is in Planning Area 69, Council District 3. More specifically, the property is located along the southeast side of Veterans Parkway (MD 410), at the end of Beacon Light Road extended approximately 800 feet east of its intersection with Furman Parkway.
4. **Surroundings and Use:** The subject property is bounded by a single-family residential development zoned R-80 and Patterson Street to the west and southwest, Beacon Light Street to the south, and Veterans Parkway to the north and northeast. Beacon Heights Elementary School is located to the southeast of the property and Glenridge Community Park (M-NCPPC) is to the south of the property.
5. **Previous Approvals:** The subject site has a Preliminary Plan of Subdivision 4-95063 (including a Type I Tree Conservation Plan TCPI/46/95), known as Roswil Property, which consists of a 37.30-acre parcel of land for 82 dwelling units (74 single-family units plus 8 townhouse units as moderately priced dwelling units (MPDUs)), one outlot and seven parcels and was approved by the Planning Board (PGCPB No. 95-287(C)) pursuant to the requirements for MPDUs on September 28, 1995, subject to 18 conditions. On October 8, 1998, the Planning Board (Resolution PGCPB No. 98-263) approved an infrastructure detailed site plan, DSP-98029, for this site. After the detailed site plan approval, the subject property was recorded as final plats VJ 185@94-98 with the eight MPDUs. The site also has an approved Type II Tree Conservation Plan TCPII/78/98 and a Stormwater Management Concept Approval #2218-2003-00.
6. **Design Features:** The subject application follows the general layout as approved in the infrastructure Detailed Site Plan DSP-98029, except by converting the previously approved eight townhouse units (MPDUs) into four single-family lots. The development is connected to the existing Beacon Light Road with a curvilinear internal street pattern ending at three cul-de-sacs. The proposed 78 lots are located along both sides of the internal streets. One stormwater management pond is located in the middle of the site. The site frontage along Veteran's Parkway will be preserved in its existing wooded state.

The then-valid Section 24-418.4 of the Zoning Ordinance required that any Preliminary Plan of Subdivision that proposed more than 50 dwelling units in the R-80 Zone shall provide a minimum of 10 percent of the units as MPDUs. The subject site's Preliminary Plan was approved with a total of 82 units, of which 8 units were MPDUs pursuant to the above section. On November 12, 1996,

Prince George's Council Bill CB-49-1996 was adopted that eliminated the provision for MPDUs in the county. Per CB-49-1996, if a project received development benefits due to the MPDUs at the time of approval, the applicant can choose to pay a one-time fee-in-lieu to offset the bonuses granted at the time of Preliminary Plan. Or alternatively, the applicant may chose to reapply for a new Preliminary Plan approval according to all applicable standards of the Zoning Ordinance for the R-80 Zone. In this application, the applicant has chosen to pay a fee in order to follow the approved development standards (see Finding 2 for development standards). The fee is \$90,000 based on the evaluation of the Subdivision Section.

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 vinyl siding or brick veneer. Total base finished area of the models, as indicated in the architectural model data table, varies from 1,504 to 2,397 square feet. In order to help ensure the quality of the development, Urban Design staff recommends a note be provided on the site plan indicating that a minimum of 60 units shall have substantial brick or equivalent masonry on the front facade.

A gateway sign has been proposed with this application. The sign detail sheet does not provide enough information for review. A condition of approval has been proposed to ask for more information prior to certification.

No lighting information has been proposed with this application. A condition of approval has been proposed to ask for this information prior to certification.

7. **Recreational Facilities:** At the time of Preliminary Plan 4-95063 approval, a decision was made in accordance with Section 24-135(b), Recreational Facilities, to require the applicant to provide a connection from the subject site to Glenridge Community Park and off-site recreational facilities in the park, which is located to the south of the subject site. As the result of this decision, there are no recreational facilities provided on site. The facilities provided in the Glenridge Community Park include an eight-foot-wide asphalt trail to connect the east and west sections, a sand volleyball court, and three pairs of horseshoe pits, as well as accompanying sitting areas and landscaping. As a condition of approval, a site plan for the above-mentioned recreational facilities, which complies with the standards of the *Parks and Recreation Facilities Guidelines*, shall be approved by the Department of Parks and Recreation prior to the subject detailed site plan approval.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-80 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-80 Zone.

The proposal is also in general conformance with the modified development standards as approved at the time of Preliminary Plan of Subdivision 4-95063 (see above Finding 2 for details).

9. **Preliminary Plan of Subdivision 4-95063 and Final Plats VJ 185@94-98:** The Preliminary Plan of Subdivision, 4-95063, was approved by the Planning Board on September 28, 1995, subject to 18 conditions. The subject property was recorded as final plats VJ 185@94-98 with eight MPDUs on March 22, 1999. Nine conditions of approval related to the review of the subject detailed site plan warrant the following discussion. All other permit-related conditions will be enforced at the time of permit issuance.

4. **A Type II Tree Conservation Plan shall be approved for this site by [sic] in conjunction with the Detailed Site Plan.**

Comment: The subject application does not propose any revision to the approved Type II Tree Conservation Plan TCPII/78/98. Per the review of the Environmental Planning Section, the environmental planner recommends approval of this detailed site plan subject to no TCP conditions. The approved Type II Tree Conservation Plan TCPII/78/98 will remain valid.

8. **At the time of Detailed Site Plan, the applicant, his heirs, successors, and or assignees shall undertake:**

Parcel F shall be established as a public street, per DPW&T standards.

Comment: Parcel F on Preliminary Plan 4-95063 was improved as a public street, Willy Lane, per DPW&T standards. The subject DSP is in conformance with this condition.

10. **Prior to the approval of Detailed Site Plan, the applicant his heirs, successors and/or assignees shall submit a soils report to the Natural Resources Division for review and approval for the following lots: Lots 2, 3, 4, and 6 Block B; Lot 62, Block A, and the townhouse parking lot area including Lots 55-59. If the soils reports shows undesirable conditions for standard house construction, then the applicant shall submit to Natural Resources Division for review and approval a geo-technical report prior to the issuance of grading permits for these lots and areas only.**

Comment: At the time of Detailed Site Plan DSP-98029 approval, the applicant had submitted a soil report pursuant to the above condition. The reviewer recommended approval of the plan subject to one condition that requires a geo-technical report to address the proposed layout. The areas identified in the above condition raised special concern during this DSP review because four single-family detached lots have been proposed on the former townhouse site. The Urban Design staff recommends carrying the condition attached to DSP-98029 as a condition of approval for this case prior to certification of this DSP.

11. **The applicant, his heirs, successors and/or assignees, shall provide adequate recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.**
12. **The recreational facilities shall include an eight-foot-wide asphalt trail to connect the east (lower) and west (upper) sections of Glenridge Community Park. A sand volleyball court and three pairs of horseshoe pits shall also be provided in Glenridge Park. Sitting areas, landscaping and asphalt trail connections shall be provided to integrate the new facilities into the existing park. The design and installation of these facilities shall be in conformance with the requirements of the Americans with Disabilities Act and must meet current Consumer Product Safety Commission (CPSC) guidelines and American Society of Testing and Materials (ASTM 1487) standards. A Professional Engineer shall certify the above on all submitted plans.**
13. **A site plan for the public recreational facilities, which complies with the standards outlined in the *Parks and Recreation Facilities Guidelines*, shall be approved by DPR prior to Detailed Site Plan approval.**

Comment: The Department of Parks and Recreation (DPR) has approved a conceptual off-site Recreational Facilities Plan for this project.

14. **The applicant shall work with the Department of Parks and Recreation (DPR) to develop plans for these public recreational facilities. Detailed construction drawings shall be prepared by the applicant and submitted to DPR at least two weeks prior to application for building permits.**
15. **Three original executed RFAs addressing the construction of the public recreational facilities shall be submitted to DPR for their approval three weeks prior to submission of a final plat. Upon approval of the RFA by DPR, the RFA shall be recorded among the land records of Prince George's County. The RFA will note that the recreational facilities shall be constructed prior to the completion of 50 percent of the units within the development.**
16. **Submission to DPR of a performance bond, letter of credit or other suitable financial guarantee for the public recreational facilities in an amount to be determined by DPR prior to issuance of building permits, except for model homes.**

Comment: Per the review of DPR on December 9, 2003, Condition 14 has not been fulfilled yet. The applicant has met Condition 15 by recording Recreational Facility Agreement in L.12611 F. 036. No performance bond has been received up to the time the staff report was written. The DPR staff, however, recommends approval of this detailed site plan subject to one condition as written in the recommendation section of this report.

10. ***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. **Section 4.1.** The applicant proposes a total of 78 lots with sizes smaller than 9,500 square feet in the R-80 Zone. According to the requirements of Section 4.1(d), one major shade tree and one ornamental or evergreen tree are required for each lot. A total of 78 shade trees and 78 ornamental or evergreen trees are required. The application proposes 80 shade trees, 80 ornamental trees, and 37 evergreen trees toward fulfillment of this requirement. The application is, therefore, in compliance with Section 4.1 of the *Landscape Manual*. But the applicant indicates only 74 lots on the landscape plan. A condition of approval has been proposed in the recommendation section to correct this error.
 - b. **Section 4.6.** The rear yard of many houses in Block A front the right-of-way of Veteran's Parkway, which is a freeway by road classification. Section 4.6 requires a minimum 75-foot-wide buffer area with 8 shade trees, 20 evergreen trees, and 48 shrubs per 100 linear feet of right-of-way. The Landscape Plan preserves the existing wooded area with at least a 1,950-foot width to fulfill this requirement.
 - c. **Section 4.7.** The proposed development has a small portion of its southeast boundary abutting the property of the existing Beacon Heights Elementary School, which is defined as a medium impact use. Per Section 4.7, a Type "C" bufferyard is required between the two properties. A 30-foot-wide and 183-linear-foot bufferyard has been provided with a total of 220 plant units. The Landscape Plan meets the requirement.
11. **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 Type II Tree Conservation Plan, TCPII/78/98, had been approved with Detailed Site Plan DSP-98029. A review by the Environmental Planning Section indicates that the subject revision is within the approved limit of disturbance without any revision to TCPII/78/98. The Environmental Planning Section recommends approval of the subject DSP without any TCP conditions.
12. **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 November 24, 2003, the Community Planning Division found that this application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier. This detailed site plan is not in total conformance with the 1994 *Approved Bladensburg, New Carrollton and Vicinity Master Plan*. But the community planner made no further recommendation

- b. The Transportation Planning Section, in a memorandum dated November 19, 2003, indicated that the site plan is acceptable.

In a separate memorandum from the Transportation Planning Section dated October 7, 2003, on detailed site plan review for master plan trail compliance, the trails planner recommended one condition of approval that requires the applicant contribute to the cost for putting up a bikeway sign on Beacon Light Road, because the adopted and approved Bladensburg-New Carrollton and vicinity master plan recommends that Beacon Light Road be designated as a Class III bikeway with appropriate signage between Patterson Street and Furman Parkway.

- c. The subject application was also referred to the Department of Environmental Resources/Concept. In a memorandum dated November 10, 2003, the staff noted that the site plan is consistent with the approved Stormwater Management Concept, #22812-2003.
- d. In a memorandum dated November 19, 2003, the Subdivision Section staff provided a brief history of approval for this case and indicated that a fee of \$90,000 is required for the conversion of the eight units of MPDUs to four single-family detached lots. The staff also indicated that the Environmental Planning Section should review the DSP for the additional impacts of the proposal. See "e" below for the Environmental Planning Section's referral summary.
- e. The Environmental Planning Section, in a memorandum dated November 17, 2003, indicated that the application does not propose any revisions to the approved Type II Tree Conservation Plan TCPH/78/98. The Environmental Planning Section recommends approval of the DSP without any conditions.
- f. The Permit Review Section provided several questions concerning compliance with the requirements of both the Zoning Ordinance and the *Landscape Manual* and requested additional information in a memorandum dated November 10, 2003. The questions have either been answered during the review process or will be addressed through the recommended conditions.
- g. The State Highway Administration (SHA), in a memorandum dated November 19, 2003, indicated that the plan shows adequate site access and frontage improvements along Beacon Light Road. The SHA has no objection to Detailed Site Plan DSP-98029/01 approval.
- h. The Department of Parks and Recreation, in a memorandum dated December 9, 2003, identified six recreational facility-related conditions attached to the approval of Preliminary Plan 4-95063 that are still applicable to the subject DSP review (See Finding 9 for details). The DPR staff has recommended one condition of approval that has been incorporated into the recommendation section of this report.
- i. The Department of Public Works and Transportation (DPW&T) of Prince George's County had not responded to the referral request at the time the staff report was written.

- j. The City of New Carrollton had not responded to the referral request at the time the staff report was written.
13. The detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-98029/01, subject to the following conditions:

- 1. Prior to certificate approval of this detailed site plan, the applicant shall make the following revisions:
 - a. Provide a minimum of two architectural features on the side elevations of Models Ash, Birch, Hampton, Logan II, and Madison II.
 - b. A geo-technical report shall be submitted to the Environmental Planning Section that addresses the current lot layout. The developer shall observe the report's recommendations for construction of roads and homes in the area specified.
 - c. Revise the Landscape Plan to provide the correct number of units in the calculation of the plant units for the 4.1 Schedule.
 - d. Provide gateway sign details including sign area calculation, height and landscaping pursuant to Section 27-624.
 - e. Provide lighting fixture cut sheet for the internal street.
 - f. The Off-Site Recreational Site Plan for Roswill Property Glenridge Community Park shall be made part of the approved detailed site plan and shall be approved by the Department of Parks and Recreation.
 - g. Provide a note on the site plan indicating that a minimum of 60 units shall have substantial brick or equivalent masonry on the front façade.
- 2. Prior to issuance of building permits, except for the model homes, the applicant shall

- a. Provide the Department of Parks and Recreation with a copy of the financial guarantee for the recreational facilities
 - b. Provide evidence that a Final Plat has been recorded among the Land Records of the Prince George's County.
 - c. Provide lot coverage for each lot on the detailed site plan.
3. The applicant shall pay the fee-in-lieu of \$90,000 for the conversion of the MPDUs. The fee shall be paid in full at the time of Final Plat.
4. The applicant shall provide copies of authorization letters from the Army Corps of Engineers/MDE, and/or a joint federal/state wetland permit prior to any grading permit application that proposes to disturb streams and wetlands. If approval cannot be obtained, the detailed site plan shall be modified.
5. Prior to issuance of any grading permits, a note shall be added to the sediment control plan that a geo-technical engineer shall monitor all grading activities within any area receiving structural fill.
6. No two units located next to or directly across the street from each other may have identical front elevations.
7. 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.

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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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Squire, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 8, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of January 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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