

## 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 December 6, 2007, regarding Specific Design Plan SDP-0607 for Acton Park, Phase I, the Planning Board finds:

1. **Request:** The subject application is a request for the approval of 12 single-family detached units, a soccer field on one parcel, and stormwater management facilities and infrastructure associated with the extension of Schnarr Road. These homes and facilities are part of the Acton Park development which, according to the approved CDP text, is the result of the desire of the community associated with the existing Washington Church of the New Jerusalem on the site to provide a cohesive, interrelated community with a church, school, and recreational amenities (existing and proposed) as social focal points and to provide a range of housing type options to its members, who wish to live together in a church-oriented community. As a result of these goals, rezoning of the property to the R-S Zone was pursued and approved in an effort to accommodate the varying housing needs of the community's prospective members within one zone.

2. **Development Data Summary:**

	Existing	Proposed
Zones	R-S	R-S
Uses	Vacant	Single-family Detached/Soccer Field
Acreage (in the subject SDP)	27.55	27.55
Lots	0	12
Parcels	4	1
Dwellings	0	12 Single-family Detached Units

3. **Location:** The subject site is located on the eastern side of Enterprise Road (MD 193) 2,000 feet south of John Hanson Highway (US 50) in Planning Area 74A, Council District 6, and the Developing Tier.
4. **Surrounding Uses:** The subject site (of SDP-0607) is located in the northeastern portion of the Acton Park site. The site is bounded to the north by single-family detached homes in the R-S (Residential Suburban Development) Zone, to the east by vacant land in the R-A (Residential Agricultural) Zone, which is part of the Country Club at Woodmore, to the south by the Country Club at Woodmore Golf Course in the R-A Zone, and to the west by single-family detached homes in the R-S Zone, some of which are part of the Acton Park development. Further to the west is Enterprise Road.

5. **Previous Approvals:** The 84.83-acre Acton Park site was rezoned from the R-A Zone to the R-S Zone through Zoning Map Amendment A-9496 which was approved (Zoning Ordinance No. 6-1985) by the District Council on February 15, 1986, subject to 4 conditions and 11 considerations. On July 10, 1986, Comprehensive Design Plan CDP-8603 for the entire Acton Park development was approved by the Prince George's County Planning Board (PGCPB No. 87-246) subject to 6 conditions. Following the approval of CDP-8603, Preliminary Plan 4-86133 was approved by the Prince George's County Planning Board on October 2, 1986 subject to 7 conditions. This preliminary plan subsequently expired. SDP-8719 was approved on June 18, 1987, for 4 single-family detached units. SDP-9207, for a church addition and the private school, was subsequently approved on December 10, 1992. A new preliminary plan application (4-03110) was submitted in 2003 but was later withdrawn. On February 24, 2005, the Prince George's County Planning Board approved Preliminary Plan 4-04149 (PGCPB No. 05-41) for 76 lots and 13 parcels subject to 25 conditions. On February 22, 2007, the Planning Board granted a one year extension of the preliminary plan and it will remain valid until February 24, 2008, or until a final plat is approved.

Several tree conservation plans have also been approved for the above-mentioned preliminary plans of subdivision and specific design plans. This SDP has an approved Stormwater Management Concept Approval 8768-2003-01, which is valid through November 9, 2009.

6. **Design Features:** The SDP proposes to develop 12 single-family detached houses in the northeastern portion of the Acton Park development. The proposed units are accessed from Enterprise Road (MD 193) via an extension of existing Chantilly Lane. A soccer field and associated parking is proposed on the southern side of Chantilly Lane extended, which connects to Schnarr Drive, a proposed cul-de-sac. The 12 proposed units will be developed along the northern section of Schnarr Drive, which traverses the eastern portion of the site from north to south. The southern section of Schnarr Drive will be constructed and utility services will be extended to this area as part of the infrastructure included in this plan. Although 12 additional lots are proposed in this area, the subject application does not propose the construction of dwellings on these lots. All of the proposed units will front on Schnarr Drive. The proposed lot sizes vary from 22,722 to 44,095 square feet.

The following architectural models are proposed:

Model	Square Footage
5131	1,650
7014	1,851
9062	2,385
9023	2,420
4081	2,468
9423	2,533
9768	2,946
9916	3,941

All models except 9023 and 9768 feature a two-car attached garage. Model 9023 and 9768 do not include garages. Even though architectural models are included in the application, it is anticipated that most of the units will be custom built. Any revisions to the proposed architectural elevations or new custom home architecture proposed by individual lot owners will require Planning Board review and approval.

The proposed architectural models feature traditional architectural features and materials organized to create a logical composition. The front facades are well articulated with details such as dormers, wrap-around porches, specialty windows, keystone details, brick and/or stone veneer, stucco, cementitious siding, and architectural asphalt shingles. Various roof lines are incorporated in each design and dimension is created through the use of varied projections, porches and verandas.

The subject development is located in the interior of a larger project and there is no entrance feature proposed with this SDP.

The applicant has proposed the construction of a soccer field southwest of the intersection of Chantilly Lane and Schnarr Drive. According to the current formula for determining the value of recreational facilities required for residential development, the proposed field far exceeds the value of facilities required for 12 units in Planning Area 74A and is in excess of the value of facilities required for the entire Acton Park development (76 units). The CDP indicated that a trail network would be constructed adjacent to the stream in the central portion of the site. The trail was not required to be hard-surfaced. According to the applicant, this trail was constructed with mulch and now exists only as a dirt path, which is kept free of debris. This trail should be shown on the plans and at the time of the review of a specific design plan for the portion of the development that includes the trail, the applicant should consider upgrading the trail so that it may be appropriately maintained in perpetuity for enjoyment by residents of the development. The applicant has indicated that a picnic area is currently located adjacent to the proposed soccer field. This facility should also be shown on the plans and should be brought into conformance with the *Parks and Recreation Facilities Guidelines* for a picnic area. In addition, there is an existing playground associated with the church, which will be open to the members of the community. Several conditions have been incorporated in the recommendation section of this report, which will ensure that adequate recreational facilities are provided and which will ensure the timely construction of the soccer field.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9496:** On February 15, 1986, the District Council approved Zoning Map Amendment A-9496, subject to 4 conditions and 11 considerations, of which the following are applicable to the review of this SDP and warrant discussion as follows:

**Condition 1.a. Land use quantities and land use types shall be as shown on the basic plan, Exhibit 4, and limited to a maximum of 26 single-family attached units permitted in a total maximum of 80 units permitted on the site. The uses excluded in the technical staff report and Planning Board resolution are excluded by their non-inclusion on the basic plan. Land use quantities are as**

**shown on the basic plan, as limited above, subject, however, to a potential revision of the 100 year floodplain at subsequent stages. The basic plan shall be amended to indicate the applicant's acceptance of these limitations on dwelling units.**

**Comment:** The subject specific design plan constitutes Phase I of the Acton Park development and proposes the construction of 12 single-family detached units. In addition, infrastructure is proposed to be extended to 12 additional single-family detached lots along the southern portion of Schnarr Drive. However, grading and other necessary details are not shown for the additional 12 lots, so they will have to be included in a future specific design plan before they can be final platted. Pursuant to this plan, the applicant will be able to record final plats for 12 single-family detached lots, which, in addition to the four existing single-family detached units, is well within the limit of 80 total units set forth in the above condition.

**Condition 2. Prior to the issuance of permits for development of the site there shall be no grading or cutting of trees, except on a selective basis by permission of the Prince George's County Planning Board for purposes of forestry management; or by the Washington Suburban Sanitary Commission when necessary for water or sewer lines. All major stands of trees shall be delineated on the comprehensive design and specific design plans and the developer shall demonstrate to the satisfaction of the Planning Board why it is necessary to remove any mature or specimen trees.**

**Comment:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007), the site has an approved TCPI that was approved by the Planning Board with Preliminary Plan of Subdivision 4-04149. A Type II tree conservation plan has been submitted with this application. The site has a forest stand delineation (FSD) that shows the location of all woodland and specimen trees. Woodland treatment is discussed in the Environmental Review section of this memo

**Consideration 1. The applicant shall address the concerns raised by the Urban Design Division regarding the circulation system and depth of the culs-de-sac.**

**Comment:** According to the CDP text, the culs-de-sac as shown on the comprehensive design plan are an average of 170 feet longer than those shown on the basic plan. As a result, the number of flag lots shown on the CDP was less than previously approved at the basic plan stage. The subject specific design plan does not propose any flag lots.

**Consideration 3. That private recreation facility development be provided in accordance with the Parks and Recreation Facilities Guidelines.**

**Comment:** This consideration has been carried forward as a recommended condition of this specific design plan.

**Consideration 4.**            **The existing tree line on the northeast property line be maintained as a natural green buffer between the single-family development and the adjacent golf course.**

**Comment:** The subject specific design plan and associated tree conservation plan propose the retention of this tree line.

**Consideration 5.**            **That an 85-foot trail easement for the hiker/biker/equestrian trail system be provided as per the proposed Equestrian Amendment to the Adopted and Approved Countywide Trails Plan.**

**Comment:** According to the Transportation Planning Section (Shaffer to Reed, November 19, 2007), at the time of the CDP, it was determined that this trail is not feasible on the subject site due to development constraints and potential conflicts with adjacent land uses. The *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* does not recommend a trail along Northeast Branch and no trail recommendation is necessary along this corridor.

**Consideration 7.**            **Areas of 25 percent slope or greater not be disturbed by the new construction.**

**Comment:** No areas of 25 percent slope or greater exist within the subject portion of the development.

**Consideration 9.**            **An approved erosion control plan shall be required for individual lots at the time of Phase III submittal.**

**Comment:** According to the Environmental Planning Section, sediment and erosion control is required as part of permit issuance. The submitted TCPII shows the necessary grading for the site; however, the infrastructure to control the loose sediment as a result of the erosion is not shown.

**Recommended Condition:** Prior to certification of the specific design plan, the TCPII shall be revised to show a super silt fence to control potential erosion of sediment on the site.

**Consideration 11.**            **In order to maintain the good drainage of the site, natural drainage swales shall be preserved along with maintenance of open space areas along the stream.**

**Comment:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007) there are no natural swales associated with this phase of development. This consideration will be addressed in future phases of development.

8. **Comprehensive Design Plan CDP-8603:** Comprehensive Design Plan CDP-8603 as approved includes a maximum of 80 dwelling units (to be a mixture of single-family detached and attached), a community church and community open space on 84.83 acres in the R-S Zone.

Comprehensive Design Plan CDP-8603 was approved with 6 conditions, of which the following are applicable to the subject SDP and warrant discussion as follows:

5. **In order to discourage cutting or removal of plant materials from the subject site by unauthorized persons, the applicant shall post signs at 300-foot intervals along all rights-of-ways and around the periphery of the site and maintain these signs until the build-out of the project. These signs shall bear the following message: “WARNING: unauthorized cutting or removal of trees or other plants from this site is strictly prohibited by authority of the Maryland-National Capital Park and Planning Commission unless written permission is granted by the property owner.”**

**Comment:** The applicant has provided a statement and photographs confirming that signs have been installed in accordance with this condition.

6. **The applicant shall be prohibited from grading or clearing any portion of the property governed by the approved Acton Park CDP except as authorized by a specific design plan in conformity with the Acton Park CDP.**

**Comment:** This condition has been carried forward as a recommended condition of approval of this specific design plan.

9. **Preliminary Plan of Subdivision 4-04149:** The Preliminary Plan of Subdivision 4-04149, which covers the subject site, was approved by the Planning Board on February 24, 2005 subject to 25 conditions, of which the following are applicable to the review of the subject SDP and warrant discussion as follows:

2. **A Type II tree conservation plan shall be approved with the specific design plan.**

**Comment:** Type II Tree Conservation Plan TCPII/069/07 has been submitted.

3. **Development of this site shall be in conformance with the Stormwater Management Concept Plan 8768-2003-00 and any subsequent revisions.**

**Comment:** The site has valid Stormwater Management Concept Approval 8768-2003-01. However, comments provided by the Department of Public Works and Transportation (DPW&T) failed to indicate whether or not the proposed development, as shown on the specific design plan, is in conformance with the approved stormwater management concept plan. A condition has been incorporated in the recommendation section of this report, which

would require such verification prior to signature approval.

**4. At the time of road construction permits, the applicant shall provide the following:**

- a. A wide asphalt shoulder or wide outside curb along the property's frontage of MD 193, with the concurrence of SHA.**

**Comment:** In a memorandum dated November 13, 2007, the Transportation Planning Section indicated that the frontage improvements along MD 193 referenced in the above condition are beyond the scope of the subject application.

- b. A standard sidewalk along both sides of all public internal streets unless modified by the Department of Public Works and Transportation.**

**Comment:** In a memorandum dated November 13, 2007, the Transportation Planning Section indicated that this condition should be carried forward as a condition of approval of this specific design plan.

**11. Review of the specific design plan (SDP) shall include the following:**

- a. Provide at least 40 feet of unencumbered area from the rear of the conceptual house pads for construction of the single-family dwellings, to ensure the long-term protection of the preserved woodland and to allow for future changes in housing types that may impact the clearing and grading around each house.**

**Comment:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007), this condition has been addressed. The proposed lots that are the subject of this application (Lots 1-12) all show a minimum of 40 feet of unencumbered area from the rear of the conceptual house footprint.

- b. Either combine Lots 20 and 21, Block C to avoid impacts to the wetlands buffer on Lot 21 and revise the limit of disturbance to ensure that a 40-foot active rear yard area can be achieved, or redesign the layout of the other lots to eliminate impacts for the sole purpose of lot grading. If the 40-foot-wide areas cannot be achieved, these lots shall be eliminated and used as woodland conservation.**

**Comment:** The development of the lots referenced in the above condition is not proposed at this time. Therefore this condition is not applicable to the review of the subject specific design plan and will be addressed when a specific design plan that covers this area is reviewed.

**13. Prior to signature approval of the preliminary plan, a copy of the floodplain study shall be submitted, and the preliminary plan and TCPI shall be revised to delineate the**

**limits as reflected in that document. An approved floodplain study may be required with the review of the SDP and referred to DPW&T.**

**Comment:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007), an approved 100-year floodplain study, dated June 17, 2005, has been submitted. The limits of the 100-year floodplain are correctly reflected on the TCPII; however revisions are required with regard to other sensitive features. The primary management area (PMA) is not shown on the plan. This appears to be a technical error. The wetland buffer on Sheet 3 needs to be revised to be 25 feet from the wetland limits. The Environmental Planning Section has proposed several conditions to address these issues.

- 17. The Type II tree conservation plan shall show the locations of all proposed structures, including the proposed dry wells. No additional clearing shall be permitted for the installation of these structures.**

**Comment:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007), this condition has been addressed on the current plan. The approved Stormwater Management Concept (29764-2005-00) is correctly reflected on the plan for this phase of development.

- 18. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.**

**Comment:** This condition has been carried forward as a recommended condition of approval of this specific design plan.

- 19. In accordance with Condition 5 of CDP-8603, PGCPB No. 86-259, the applicant shall post signs at 300-foot intervals along all rights-of-way and around the periphery of the site and maintain these signs until the build-out of the project in order to discourage cutting or removal of plant materials from the subject site by unauthorized persons. The applicant shall submit evidence of this posting with the submittal of the SDP. These signs shall bear the following message: "WARNING: unauthorized cutting or removal of trees or other plants from this site is strictly prohibited by authority of The Maryland-National Capital Park and Planning Commission unless written permission is granted by the property owner."**

**Comment:** The applicant has provided a statement and photographs confirming that signs have been installed in accordance with this condition.

- 20. The applicant shall submit a Phase I archeological investigation with the submittal of the SDP and/or any disturbance occurring on this property and, if determined to be needed by Planning Department staff, a Phase II and Phase III investigation. If necessary, the final plat shall provide for the avoidance and preservation of the**



**resources in place or shall include plat notes to provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole, 1994) and must be presented in a report following the same guidelines.**

**Comment:** In a memorandum dated August 9, 2007, the Historic Preservation and Public Facilities Section indicated that a Phase I study was conducted on the subject site and that no further work was deemed necessary. In later correspondence dated November 15, 2007 (Stabler to Child), the Archeology Planner indicated that four copies of the final report, *Phase I Cultural Resources Investigation of the Proposed Acton Park Development, Prince George's County, Maryland*, were received and that this condition has been fulfilled.

- 21. MD 193 and Chantilly Lane: Prior to the approval of a specific design plan for infrastructure within the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA (and DPW&T, if necessary) for a possible signal at the intersection of MD 193 and Chantilly Lane. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by SHA at that time, the applicant shall bond the signal prior to the release of any building permits or as determined at the time of review of the specific design plan, within the subject property and install it at a time when directed by the appropriate permitting agency.**

**Comment:** According to the Transportation Planning Section (Burton to Lareuse, October 26, 2007), the State Highway Administration (SHA) has acknowledged that a signal is warranted for the MD 193/Chantilly Lane intersection (Foster to Foster, September 17, 2007). The Transportation Planning Section has recommended a condition that would assure the timely construction of this signal. This recommended condition has been incorporated in the recommendation section of this report.

- 22. At the time of final plat approval, the applicant shall dedicate right-of-way along MD 193 of 90 feet from centerline.**

**Comment:** In comments dated November 6, 2007, the Transportation Planning Section indicated that the subject specific design plan does not include the site's frontage on MD 193 and that this condition should be addressed prior to the recordation of final plats for the portion of the development that fronts on MD 193. A condition has been included in the recommendation section of this report, which addresses the Transportation Planner's concerns.

- 23. Total development within Parcels A, B, and C of the subject property shall be limited to the existing church plus 15,000 square feet of church facilities, or equivalent development which generates no more than 11 AM, 11 PM, and 218 Sunday peak-hour vehicle trips. Whether a new stand-alone church or an addition to the existing church is**

**built, any new development shall be limited to facilities of a pastoral nature and shall not include day care or school facilities. Any development other than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

**Comment:** Parcels A, B and C are not included in the subject application.

- 24. At the time of review of a specific design plan proposing any development within Parcels A, B, or C of the subject property, the applicant shall submit Sunday traffic counts for the intersections of MD 450/MD 193 and MD 193/Chantilly Lane. Transportation staff shall review these traffic counts and any improvements needed for Sunday transportation adequacy shall be recommended as a part of specific design plan approval.**

**Comment:** Parcels A, B and C are not included in the subject application.

- 25. The woodland conservation proposed on the rear of Lots 5 and 6 (TCPI/46/92-01) shall be retained at a minimum of 40 feet wide and shall be reflected on all subsequent plans of development. A 40-foot building restriction line shall be reflected on the final plat on Lots 5 and 6, from the common boundary line with Parcels 126 and 145, and labeled as a “buffer” to ensure woodland preservation.**

**Comment:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007), the rears of Lots 5 and 6, Block A, adjacent to Parcel 126 both contain a wooded buffer that is 40 feet in width and is proposed for woodland preservation. The building restriction line, however, is incorrect. The line needs to be adjusted to provide the 40 feet as required by this condition.

**Recommended Condition:** Prior to certification of the specific design plan, the SDP and TCPII shall be revised to show a 40-foot building restriction line on Lots 5 and 6, Block A, from the common boundary line with Parcels 126 and 145. This building restriction line shall also be shown on the final plat and labeled “buffer” prior to approval.

- 10. Zoning Ordinance:** The subject SDP is in compliance with the applicable requirements of the Zoning Ordinance as follows:
- a. The proposed 12 single-family detached units are part of a larger project known as Acton Park, which is the subject of numerous previous approvals. The subject SDP is an implementation of previous approvals and is in compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 in regard to permitted uses and other regulations such as minimum size of property.
  - b. Section 27-528, requires the following findings for approval of a specific design plan:

(a) **Prior to approving a specific design plan, the Planning Board shall find that:**

- (1) **The plan conforms to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*, and for specific design plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274 (a) (1) (B) and (a) (11), and the applicable regulations for townhouses set forth in Section 27-433 (d) and, as it applies to property in the L-A-C Zones, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulation set forth in Section 27-480(d) and (e);**

**Comment:** As stated in Findings 8 and 11, the proposed specific design plan conforms to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*.

This SDP does not propose the construction of townhouse units and thus is not subject to the requirements of Section 27-274 (a) (1) (B) and (a) (11) and the regulations for townhouses set forth in Section 27-443 (d).

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.**

**Comment:** Findings for adequate public facilities including fire, rescue, police, and transportation have been made in conjunction with the preliminary plan of subdivision. Per a review by the Transportation Planning Section (October 26, 2007, Burton to Lareuse), the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future, subject to two conditions. In later correspondence (Burton to Lareuse, November 6, 2007), the Transportation planner revised the timing of one of these conditions. The Transportation Planning Section's recommended conditions have been incorporated in the recommendation section of this report.

According to a memorandum from the Public Facilities and Historic Preservation Section (Harrell and Izzo to Lareuse, August 10, 2007), the development as proposed in this SDP will be adequately served by the existing and programmed fire, rescue and police service in the area.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.**

**Comment:** The subject site has approved Stormwater Management Concept 8768-2003-01. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties. However, the Department of Public Works and Transportation (DPW&T) provided a referral response for the subject project (Dawit to Lareuse, August 3, 2007), which failed to verify that the proposed development is consistent with the approved stormwater management concept plan. A condition has been proposed in the recommendation section of this report, which would require the applicant to provide evidence from DPW&T that the subject specific design plan is consistent with the approved stormwater management concept plan, prior to signature approval.

**(4) The plan is in conformance with an approved tree conservation plan.**

**Comment:** As indicated in Finding 12 below, Type II Tree Conservation Plan TCPII/69/07 has been submitted with this SDP. TCPII/69/07 has been found to meet the requirements of the Woodland Conservation and Tree Preservation Ordinance according to the review by the Environmental Planning Section. The Environmental Planning Section recommended approval of the subject SDP and TCPII/69/07 subject to five conditions, which have been incorporated in the recommendation section of this report.

11. **Landscape Manual:** The proposed construction of single-family detached houses in the R-S Zone is subject to Section 4.1, Residential Requirements, of the *Landscape Manual*. According to Section 4.1(b), the 11 proposed lots that are between 20,000 and 39,999 square feet are required to be planted with a minimum of three shade trees and two ornamental or evergreen trees each. Therefore a total of 33 shade trees and 22 ornamental or evergreen trees are required to be planted on these lots. According to Section 4.1(a), the one lot that is larger than 40,000 square feet is required to be planted with a minimum of four shade trees and three ornamental or evergreen trees. Therefore a total of 37 shade trees and 25 ornamental or evergreen trees are required to be planted in accordance with Section 4.1. The Section 4.1 landscape schedule provided on the landscape plan does not differentiate between the requirements of Sections 4.1(a) and 4.1(b). The schedule indicates that 36 shade trees and 24 ornamental or evergreen trees are required and will be provided. This schedule and the landscape plan should be revised to separately account for the requirements of 4.1(a) and 4.1(b) and one additional shade tree and one additional ornamental or evergreen tree should be provided in accordance with Section 4.1(a). A condition has been incorporated in the recommendation section of this report, which would bring the subject specific design plan into conformance with the *Landscape Manual*.
12. **Woodland Conservation and Tree Preservation Ordinance:** According to the Environmental Planning Section (Shoulars to Lareuse, November 19, 2007), the property is subject to the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has previously approved tree conservation plans for a portion of this site. The Type II tree conservation plan has been reviewed.

This 82.50 acre property in the R-S zone has a woodland conservation threshold of 20 percent or 14.97 acres and a replacement requirement of 5.50 acres due to the clearing of 6.07 acres of woodlands above the woodland conservation threshold and clearing of 0.07 acres of woodland in the 100-year floodplain. The site's 16.73-acre woodland conservation requirement is proposed to be met with 5.03 acres of on-site woodland preservation for this phase of development.

Some revisions are required. The TCPI correctly shows a phased worksheet for the site; however, the plan must show the correct acreages for future phases in order to meet the requirement of the Woodland Conservation and Tree Preservation Ordinance. Any remaining woodland on land to be developed in future phases should be shown as woodland preservation.

The plan indicates an area of selective clearing with required additional planting along the rears of Lots 4-11. Because the additional planting is required to bring the stocking levels to meet the criteria of woodland, part of this area should be counted as reforestation.

The cover sheet shows an overall view of the site; however, the area of this phase of development is not readable on the plan. Revise the cover sheet to clearly delineate the limits for this phase of development.

The specimen trees are not identified on the plan. Revise the plan to identify the location of all specimen trees on the subject site and show the associated critical root zone.

Reforestation on lots is proposed in order to fulfill woodland conservation requirements on this site. In order to protect the reforestation areas after planting, so that they may mature into perpetual woodlands, the reforestation must be completed prior to the issuance of building permits for the sites. The Environmental Planning Section has proposed several conditions to address these issues.

13. **Urban Design Analysis:** Many of the general notes included on the coversheet of the plans are not in conformance with the comprehensive design plan or the Zoning Ordinance. These notes should be removed prior to signature approval of the subject specific design plan. A condition has been incorporated in the recommendation section of this report, which would require their removal.

Two of the proposed architectural models, 5131 and 7014, are smaller than those which are customarily approved within the county. The applicant has provided the following justification for their size:

“In accordance with the Basic and Comprehensive Plans, this SDP is designed to provide building sites that will be made available to individuals where the construction of a home will be their responsibility. The Acton Park Architectural Review Committee will review the plans for all homes built on the site. Home designs and siting will be reviewed with the intent of achieving a consistency of architectural quality in the community. The housing types

shown are provided for illustration purposes only indicating the type, quality, and range of sizes that can be built to satisfy varying needs of the original concept of a socio-religious community. As such, the housing sizes shown vary from 1,650 square feet to 3,941 square feet. Selection of home size by lot owners could be smaller or larger than the illustration shown on this SDP while still achieving an acceptable architectural quality for the community.

“We wish to honor the existing eclectic nature of housing in both the immediate neighborhood and surrounding community. This also provides for individual ownership expression and is compatible with how build-out will actually occur. It is important to provide a range in size and variety in footprints for interest and to satisfy needs appropriate to the mix of lifestyles to be supported by the Acton Park Community.

“The architectural concept seeks to enhance these objectives by providing for a variety of roof forms; articulated massing for human scale and walk-by attractiveness; and avoid uniformity of exterior facades in favor of a mixed palette of natural and quality materials. Across the range of suggested archetypes the plans all include quasi-exterior elements and extensions which establish transitional and connected spaces to permit cohesive neighborhood interaction while fostering individual sense of place and privacy.”

Staff requested additional information to justify the size of the proposed units. In response to this request, the applicant provided the following additional information:

“The idea behind the varying needs is to be able to provide housing solutions for a wide range of means and age. This community is not designed as a transient community. People who have built here have lived here for 10, 20 or 30 years or more because they are focused on the broader community of the local church and school. The ability to provide smaller single-family housing types allows for younger couples to build houses that are within their current means. It also allows parents whose children have grown up and moved out to be able to build a house that is not beyond their needs as far as size, energy costs etc. We are trying to provide for a broad range of individual needs so that we can maintain the continuity of family and community and not end up with a community that is built solely on the two income professional style that is often necessary to afford and maintain the large square footage house of this age. We currently have people interested in lots from all these categories, young singles, newly married, married with school age children and retired couples. This is the entire spectrum of community that we are trying to address and one where a one size fits all solution is not realistic.

“This has been our concept from the start and as we stated in the CDP, our development timeframe was long term. So I realize that the county has moved on in its approach, but we have remained constant in our concept and approach to a community to meet the needs of the whole life cycle of the family life.”

Staff recognizes the unique character of this community and acknowledges the need for a variety of

housing options for its prospective members. It is the goal of the applicant to establish and maintain a cohesive community. In order to achieve this goal, the development must be able to cater to each member's specific needs, which would likely include modest-sized single-family detached homes.

Architectural models 9023 and 9768 do not feature garages. These units are a substantial size (2,420 and 2,946 square feet, respectively). Garages are highly desirable amenities, especially for homes of this size. Staff has incorporated a condition in the recommendation section of this report, which would require the revision of these two models to include one or two-car garages.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. The Community Planning Division (D'Ambrosi to Lareuse, August 3, 2007) has stated that this application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the recommendations of the 2006 Approved Master Plan for Bowie and Vicinity for residential land uses.
- b. The Transportation Planning Section (Burton to Lareuse, October 26, 2007) provided a discussion of the applicable conditions of approval of 4-04149 and also indicated that the subject development would be adequately served within a reasonable period of time subject to two conditions.

**Comment:** The Transportation Planning Section's recommended condition has been incorporated in the recommendation section of this report.

In a separate memorandum (Shaffer to Lareuse, November 13, 2007) regarding specific design plan review for master plan trail compliance, the Transportation Planning Section has indicated that master plan trail issues were addressed at the time of preliminary plan of subdivision through condition 4. Please see Finding 9 above for a detailed discussion of the subject specific design plan's conformance with this condition.

- c. The Environmental Planning Section (Shoulars to Lareuse, November 19, 2007) has provided a comprehensive review of the subject specific design plan's conformance with conditions of approval of the basic plan, comprehensive design plan and preliminary plan of subdivision. Please see Findings 9–12 above for a detailed discussion of the subject SDP's conformance with these conditions.

In addition, the reviewer provided a detailed analysis of the environmental issues related to the subject development. According to the Environmental Planner, review of available information indicates that streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils and severe slopes are found to occur within the limits of this application.

Two existing roads in proximity to the site have been identified as traffic-noise generators.

These include John Hanson Highway (US 50), classified as freeway, and Enterprise Road (MD 193), classified arterial. Traffic-noise impacts are anticipated from these two roads to the subject site. The TCPII correctly shows the location of the unmitigated 65 dBA Ldn noise contour. Noise impacts to the proposed lots are not anticipated.

The soils found to occur according to the *Prince George's County Soil Survey* include Bibb silt loam, Collington fine sandy loam; Ochlocknee sandy loam; and Shrewsberry fine sandy loam. These soils generally have no limitations that would affect the proposed application with the exception of the Bibb soils that are associated with the stream. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, no rare, threatened or endangered species occur in the vicinity of this property. This property is located in the Northeast Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the 2002 General Plan.

The planner has recommended approval of Specific Design Plan SDP-0607 and TCP II/69/07 subject to five conditions, which have been incorporated into the recommendation section of this report.

- d. The Subdivision Section (Lockard to Lareuse, November 7, 2007) has indicated that the property is the subject of Preliminary Plan of Subdivision 4-04149, which was approved subject to numerous conditions. The Subdivision planner provided an analysis of the applicable conditions, which are discussed in detail in Finding 9 above. In addition, the Subdivision planner indicated that the proposed development is in conformance with the lotting pattern shown on the approved preliminary plan.
- e. The Permit Review Section (Linkins to Lareuse, August 6, 2007) offered numerous comments, which have either been addressed through revisions to the plans or have been incorporated in the recommendation section as conditions of approval of this specific design plan.
- f. The Department of Parks and Recreation (DPR) (Asan to Lareuse, July 20, 2007) indicated that the proposed development will have no effect on park property.
- g. The Historic Preservation and Public Facilities Planning Section (Moore to Lareuse, July 20, 2007) indicated that the proposed development will have no impact on historic resources.

In a separate memorandum (Stabler to Lareuse, August 9, 2007), the staff archeologist indicated that a Phase I archeological survey was completed on the Acton Park property and concluded that no further archeological investigations are necessary on the area covered by SDP-0607.

- h. The State Highway Administration (SHA) (Foster to Zhang, July 26, 2007) has indicated that SHA has no objection to the approval of this SDP and that it is assumed Phase II will



address the frontage improvements required at the intersection of MD 193 and the southwest site entrance.

- i. The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Lareuse, August 10, 2007) has noted that the development will be adequately served by the existing fire and rescue and police facilities and that a school facilities surcharge will be assessed for each dwelling in accordance with CB-31-2003.

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/69/07), and further APPROVED Specific Design Plan SDP-0607 for the above-described land, subject to the following conditions:

1. Prior to signature approval of this specific design plan, the applicant shall make the following revisions to the plans or provide the following additional information:
  - a. Provide evidence from DPW&T that the subject specific design plan is in conformance with the approved Stormwater Management Concept Plan.
  - b. Provide and label a standard sidewalk along both sides of all public internal streets unless modified by the Department of Public Works and Transportation.
  - c. Revise the landscape plan and associated schedules to accurately reflect the requirements of Sections 4.1(a) and 4.1(b) of the *Landscape Manual*.
  - d. Clearly indicate the location of the existing picnic area. If the picnic area does not contain the required amenities as outlined in the M-NCPPC *Parks and Recreation Facilities Guidelines*, then it shall be revised accordingly.
  - e. Clearly indicate the location of the existing trails.
  - f. Indicate that models 9023 and 9768 will feature optional detached one- or two-car garages.
2. Prior to signature approval of the Specific Design Plan, the TCPII shall be revised as follows:
  - a. For the proposed preservation of Selective Clearing Area 2, show half of the proposed area as reforestation on the plan and worksheet.
  - b. Add a column to the TCPII worksheet and show the correct acreages for future phases of the site.
  - c. Revise the cover sheet to clearly identify the limits of this phase of development of the overall site.

- d. Identify all specimen trees and their critical root zones.
  - e. Add the following note: “Reforestation and afforestation areas on lots shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device. Wire fences or the like shall not be used— the fencing material used must be specified on the plans and be aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP.”
  - f. Revise the worksheet as necessary.
  - g. Have the plans signed and dated by the qualified professional who prepared them.
  - h. Show the PMA and the corrected wetland buffer on Sheet 3 of 6.
  - i. Show a super silt fence to control potential erosion of sediment on the site.
3. Prior to certification of the specific design plan, the SDP and TCPII shall be revised to show a 40-foot building restriction line on Lots 5 and 6, Block A, from the common boundary line with Parcels 126 and 145. This building restriction line shall also be shown on the final plat and labeled “buffer” prior to approval.
  4. The development of the soccer field shall be accomplished in accordance with the *Parks and Recreation Facilities Guidelines*.
  5. The soccer field and any upgrades to the picnic area required by Condition 1.f. above shall be completed prior to the issuance of the 38th building permit for the Acton Park development as a whole.
  6. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
  7. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
    - a. At the MD 193/Chantilly Lane intersection (unsignalized): The applicant shall contribute its pro rata share for the installation of a traffic signal and associated improvements as deemed necessary by SHA, if evidence is provided by SHA that there are other parties to share in the cost.
  8. Prior to the issuance of building permits, the Planning Board or its designee shall review the

proposed architectural elevations for custom architecture not included in the approval of SDP-0607.

9. Prior to the issuance of any permits that impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
10. All planting and associated fencing shall be installed prior to the issuance of the first building permit for the associated lots. A certification prepared by a qualified professional may be used to provide verification that the afforestation has been completed. It must include, at a minimum, photos of the required planting areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
11. At the time of recordation of final plats for the portion of the development that has frontage on MD 193, the applicant shall dedicate 90 feet from the centerline of MD 193.
13. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area, except for the six approved areas of impacts, and shall be reviewed by the Environmental Planning Section prior to certificate approval. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted.”
14. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land, prior to the issuance of building permits as stated in RFA recorded at Liber 6892, Folio 19.
15. Prior to issuance of building permits, the proposed architectural products shall be submitted for review of the size, colors, mixture of exterior finish materials, and architectural detailing for approval by the Planning Board. The exhibits submitted in the record of SDP-0607 shall guide the review process.

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 Clark, with Commissioners Vaughns, Clark,

Cavitt, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, December 3, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3<sup>rd</sup> day of January 2008.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

OSR:FJG:SL:bjs