

R E S O L U T I O N

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 20, 2000, regarding Detailed Site Plan DSP-99039 for Walnut Grove, the Planning Board finds:

1. The Planning Board approved a Conceptual Site Plan SP-96003 for 109 townhouse units for the subject property, referred to as the Thorne Property, on September 19, 1996 (PGCPB No.96-261).
2. Conceptual Site Plan SP-96003 was originally submitted in accordance with conditions of approval of Zoning Map Amendment A-9904-C (adopted on June 12, 1995). The noise from the adjacent asphalt plant to the south is slightly excessive and has detrimental impacts on the subject property. In order to determine the type of mitigation measures required to reduce the noise impacts, the submission of a Conceptual Site Plan and a noise study were required by the Zoning Map Amendment. The conditions are as follows:
 1. **All development shall be in accordance with an approved Conceptual Site Plan.**
 2. **The applicant shall provide a noise attenuation study prior to submission of the Conceptual Site Plan in order that appropriate measures will be provided to ensure the adequate buffering of the subject development from off-street noise.**

The applicant had submitted all the above information during the review of the Conceptual Site Plan. The Conceptual Site Plan was approved with six conditions of approval.

3. The subject site is located southwest of the intersection of Ritchie-Marlboro Road and I-495, at the terminus of Forest Park Drive. The adjacent property to the south, zoned I-2, has an asphalt plant. The adjacent property to the east, zoned I-3, is vacant. The adjacent property to the west, zoned I-3, has a storage facility. The adjacent property to the north, zoned R-T, is developed with existing townhouses.
4. This subject Detailed Site Plan proposes 100 townhouse units. The site consists of approximately 18.44 acres. The townhouses are proposed in the northern and central portions of the site. Two stormwater management ponds are proposed, one on the eastern portion of the site and one on the western portion of the site. The 70-foot-wide Hampton Park Boulevard to be held in reservation is proposed on the southwest corner of the property. The reservation will consist of 0.51 acres. The proposed parking is spread throughout the

development to serve the townhouse units. The applicant is also proposing two picnic areas, a play area and a six-foot-wide asphalt trail with fitness stations.

5. The applicant is proposing four architectural models. Two of the architectural models do not have garages. The models without garages are proposed with and without basements. The architectural model with a garage has a one-car garage. In these models, the driveway will be used as the second parking space. The minimum floor area of the proposed townhouses is 1,294 square feet. The townhouses with the garage option are proposed along the central portion of the site. The townhouses with the no-garage option have parking provided in the parking areas along the front of the lots.

The proposed house models are:

| <u>Model</u> | <u>Minimum Floor Area</u> |
|--------------|---------------------------|
| TH 101 | 1,294 square feet |
| TH 102 | 1,294 square feet |
| Evergreen | 1,936 square feet |

The applicant has not submitted architectural drawings for the 24-foot-wide garage townhouses. A condition of approval has been added to require the same.

6. Conformance with the Conceptual Site Plan SP-96003

The proposal is in conformance with Conceptual Site Plan SP-96003 and is consistent with the following conditions of approval of the Conceptual Site Plan:

1. **The Conceptual Site Plan shall be revised to provide a minimum 250-foot building restriction line (BRL) from the Francis O. Day Asphalt Plant property line. The area may be used for parking, recreational facilities and woodland conservation.**

The applicant is proposing a minimum 250-foot building restriction line from the south property line. The area will be used for parking, recreational facilities and woodland conservation.

2. **The Conceptual Site Plan shall be revised to provide an adequate device for noise attenuation to include a minimum 15-foot-high noise attenuation wall along the entire property line shared between the Francis O. Day Asphalt Plant and the subject property from the future right-of-way of the Hampton Park Boulevard to the Department of Public Works and Transportation property line. Details of the noise attenuation wall shall be provided at the time of the Detailed Site Plan review.**

The applicant has provided a 15-foot-high noise attenuation wall along the south property line. Details of the noise attenuation wall have not been provided. A condition of approval has been added to require the same.

3. **At the time of Detailed Site Plan submittal, architecture shall be certified by an acoustical engineer to maintain an interior noise level of 45 dBA.**

The applicant has submitted the required certification by an acoustical engineer for maintaining an interior noise level of 45 dBA (Lawrence to Harvey, April 13, 2000).

4. **Full disclosure of the F.O. Day Asphalt Plant's existence and noise from aircraft landing and taking off from Andrews Air Force Base shall be given to each potential homebuyer of this community.**
5. **Upon completion of the model home(s), another noise study shall be provided to the Urban Design Section and the Natural Resources Division to ensure that the noise attenuation measures adequately reduce noise levels from the asphalt plant to the minimum noise standards.**

These conditions are being carried forward to the Detailed Site Plan.

6. **A revised Type I Tree Conservation Plan shall be approved by the Planning Board at the time of the Preliminary Plat of Subdivision.**

The applicant submitted a Type I Tree Conservation Plan at the time of the Preliminary Plat.

7. Conformance with Preliminary Plat 4-96024

The proposal is consistent with the following conditions of approval of the Preliminary Plat that are applicable to the subject Detailed Site Plan:

1. **Development of this subdivision shall be in accordance with the approved Conceptual Site Plan, SP-96003 and any revisions thereto.**

The proposed Detailed Site Plan is consistent with the approved Conceptual Site Plan for this development. The layout, lotting pattern, location of parking and amenities and ingress and egress for the site are in substantial conformance with the Conceptual Plan. The Conceptual Plan proposed 109 units. The subject Detailed Site Plan proposes 100 townhouse units.

3. **A Type II Tree Conservation Plan shall be approved for this site at the time of Detailed Site Plan.**

The applicant has submitted a Type II Tree Conservation Plan TCPII/67/00 along with the Detailed Site Plan application.

- 4. Prior to approval of the Detailed Site Plan, the applicant, his heirs, successors and/or assigns shall obtain technical approval of the stormwater management ponds from DER.**

The Department of Environmental Resources has stated that the proposal is consistent with the approved stormwater management concept plan #968003210. A condition of approval has been added to require technical approval of the stormwater management ponds from the Department of Environmental Resources prior to certification of the Detailed Site Plan.

8. The proposed townhouses are permitted uses in the R-T Zone (Townhouse). The proposal is consistent with the following sections of Section 27-433, R-T Zone (Townhouse) of the Zoning Ordinance:

- (d)(2) There shall be not more than six (6) nor less than three (3) dwelling units in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.**

Approximately 85% of the total number of units are proposed in buildings that have no less than three dwelling units and no more than six dwelling units in a building. Two of the proposed buildings have more than six units. One of them has seven units and one of them has eight units. The number of buildings with more than six units is 15% of the total number of building groups and the end units on such building groups are a minimum of 24 feet in width. The applicant has proposed buildings with seven and eight units due to space constraints. The buildings with more than six units have larger units at the ends to frame the buildings and break the monotonous appearance of a large bay. Buildings with more than six units have been approved for this development during the Conceptual Site Plan and Preliminary Plat stage. Staff has recommended approval of the buildings with more than six units as proposed because they will retain an attractive living environment and will help achieve the purposes of this Division.

- (3) The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.**

The minimum width of the dwelling units is at least 20 feet.

- (4) **The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet.**

The minimum floor area of the proposed townhouses is 1,294 square feet.

- (5) **Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

The applicant has provided adequate articulation for side and rear walls. All endwalls have a minimum of two architectural features. A condition of approval has been added to provide additional endwall treatments for side and rear walls of lots that are excessively visible from the parking spaces or the streets.

- (6) **Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

Above-grade foundation walls are clad with materials compatible with the primary facade design which is either brick or siding.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

A condition of approval has been added to require the same.

- (e) **Streets.**

- (1)(A) **The tract of land used for the project involving these dwellings shall have frontage on, and direct vehicular access to, a public street having a right-of-way width of at least sixty (60) feet;**

The development has direct vehicular access to Forest Park Drive which has an existing right-of-way of 80 feet.

- (B) Private streets which are interior to the project (and are not dedicated to public use) shall be improved to not less than the current standards set forth in Subtitle 23 of this Code which apply to a public, twenty-six (26) foot wide secondary residential street, except that roadside trees are not required (within the street right-of-way). Sidewalks may be omitted when it is determined that there is no need for them. Sidewalks cast monolithically with the curb and gutter shall be permitted;**

The minimum width of the internal driveways and streets is 26 feet. The internal street along the proposed townhouse units with garages have a six-foot-wide concrete sidewalk.

- (C) Private streets shall be common areas conveyed to a homes association, and provisions for maintenance charges shall be made in accordance with Subsection (i). (For the purpose of this section, "private streets" are internal vehicular access roadways serving the development by means of private streets approved pursuant to Subtitle 24 of this Code, except driveways which dead-end within a parking lot);**

Conditions of approval for the Preliminary Plat address the above issue of conveyance of common areas to a homeowners association.

- (D) Points of access to public streets shall be approved by the County Department of Public Works and Transportation, State Highway Administration, or other appropriate highway authority, as applicable.**

The access points for the development have been reviewed by the Department of Public Works and Transportation during the Preliminary Plat approval.

- (f) Access to individual lots.**

- (1)(A) While it is not necessary that each individual lot have frontage on a street, each lot shall be served by a right-of-way for emergency and pedestrian access purposes. The right-of-way shall either be owned by a homes association and approved by the Planning Board, or a dedicated as a public right-of-way.**

Every lot in this development has access to a driveway or street for emergency and pedestrian access purposes.

- (C) Each right-of-way shall contain a sidewalk at least six (6) feet wide which connects parking areas with the individual lots. The maximum grade of the sidewalk shall generally be not more than five percent**

(5%). However, when the normal grade of the land exceeds five percent (5%), ramps or steps may be utilized to remain consistent with that grade.

Six-foot-wide concrete sidewalks have been provided for connecting the individual lots to parking areas, driveways and internal streets. A condition of approval has been added to restrict the maximum grade of the sidewalk to no more than five percent.

(D) No individual lot shall be more than two hundred (200) feet from a point of approved emergency vehicle access.

No individual unit is located more than 200 feet from a driveway or internal street.

(j) Front elevation plan.

(1) A front elevation plan (or profile plan) shall be submitted with the Detailed Site Plan. The elevation plan shall show a variation in design of dwellings, or groups of dwellings, sufficient to satisfy the purposes of this section.

The applicant has submitted a front elevation plan for three of the proposed house models. A condition of approval has been added to require the applicant to submit architectural drawings for the fourth model.

(k) Site plan.

(1) A Detailed Site Plan shall be approved for all attached dwellings, in accordance with Part 3, Division 9, of this Subtitle.

(2) In addition to the requirements of Part 3, Division 9, the Detailed Site Plan shall include:

(A) An identification of two (2) or more dwelling units (at different locations within the proposed development) which have the potential to be made accessible through barrier-free design construction (in accordance with Section 4-180 of Subtitle 4 of this Code), given such site characteristics and design criteria as proposed grading, topography, elevation, walkways, and parking locations; and

A condition of approval has been added to require identification of two units which have the potential to be made accessible through barrier-free design construction.

(B) The type and location of required streetlights.

The applicant has submitted a lighting plan with details of the proposed street lights.

9. The proposal is subject to the requirements of Section 4.1 (Residential Requirements), Section 4.3 (Parking Requirements) and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. The proposal complies with the requirements of these sections of the *Landscape Manual*. Some of the rear yards of the proposed houses on the southwest side of Parking Compound "C" will be more visible than is desirable from the parking lots and internal streets. A condition of approval has been added to require the applicant to provide adequate landscaping in the rear yards to screen the rear yards and the rear elevations of these houses.
10. The applicant has not proposed any identification signs. A condition of approval has been added to require the applicant to submit drawings for the proposed signs (if any) prior to certification of the Detailed Site Plan.
11. The proposed parking is consistent with the following requirements of Section 27-582, Off-street Parking and Loading, of the Zoning Ordinance:

| PARKING REQUIRED | PARKING PROPOSED |
|--|------------------|
| 2.04 parking spaces per unit. For 101 units, 207 parking spaces are required | 221 |

The handicapped spaces are proposed directly in front of some of the units. Homeowners in townhouse units prefer to park in front of their units. If some of the parking spaces are handicapped spaces, the utility of the parking spaces directly in front of the units is reduced and the handicapped spaces remain vacant most of the time. Therefore, a condition of approval has been added to relocate the handicapped spaces from directly in front of the units to other areas of the parking lot.

12. The Permit Review Section (Windsor to Srinivas, June 13, 2000) has requested compliance with previous conditions of approval, all of which are addressed elsewhere in this report.
13. The State Highway Administration (McDonald to Srinivas, May 15, 2000) has no objections to the approval of the Detailed Site Plan.
14. The Environmental Planning Section (Metzger to Srinivas, July 7, 2000) has stated that the proposed Type II Tree Conservation Plan TCPII/67/00 is in conformance with the previously approved Type I Tree Conservation Plan TCPI/74/95. The Section recommends approval of the Type II Tree Conservation Plan. Based on the noise study dated April 13, 2000, the noise from the adjacent asphalt plant to the south of the subject property will slightly exceed the required State Noise Standards of 65 dBA (Ldn). The applicant is proposing a mitigation measure by proposing a 15-foot-high sound wall along the south

property line. With the sound wall, the exterior noise levels will be reduced to acceptable standards of 65 dBA.

15. The Department of Environmental Resources (Guzman to Srinivas, May 18, 2000) has stated that the proposal is consistent with the stormwater management concept approval #968003210.
16. The Washington Suburban Sanitary Commission (Maholtz to Srinivas, May 15, 2000) has stated that existing WSSC facilities will not be impacted by this proposal.
17. The Subdivision Section (Chellis to Srinivas, June 20, 2000) has stated that the proposal is in substantial conformance with the Preliminary Plat.
18. The Transportation Planning Section (Masog to Srinivas, May 30, 2000) has stated that there are no site circulation issues and that the transportation conditions of the Preliminary Plat should be met prior to issuance of building permits.
19. The Community Planning Division (Osei to Srinivas, June 13, 2000) has requested adequate landscape buffers along the property lines to screen the subject property.
20. A referral to the Town of District Heights has been sent but no comments have been received.
21. The proposal is consistent with the following design criteria for townhouses of Section 27-274 (a) (11), Design Guidelines, of the Zoning Ordinance:

(11) Townhouses and three-family dwellings

- (A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**

Groups of trees and extensive landscaping are proposed in the open space areas and landscape buffers along the rear of the townhouse lots. In areas where landscaping cannot be accommodated along the rear of the lots, extensive landscaping has been proposed in the rear yards of the townhouses.

- (B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at**

right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.

The groups of townhouses are arranged at right angles to each other, front on internal streets or parking lot driveways and employ a courtyard design in several locations.

- (C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

All the recreational facilities are proposed along the rear of the property and are separated from the dwelling units by a parking area. The rear of the townhouse units are buffered from the recreational facilities by the parking area landscaping.

- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

Conditions of approval have been added to increase the design elements for the rear and side walls for some units and avoid the use of repetitive architectural elements for abutting units by requiring the use of some brick and some siding front facades in every building group.

- (E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.**

Conditions of approval have been added to buffer the rears of the townhouses from internal streets and parking lots and for additional articulation of the rear and side walls of the units directly visible from the internal streets and parking lots.

Two of the proposed units (Units 43 and 44), one on either side of the internal street will be located very close to the internal street. The side end walls of these units will be set back

only ten feet from the internal street. In addition, the rear yards of these units will be directly adjacent to the front yards of garage townhouse units and will be clearly visible from every automobile exiting the development. The rear yards of these units will be visible from the garage townhouse units. In order to reduce detrimental visual, noise and privacy impacts to these two units and the adjacent properties, these units should be eliminated. Staff had initially added a condition of approval to require the same. The applicant later modified the layout of these two units to substantially reduce the detrimental impacts. The condition was therefore eliminated.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

The applicant has provided a variety of design elements like bay windows, trim and different window treatments to enhance the aesthetic appearance of the buildings.

The applicant has provided a variety of house models. The site design includes placement of the dwelling units in the central portion of the site so that maximum buffers can be provided from the adjacent properties. The sound wall along the south property line and the 250-foot BRL along this property line will ensure that there are no noise impacts to the proposed houses. The placement of the stormwater management ponds along the east and west sides of the property ensure that the ponds are located outside the residential areas of the development. Recreational facilities like picnic areas, play areas and a jogging trail with fitness stations have been provided along the southern portion of the property. These recreational facilities are easily accessible from all areas of the development.

With the proposed conditions, the Detailed Site Plan SP-99039 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 for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan:
 - a. the site/grading and landscape plans shall be revised to show:
 - (1) the details of the proposed 15-foot-high noise attenuation wall to be approved by the Environmental Planning Section
 - (2) the maximum grade of the proposed sidewalk does not exceed 5%.

- (3) identification of two units which have the potential to be made accessible through barrier-free design construction
 - (4) location, design and details of proposed signs
 - (5) adequate landscaping in the rear yards of two units (Units 85 and 86) on the southwest side of Parking Compound A to screen the rear yards and rear elevations of the houses on these lots
 - (6) relocation of the handicapped parking spaces from the immediate front of units
 - b. the architectural drawings revised to show:
 - (1) additional architectural details for side and rear walls of four units (Units 43, 44, 85 and 86) to make them aesthetically comparable to the front elevations.
 - (2) 60% of all townhouse units having a front facade of brick, stone or stucco.
 - (3) architectural drawings for the 24-foot-wide townhouse unit with a garage
 - (4) a note requiring use of some brick and some siding front facades in every building group.
 - c. the applicant shall obtain technical approval of the stormwater management ponds from the Department of Environmental Resources.
- 2. A disclosure clause shall be placed on the approved Detailed Site Plan drawings for the subject development known as the Walnut Grove development and all the final plats for the subject property known as the Thorne property that includes language informing all prospective buyers of the existence of the F.O. Day Asphalt Plant along the south property line and the noise from the aircraft landing and taking off from the Andrews Air Force Base.
- 3. Prior to final plat approval, the Declaration of Covenants to be applicable to this property, in conjunction with the formation of a homeowners' association, shall be drafted to include language notifying all future contract purchasers of homes in the Walnut Grove development of the existence of the F.O. Day Asphalt Plant along the south property line and the noise from the aircraft landing and taking off from the Andrews Air Force Base. At the time of purchase contract with home buyers, the contract purchaser shall sign an acknowledgment of receipt of said Declaration. The liber and folio of the recorded Declaration of Covenants shall be noted on the final plat.

4. In order to ensure that prospective purchasers in this subdivision are made aware of the existence of a Detailed Site Plan and Final Plat approved by the Planning Board, these plans shall be displayed in the builder's sales office.
5. Upon completion of the model home(s) and prior to release of any additional permits, another noise study shall be provided to the Urban Design Section and the Environmental Planning Section to ensure that the noise attenuation measures adequately reduce noise levels from the asphalt plant to the minimum noise standards.

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 Boone, seconded by Commissioner Brown, with Commissioners Boone, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 20, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of September 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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