

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on April 19, 2001, regarding Specific Design Plan SDP-0009 for National Research Home park, Lots 63-66, Block C, the Planning Board finds:

1. This Specific Design Plan (SDP) is for the purpose of reviewing a revision to the previously approved lotting pattern for four single-family detached lots, and the review of the site planning, landscaping and architecture.
2. Containing acres of R-S zoned land, the proposed development is located on the north side of Pennsbury Drive, northwest of the intersection of US 301 and MD 214. The site is currently vacant.
3. The Basic Plan for the subject property (A-9490) rezoned 51.31 acres of land in the RR-zone to the R-S Zone. The rezoning was approved by the District Council with conditions on January 14, 1985. Each of the conditions are stated below and the comments for conformance to the plan is also provided.

- a. **The 100-year floodplain must be established to the satisfaction of the Department of Public Works and Transportation.**

Comment: These subject four lots do not contain any floodplain.

- b. **Parking shall be provided at or near the proposed centrally located open space.**

Comment: The open space is not associated with the subject four lots.

- c. **All housing units along the southern edge of the developed area shall have opaque screening and/or landscaping to prevent view of sheds or backyard equipment from Central Avenue.**

Comment: The subject four lots are located on the northeast side of the development away from Central Avenue.

- d. **If a sewer line is built through the M-NCPPC property to Penn Manor Lane, a pedestrian path shall be provided to Penn Manor Lane from the subject property, if approval of such can be had from the WSSC.**

Comment: The sewer line was built and a path constructed. This path is the reason for the redesign of the lots in order to front the homes on the path and to remove the vehicular driveways away from the pedestrian area.

4. The original Comprehensive Design Plan (CDP-8310) for the National Research Home Park (also known as Ternberry) was approved on February 21, 1985, by the Planning Board. The following goals and purposes are stated in the original staff report taken from the CDP text:

■The purpose of this zoning application is to utilize the intended flexibility of the R-S Comprehensive Design Zone to achieve singularly unique land development goals. The owner, the National Association of Home Builders (NAHB), is proposing to develop a model residential community (Research Home Park) featuring various innovative ideas in home planning, design and construction techniques. A wide diversity of housing types will be imaginatively sited to reflect contemporary land development ideals, including energy efficiency, clustering, and maximization of private outdoor living areas. From this sound planning framework, the latest innovations in building materials and methods will be incorporated so that the completed homes exemplify contemporary thinking in land development and construction.

■This development will provide the opportunity for ready access and monitoring by the NAHB Research Foundation, Inc., scientists, engineers and architects. Aimed at demonstrating the means for providing cost-effective housing, the project will be closely monitored and controlled in order to create a high-quality residential environment. It is expected that a number of different housing types, including variations of single-family attached and detached units, will be built on the site. The homes will either be leased or sold to the occupants. It is expected that the Park will be used as a national and international exhibit stop for domestic and foreign visitors wishing to see the U.S. accomplishments in the field of housing development and construction.

■The NAHB Research Park will be a model for land development and construction which will serve as a basis for collecting research data and a proving ground for innovative development techniques. The data collected from the Park will be used not only to illustrate the initial savings in land development and construction costs which can be achieved, but to provide accurate support data for reduction in maintenance costs over time for both home buyers and municipalities. Maintenance costs of some of the structures themselves, the streets, and the water and sewer lines can be reduced significantly using the technology to be researched and displayed at the Research Home Park.

■It is expected that some of the individual lots will be either leased or sold to manufacturers, building firms, trade associations or others who are genuinely interested in research leading to the improvement or expansion of knowledge about the science of home building including the social and economic aspects of homes providing a better, more affordable, more

maintenance-free style of living. The homes will be built over a period of years so the evolving progress of home building can be viewed and studied.●

A revision to the Comprehensive Design Plan (CDP-8810) was approved by the Planning Board on June 29, 1989. That revision was for the purpose of completing a portion of the development under a regular market-rate subdivision. The applicants in that case were the National Association of Home Builders and William L. Berry & Company, Inc. It was filed for the purpose of building out 144 of the 167 lots with William L. Berry & Company products. That revision substantially changed the original concept of the development from a research-oriented home park to a majority market-rate subdivision.

5. The Preliminary Plat for the subject property, 4-89077, was approved with conditions by the Planning Board on June 29, 1989. Conditions of approval were fulfilled prior to final plats of subdivision.
6. The proposed SDP includes shifting of lot lines that can be accomplished under Section 24-108 of the Subdivision Regulations without the need for a preliminary plat, since no additional lots are proposed. The record plat, NLP 151 @ 94, was recorded in January 1990. At that time, shared driveways were not specifically prohibited by the Subdivision Regulations as they are today. Council Bill CB-71-1989 amended the Subdivision Regulations to prohibit shared driveways in all areas except the Chesapeake Bay Critical Area (the subject property is not in the Critical Area). CB-71-1989 became effective on February 1, 1990. The record plat showed a common driveway easement serving these four lots. It was permitted at the time the property was recorded, just weeks before the law was changed to no longer allow shared driveway arrangements.

Section 24-111(b) of the Subdivision Regulations allows the Planning Board to ■approve the resubdivision of land which creates new lots that may not comply with all current requirements of the Zoning Ordinance applicable to new subdivisions,● under certain circumstances. To qualify for this approval, the original lots must have been created in accordance with all requirements in effect at the time they were created. In this case, the lots were approved with a common driveway easement, a type of shared driveway, which was allowed at the time. Therefore, a lot line adjustment can occur using shared driveways, if the Planning Board agrees with the design of the SDP.

Section 24-111(b) sets forth four requirements that must be met to effectuate a resubdivision using old standards. These are:

- (1) No greater number of lots shall be created;
- (2) All requirements of this Subtitle (Subdivision) have been met including the dedication of land for parks;
- (3) A petition to vacate the previously recorded plat has been filed; and

- (4) The proposed subdivision is better than the recorded one in terms of design amenities, environmental constraints, or energy conservation.

Upon making these findings, the Planning Board may approve the new final plat of Subdivision. With regard to these findings, the Subdivision Section and the Urban Design Section offers the following comments.

- (1) The proposed SDP does not increase the number of lots already approved.
- (2) At the time of final plat in 1990, park dedication was satisfied, as were all other requirements of the Subdivision Regulations.
- (3) A vacation petition is necessary when the underlying road network is altered. In these cases, road networks have typically already been dedicated to public use; therefore, if land dedicated is to be returned to lot area, a vacation petition is essential. However, in this case, the proposal does not alter any dedicated rights-of-way, so a vacation petition is redundant. Once the new plat is approved, it will vacate the underlying plat automatically. Therefore, the applicant need only file a final plat pursuant to Section 24-108 of the Subdivision Regulations in this instance.
- (4) The layout of the proposed lotting pattern is superior to the previous layout because it removes the driveways and vehicles away from the pathway making the pathway a safer environment for the pedestrian.

A condition of approval is proposed that the applicant shall receive approval of a new final plat pursuant to Section 24-108 of the Subdivision Regulations prior to issuance of permits.

7. Three Specific Design Plans have been approved for the overall project known as the National Research Home Park (NAHB). On February 26, 1987, the Planning Board approved SDP-8644 for lots 37-41 for five single-family detached lots to be developed by the National Association of Home Builders. These homes were the first ■smart house• products to be developed by NAHB in Prince George's County. On October 5, 1989, the Planning Board approved an SDP for 144 lots, which were a mixture of single-family detached and town homes to be developed by William L. Berry. The remaining 23 lots (including the five lots previously approved) were to be developed by the National Association of Home Builders. On February 3, 1994, the Planning Board approved a SDP for Lots 7-10, Block C, for four townhouses to be developed by the National Association of Home Builders. The subject Specific Design Plan is for four single-family detached lots to be developed by the National Association of Home Builders. There are 11 lots left within the development that are owned by the Association.

8. Pertinent development data is contained in the following table:

Zone	R-S Zone
Gross Lot Area	0.88 acres
Area Within a 100-Year Floodplain	0 acre
Lots	4 lots
Proposed Use:	Single-family Detached

9. This Specific Design Plan includes provisions for draining surface water to prevent adverse effects on the subject property or any adjacent property. An existing stormwater management pond for the entire development was approved by the City of Bowie.
10. The Environmental Planning Section has reviewed the above-referenced Specific Design Plan, stamped as received by the Development Review Division on January 31, 2001. The subject property was originally reviewed by the Environmental Planning Section in 1985 as a Basic Zoning Map Amendment (A-9490) and subsequently as a Preliminary Plan of Subdivision (4-89077) and Comprehensive Design Plan (CDP-8810) in 1988 and 1989, respectively. This application seeks approval of a Specific Design Plan for four single-family dwellings in the Residential Suburban Zone (R-S).

The subject property is located on the west side of Pennsbury Drive approximately 3,000 feet north of Central Avenue. The site is relatively flat and void of vegetative tree cover. The predominant soil type on-site is Westphalia. This soil type generally exhibits slight to moderate limitations to development due to steep slopes. According to the Sewer Service and Water Service maps produced by DER, the property is in categories W-3 and S-3. There are no floodplains, streams, Waters of the US, wetlands, erodible soils or noise issues on the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property.

The site is not subject to the provisions of the Woodland Conservation Ordinance because it is less than 40,000 square in size, contains less than 10,000 square feet of woodlands, and does not have a previously approved Tree Conservation Plan. This site has a Letter of Exemption from the Woodland Conservation Ordinance dated 10/30/00.

The need for a soils report and 100-year floodplain study may not be applicable and will be determined by DER at time of grading permit.

Areas of Class 1 fill are poorly represented on the site plan especially in areas where footprints of buildings will be located.

No Stormwater Management Concept Approval Letter has been submitted with this plan. However, the applicant explained in a letter dated December 13, 2000, from Ken Dunn to Steve Adams that the subdivision has been almost completely built and the four subject lots are ■in fill• lots. Therefore, the stormwater management infrastructure for these lots are existing, in place, and functioning.

The Environmental Planning Section recommended the following condition:

- Prior to certification, the plan shall be revised to show areas of Class 1 fill clearly with the designated method.

Comment: This condition is included in the recommendation section of this report.

11. This project is subject to Sections 4.1 and 4.6 of the *Landscape Manual*. The plan has been reviewed and conforms to each of these Sections of the *Landscape Manual*.

12. The Transportation Planning Section has reviewed the Specific Design Plan. In memorandum dated March 5, 2001, Masog to Lareuse, the following analysis was provided:

■The application involves four lots within a development of 167 lots●he remainder of which appears to have been constructed. The four lots total approximately 0.9 acres of land in the R-S zone. The property is located west of US 301 on the north side of Pennsbury Drive where it intersects Postwick Place. The applicant proposes to develop the four lots with four single-family detached residences.

■Access and on-site circulation is acceptable.

■The transportation staff's primary interest in this site concerns the completion of Condition 5 of CDP-8810, which is also referenced in the approval of the Preliminary Plat of Subdivision. This condition requires the construction of a 500-foot acceleration lane along northbound US 301 at Pennsbury Drive. This construction does not appear to have been completed. Unfortunately, the files regarding this case are quite old, and staff could find no evidence to indicate that the subject condition was resolved.

■The precise language of the CDP condition suggests that the improvement would not need to be completed until issuance of the final building permit. Therefore, neither the developer nor government has been derelict in enforcing the condition to date. However, the subject application would appear to involve the eventual final permit, and proof of the intent to meet Condition 5 of the CDP should be provided prior to the approval of this plan.

■The subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 1989 for Preliminary Plat of Subdivision 4-89077 and supported by traffic studies submitted in 1989. For the development of the final four residences on the site, so long as Condition 5 of the resolution approving CDP-8810 is

fulfilled, the transportation staff believes that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which will be provided as a part of the development if the development is approved. The submitted plans conform to past approved plans, including the approved Comprehensive Design Plan.●

Comment: There are 15 lots (including the 4 within this SDP) left to develop out of the 167 lots within the entire subdivision. The CDP condition is as provided below:

- 5. Prior to the issuance of the final building permit(s) for the 167 dwelling units, the applicant, his heirs or assigns shall design and construct a 500-foot acceleration lane along the northbound median of U.S. Route 301 at the intersection of U.S. Route 301 and Pennsbury Drive.**

Comment: The condition above does not provide a clear timing mechanism for the requirement of the necessary improvements. The Transportation staff believes that the improvements should be required prior to the release of 95 percent of the overall building permits. Ninety-five percent of the building permits translates to approximately eight permits, so this applicant, his heirs or successor will be required to design and construct the improvements above, but it is not necessary to add this requirement as a condition until Specific Design Plan that includes the last eight lots is submitted. If this Specific Design Plan is approved, there are 11 lots remaining.

13. The Public Facilities Planning Section has reviewed the Specific Design Plan for public facilities impacts and concluded the following:

Fire Service

The existing fire engine service at Bowie, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 1.29 minutes, which is within the 5.25-minute response-time guideline.

The existing ambulance service at Bowie, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 1.29 minutes, which is within the 6.25-minute response-time guideline.

■The existing paramedic service at Bowie, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 1.29 minutes, which is within the 7.25-minute response-time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department recommends that all residential structures be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws.

Police Service

The proposed site is within the service area of District II- Bowie. Staff concludes that the existing county's police facilities will be adequate to serve the proposed single-family dwellings.

Schools

Adequate Public Facilities test for schools will be determined at the time of building permit.

14. The City of Bowie reviewed the case as stated in a letter dated March 28, 2001, Mayor Robinson to Chairman Hewlett, and provided the following recommendation to the Planning Board:

■ On Monday, March 19, 2001, the Bowie City Council voted to recommend DISAPPROVAL of SDP #0009 proposed by the National Association of Home Builders. The subject property is located on the north side of Pennsbury Drive, east of Pembridge Court and is zoned R-S (Residential Suburban) Comprehensive Design Zone.

■ At the public hearing, the Council heard testimony from numerous residents, including several owners residing on Pembridge Court, whose properties abut the subject site. In addition, the Ternberry Homeowners Association recommended denial of the application. The City Council agreed with the residents and the HOA, who concluded that the size and character of the single-family detached homes proposed in DSP#0009 are not in keeping with other existing homes in the Ternberry subdivision. The Council was also concerned about the materials selection and architectural compatibility of the proposed homes with existing development in Ternberry. The inclusion of unfinished second floors and basements were especially of concern to the Council. Finally, the City found the proposed SDP to be inconsistent with the vision for the subject property depicted in the approved Comprehensive Design Plan (CDP).

■ For all of the above reasons, Bowie City Council recommends DISAPPROVAL of SDP #0009. The City appreciates your consideration of our recommendation.●

At the Planning Board hearing, and in letter dated April 5, 2001 from Garland Stillwell to Mayor Robinson, the applicant argued that the information contained in the letter to the Planning Board from the City of Bowie was inaccurate.

Specifically, the applicant argued that the President of the Ternberry Homeowners Association testified in opposition to the project, but he was there representing

only himself, not the Ternberry Homeowners Association as an incorporated body.

15. The Urban Design Section reviewed the application and recommends numerous conditions regarding the proposed architecture. Each of the four lots has a different house proposed to be built. The following chart indicates the lot number, house type and minimum finished living area:

Lot Number	House Type	Minimum Finished Living Area
Lot 64	Aspen	1,733 square feet
Lot 63	Birch	1,708 square feet
Lot 65	Chestnut	1,865 square feet
Lot 66	Dogwood	1,808 square feet

Lots 63 and 64 are directly adjacent to Pennsbury Drive and will be the most visible of the units. These homes are two-story units, have mirror-image endwalls that contain five window fenestrations, and feature a 7/12 roof pitch. The landscaping located along the street edge is subject to Section 4.6 of the *Landscape Manual*, which is a substantial amount of landscaping to screen the rear yard from the street. The combination of landscaping and endwall design provides an acceptable view from the road.

Lots 65 and 66 are the rear two lots. These homes are one-story dwellings and will be visible from the neighborhood behind the subdivision known as Pointer Ridge, particularly those homes along Packton Lane, which dead ends into the subject site. The topography in this area drops off to a lower elevation from the two lots along the street line. Lot 66 is encumbered with a 30-foot- wide sanitary sewer easement that substantially impacts the development of the lot. The proposed unit for that lot is the smallest of the units proposed, with 1,258 square feet of finished living area above grade and 550 square feet of finished living area below grade.

The subject property is located on the perimeter of the subdivision. To the east is a development known as Ridgeview Estates, which is developed with duplex units located approximately 60 feet from the subject site. The intervening area is a field of open space. The subdivision to the southeast, across Pennsbury Drive, is developed with two-story townhouses and surface parking, probably built in the late 1970s or early 1980s. Directly across from the subject property are three-story townhouses built as part of the subject development by William L Berry. These townhouses have single-car garages. To the west of the subject site is Pembridge Court, a cul-de-sac developed with single-family detached

homes by William L. Berry. These homes appear to range in size from 2,200 to 2,600 square feet of living area, not including the basement or garage.

These subject four lots are surrounded by a variety of housing types and are located on the furthest eastern perimeter of the development. The proposed homes are single-family detached homes, are smaller in size than the adjacent homes located on Pembridge Court, and act as a transitional product to the adjacent duplex homes located offsite to the east and the townhouses to the southeast and the south. The proximity of the four lots to the single-family units located on Pembridge Court does create an impact on those existing homes because the proposed architecture is not of the same style or character as the existing units. The new lotting pattern re-locates the driveways away from the central path and places them along the perimeter of the lots, adjacent to the rear lot lines of the existing homes along Pembridge Court. The site plan proposes evergreen trees along the edge of the driveway serving lots 63 and 65. The staff does not agree with this proposed buffer treatment because the planting area (approximately three feet) is insufficient in size to adequately support the growth of the trees. The trees will overhang both the shared driveway and the adjacent property. The staff recommends that the applicant revise the plans to indicate a six-foot-high board-on-board fence with one-foot-wide brick piers placed 20 feet on-center along the entire western property line. The details and specifications should be approved by the Urban Design Section prior to signature approval.

In the review of the proposed architecture of the units, the staff believes that the design of the units should be compatible to the existing units within the development. Even though the staff recognizes that this Specific Design Plan is part of a research project that is consistent with the original zoning and the original Comprehensive Design Plan, the staff also believes that compatibility within the existing development can be achieved. In 1988, the National Research Home Park partnered with William L. Berry to revise the Comprehensive Design Plan to develop a majority of the subdivision as high-quality, market-rate units. Subsequently, the Specific Design Plan reviewed and approved in 1994 by the Planning Board for NRHP was for uniquely designed townhouse stick that was easily found to be compatible in size and quality with the existing neighborhood. The architecture proposed for this Specific Design Plan is not of the same size as the adjacent single-family homes. It is comparable in size with the existing townhouses within the development and is larger in size than the older existing development outside, but adjacent to, the subject development.

The staff's concerns in the review of the architecture relates also to the quality of the proposed architecture. The applicant has revised and improved the architecture that was originally submitted, but the staff believes that these homes should provide more of the features of housing products found in the existing homes on Pembridge Court. The staff does not believe that these experimental housing units cannot provide design elements found elsewhere in the development. The following recommended changes to the architecture will create homes that reflect more of the features that are normally considered desirable in today's market.

The following changes to the architectural elevations are recommended in order to create more compatibility with the existing homes within the subdivision, as conditions to be fulfilled prior to signature approval:

- a. The roof pitch shall be no less than 7/12 for all units.
 - b. The exterior finish material of the Aspen and the Birch models shall include a brick watertable with a top soldier course brick row on all sides of the units. The color package for all units shall be reviewed and approved by the Urban Design Section.
 - c. The front porches for the Aspen and Birch units shall have a brick foundation to grade and steps with brick detailing. The front porches and foundation to grade (including the sunroom) of the Chestnut and Dogwood units shall have split-face concrete masonry units and concrete steps. All wooden stoops shall be revised to show a four-by-four concrete pad. Rear wood porches shall be shown with lattice trim.
 - d. Nine-foot-high ceilings shall be provided for all first floors.
 - e. Either or both the Aspen or the Chestnut units shall include a two-car garage, depending on lot and setback restraints.
16. This Specific Design Plan conforms to Comprehensive Design Plans CDP-8310 and CDP-8810.
 17. This development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or as part of the private development.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. Prior to signature approval, the plans shall be revised:
 - a. To indicate a six-foot high board-on-board fence in lieu of the buffer landscaping, with one-foot-wide piers placed 30 feet on-center along the entire western property line. The details and specifications shall be approved by the Urban Design Section.
2. Prior to issuance of any permits, a new final plat pursuant to Section 24-108 of the Subdivision Regulations shall be approved.
3. Prior to signature approval, the architectural elevations shall be revised as follows:

- a. The roof pitch of the Chestnut and the Dogwood shall be no less than 7/12 and the roof pitch for the Aspen and the Birch shall be no less than 8/12.
- b. The exterior finish material of the Aspen and the Birch units shall include a brick watertable with a top rowlock brick course on front and both sides of the units. The color package for all units shall be reviewed and approved by the Urban Design Section.
- c. The front porches for the Aspen and Birch units shall have brick piers and brick steps. The front porches and foundation to grade (including the sunroom) of the Chestnut and Dogwood units shall have split-face concrete masonry units and concrete steps. All wooden stoops shall be revised to show a four-by-four concrete pad. Rear wood porches shall be shown with lattice trim.
- d. Either the Aspen or the Chestnut unit shall include a two-car garage, depending on lot and setback restraints.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court 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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 19, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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