

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 26, 2001, regarding Specific Design Plan SDP-9910/10 for Hampton Property, the Planning Board finds:

1. A Specific Design Plan (SDP-9910) for the approval of infrastructure for 287 single-family detached lots was previously approved by the Prince George's County Planning Board on March 30, 2000. The subject application is to add a Phasing Plan to the Specific Design Plan. No additional lots are created as a result of the addition of the Phasing Plan. Several conditions of SDP-9910 required the applicant to obtain technical stormwater management approval of all stormwater management ponds prior to certification of the SDP. The Phasing Plan, along with the modification of several conditions of SDP-9910, will allow the applicant to obtain technical approval of stormwater ponds as each phase is developed, rather than all at once.
2. On May 22, 1992, the County Council adopted Z.O. No. 19-1992 (Application No. A-9853-C) and amended the Zoning Map by rezoning the subject property consisting of 189.32 acres from the R-R and R-A Zones to the R-S Zone (1.6-2.6 DUs per acre). The rezoning was approved with 32 conditions and 3 considerations. The revision to Specific Design Plan for phasing is in conformance with the applicable conditions of the approved Basic Plan A-9853-C.
3. The revision to Specific Design Plan SDP-9910 is in conformance with the approved Comprehensive Design Plan CDP-9403 and applicable conditions of approval.
4. The revision to Specific Design Plan SDP-9910 is in conformance with the approved Preliminary Plat of Subdivision 4-99048 and applicable conditions.
5. The Specific Design Plan is in conformance with the Woodland Conservation and Tree Preservation Ordinance. The Phasing Plan does not impact the Tree Conservation Plans. By memorandum dated April 3, 2001 (Finch to Wagner), the Natural Resources Division offered the following comments:

The Hampton Property has been extensively reviewed by the Environmental Planning Section during the Comprehensive Design Plan process (Basic Plan, Conceptual Design Plan, and Specific Design Plan) and previous subdivisions. The SDP was reviewed as SDP-9910 and was approved by PGCPB Resolution No. 00-32. The applicant is requesting to revise the Specific Design Plan to include a Phasing Plan for construction. The

Environmental Planning Section recommends approval of this request, subject to conditions included at the end of this memorandum.

Specific Design Plan Conditions

The applicant is requesting the revision of the Specific Design Plan to add a Phasing Plan. The Urban Design Section has further identified two conditions that may need to be modified in response to this request.

Condition 2.

Condition 2. states that:

■Prior to certification (of the Specific Design Plan), the following shall be addressed to the satisfaction of the Environmental Planning Section:

- . . . c. The applicant shall illustrate the technical design of all stormwater management facilities on the Specific Design Plan, so that any proposed impacts on sensitive environmental areas can be reviewed by the Environment Planning Section.●

Discussion: The applicant wishes to defer the technical design of Stormwater Management Pond #1 until the time of grading permits for Phases VI and/or VII. This request is made so that construction can be initiated for the first phases while outstanding details are being finalized on the technical approval for this pond. Because the design of Stormwater Management Pond #1 only affects the Phases VI and/or VII, the Environmental Planning Section would support the following:

Recommended Revised Conditions:

1. Condition 2.c. of PGCPB No. 00-32 shall be deleted and be replaced by a new condition as follows:

■Prior to issuance of grading permits for each phase of development, the applicant shall illustrate the technical design of all stormwater management facilities on the Specific Design Plan, so that any proposed impacts on sensitive environmental areas can be reviewed by the Environmental Planning Section.●
2. Condition 6. of PGCPB No. 00-32 shall be revised as follows:

■Technical stormwater approval for Stormwater Management Pond #1 shall be reviewed by the Urban Design Section prior to the issuance of grading permits for Phases VI and/or VII.
~~Stormwater management (SWM)~~ The pond #1 shall be designed to fit harmoniously into the site by means of naturalistic and irregular contours and grading in keeping with the general topography of the area. The SWM pond shall be designed as an amenity with special attention to appearance of inlet and outlet structures, to pond edge treatment, landscaping,

elimination of rip-rap channels where possible, and other aesthetic considerations. A six-foot-wide asphalt trail shall be provided around the pond.●

Condition 7.

Condition 7 reads as follows:

- 7. Prior to certificate approval for this Specific Design Plan, the applicant, his heirs, successors, and/or assigns shall submit technical stormwater management plans to the Urban Design Section to check for conformance with the approved Specific Design Plan, particularly regarding landscaping, trail location, grading, riser and outfall structures, rip-rap, and access routes. The Urban Design Section shall act as the Planning Board's designee to work with the applicant and the Watershed Protection Branch of DER to resolve any discrepancies discovered between the two plans.●

Discussion: The applicant wishes to defer technical stormwater approval of Stormwater Management Pond #1 until time of permits. While this proposal is in keeping with the intent of the condition, the applicant should be aware that deferral of this approval until time of permits may result in the necessity to revise the Specific Design Plan prior to the issuance of permits.

Recommended Revised Condition:

1. Condition #7 of PGCPB No. 00-32 shall be revised as follows:
Prior to the issuance of grading permits for each phase, the applicant, his heirs, successors, and/or assigns shall submit technical stormwater management plans to the Urban Design Section to check for conformance with the approved Specific Design plan, particularly regarding landscaping, trail location, grading, rise and outfall structures, rip-rap, and access routes. The Urban Design Section shall act as the Planning Board's designee to work with the applicant and the Watershed Protection Branch of DER to resolve any discrepancies discovered between the two plans.●

The Environmental Planning Section recommends approval of Specific Design Plan SDP-9910/01, subject to conditions 1, 2, and 3 below.

6. The 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 provided as part of the private development.

Transportation Planning Section

The Transportation Planning Section has reviewed the application referenced above. The application involves a Specific Design Plan for Hampton. The subject property consists of approximately 189 acres of land in the R-S zone. The property is located on both sides of

Dyson Road between US 301 and MD 5, along the alignment of the proposed A-63 (Brandywine Spine Road) facility. The applicant proposes to develop the site as a residential development with 287 single-family detached residences.

The Specific Design Plan has been submitted to add a phasing plan. In consideration of this phasing plan, the staff has reviewed the status of conditions placed on the subject property by previous applications. CDP-9403 and Preliminary Plat of Subdivision 4-99048 contain a number of transportation-related conditions, which are discussed below:

CDP-9403:

Condition 13: This condition requires the payment of pro-rata fees toward off-site transportation improvements in the Brandywine area. These fees are to be paid at the time of building permit; therefore, this condition is enforceable at the time of building permit.

Condition 14: This condition indicates that Parcels H and/or I on the CDP be considered as a site for a potential commuter parking lot. Parcel L of the current plan corresponds to those parcels, and Parcel L is being dedicated to M-NCPPC.

Condition 15: This condition indicates that Parcels H and/or I on the CDP, if not developed as a commuter lot, should have at least five acres occupied by another public or quasi-public use, with the remainder reverting to open space. Parcel L of the current plan corresponds to those parcels, and Parcel L is being dedicated to M-NCPPC.

Preliminary Plat of Subdivision 4-99048:

Condition 1: This condition requires the payment of pro-rata fees toward off-site transportation improvements in the Brandywine area and is consistent with CDP

Condition 13. These fees are to be paid at the time of building permit; therefore, this condition is enforceable at the time of building permit.

Condition 2: This condition requires dedication along Dyson Road. This condition is enforceable at the time of Final Plat. The submitted plan is consistent with this requirement.

Condition 3: This condition requires dedication along US 301, including Outlot 1. This condition is enforceable at the time of Final Plat. The submitted plan is consistent with this requirement.

Condition 4: This condition requires that the initial half-section of A-63 between US 301 and Dyson Road be bonded and scheduled for construction prior to the initial building permit. The transportation staff intends to enforce this condition once the initial permit for an occupied residence is received, and this phasing plan would be consistent with this condition.

Condition 5: This condition requires all right-of-way documents for the acquisition of the right-of-way for A-63 between the subject property and MD 5 to be completed prior to issuance of the initial building permit. The transportation staff intends to enforce this condition once the initial permit for an occupied residence is received, as this condition is not enforceable until that time.

Condition 6: This condition requires physical improvements at the US 301/A-63 intersection prior to issuance of building permits. The transportation staff intends to enforce this condition once the initial permit for an occupied residence is received, and this phasing plan would be consistent with this condition.

Condition 7: This condition requires a traffic signal warrant study to be conducted at the US 301/A-63 intersection prior to the approval of the 250th residential building permit. This condition is not enforceable until that time, which would correspond to Phase VII.

Condition 8a, b and c: These conditions require modifications to the submitted preliminary plat in accordance with staff recommendations. The plan complies with Conditions 8b and 8c. However, Condition 8a requires that Road B be revised to a 60-foot right-of-way between Road A and Road E (note: the SDP now labels all ■Roads■ as ■Streets■). The condition allows the 50-foot right-of-way to remain, provided that the County Department of Public Works and Transportation determines in writing the sufficiency of such a right-of-way.

The subject property is required to make or fund roadway improvements in the area pursuant to a finding of adequate public facilities made in 1999 for Preliminary Plat of Subdivision 4-99048 and supported by a traffic study submitted with a prior preliminary plat application in 1995. Insofar as the basis for that finding is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff can make a finding that the subject property will be adequately served within a reasonable period of time with transportation facilities that are existing, programmed, or which would be provided as a part of the development.

7. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. The site has a Stormwater Management Concept Plan, Concept #958012050, approved by the Department of Environmental Resources. The Phasing Plan does not impact that approval.
8. The Historic Preservation Section reviewed the Specific Design Plan and has indicated that the revision to the Specific Design Plan ■will not have a direct impact upon Gwynn Park (Historic Site 85A-13) or its Environmental Setting.■

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. Condition 2.c. of PGCPB No. 00-32 shall be deleted and be replaced by a new condition as follows:

Prior to issuance of grading permits for each phase of development, the applicant shall illustrate the technical design of all quantity stormwater management facilities on the Specific Design Plan so that any proposed impacts on sensitive environmental areas can be reviewed by the Environment Planning Section.

2. Condition 6. of PGCPB No. 00-32 shall be replaced as follows:

Technical stormwater approval for Stormwater Management Pond #1 shall be reviewed by the Urban Design Section prior to the issuance of grading permits for Phases VI and/or VII. The pond shall be designed to fit harmoniously into the site by means of naturalistic and irregular contours and grading in keeping with the general topography of the area. The SWM pond shall be designed as an amenity with special attention to appearance of inlet and outlet structures, to pond edge treatment, landscaping, elimination of rip-rap channels where possible, and other aesthetic considerations. A six-foot-wide asphalt trail shall be provided around the pond.

3. Condition #7 of PGCPB No. 00-32 shall be replaced as follows:

Prior to the issuance of grading permits for each phase, the applicant, his heirs, successors, and/or assigns shall submit technical stormwater management plans for quantity ponds to the Urban Design Section to check for conformance with the approved Specific Design plan, particularly regarding landscaping, trail location, grading, riser and outfall structures, rip-rap, and access routes. The Urban Design Section shall act as the Planning Board's designee to work with the applicant and the Watershed Protection Branch of DER to resolve any discrepancies discovered between the two plans.

4. All other conditions of SDP-9910 (PGCPB No. 00-32) not amended by this application shall remain effective.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 26, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of May 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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