

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on June 22, 2000, regarding Detailed Site Plan SP-94033/01 for Chestnut Oaks, the Planning Board finds:

1. Location: The subject property is located southwest of the intersection of Chestnut Avenue and 14th Street, in Bowie. The property is bounded by an existing Penn Central Railroad right-of-way to the north, three vacant residential lots to the east and west, and the Chestnut Avenue right-of-way to the south.
2. The Proposed Development: This Detailed Site Plan is for three lots, two of which are flag lots that will each provide for the construction of a 2,150-square-foot, detached single-family dwelling unit. The Detailed Site Plan includes the site, landscape and tree conservation plans, and architecture. The third lot which is part of the subject plan has an existing house which will remain.

The original Detailed Site Plan approval for the subject property, SP-94033, provided a plan identical to the plan in the current application. No construction or development activity occurred on the site subsequent to the approval of the original plan, and thus the validity of the approval expired. The only element of the previously approved plan that is proposed to change in the current revision/re-approval is the model and type of house provided. See Finding No.8 for further discussion of the proposed house type.

3. The Approved Preliminary Plat: The Preliminary Plat, 4-93005, was approved by the Planning Board on June 8, 1993. The proposed lotting pattern, layout, circulation, and access points are in general conformance with the approved preliminary plan. The Preliminary Plat was approved with thirteen conditions, five of which warrant discussion in terms of analysis for Detailed Site Plan approval. The conditions listed below provide the requirement that a Detailed Site Plan be approved by the Planning Board:

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

Comment: TCP II/96/94 was approved by the Planning Board with the original site plan approval. The Type II tree conservation plan has been re-submitted, has not been revised, and remains identical to that previously approved. It is recommended by the Environmental Planning Section that TCP II/96/94 be approved with the subject application.

7. **Prior to approval of the Detailed Site Plan, the applicant, his heirs, successors and/or assigns, shall submit a Soils Report to the Natural Resources Division for review and approval. This report shall address drainage, structural fill placement, foundations and load. The Soils Report shall also make recommendations as to the type of foundations and the most suitable location for placement as well as measures necessary to reduce drainage impediments around the foundations and in the usable yard areas.**

Comment : A soils report was submitted and accepted with the original site plan approval. All information contained in the report is still applicable to the subject property, and remains valid. The subject condition has been satisfied.

8. **At the time of Detailed Site Plan, the applicant, his heirs, successors and/or assigns, shall obtain written approval from the Department of Public Works and Transportation that it does not object to a joint curb cut for two separate driveways to serve proposed Lots 2 and 3 of the subdivision.**

Comment : The subject plan was referred to the Department of Public Works and Transportation. The plan depicts two separate access driveways for Lots 2 and 3, and the referral comments note the required right-of-way improvements necessary at the time of permits. The subject condition has been satisfied.

12. **Prior to Final Plat, the applicant, his heirs, successors and/or assigns, shall submit a Detailed Site Plan for Lots 2 and 3. This Detailed Site Plan shall address, but not be limited to, driveway locations and architecture.**

Comment : The driveway locations have been addressed in the previous comments for conformance to Preliminary Plat Condition No. 8 above. See Finding No. 8 below for discussion of the proposed architecture.

13. **At the time of Detailed Site Plan, a 50-foot required landscape buffer shall be shown on the Detailed Site Plan for Lots 2 and 3.**

Comment : A 50-foot landscape buffer, consisting of existing woodlands, is provided at the rear of Lots 2 and 3 between the subject lots and the Penn Central Railroad right-of-way. The subject condition has been satisfied.

4. The site development data is as follows:

CHESTNUT OAKS
ZONE R-R

Total Area of Site

2.67 acres

Maximum Density Allowed	2.17 du/acre
Number of Lots Allowed	6 lots
Number of Lots Proposed	3 lots
Minimum Lot Size Permitted	20,000 sq. ft.
Minimum Lot Size Proposed	20,000 sq. ft.

5. Conformance to the requirements of the Woodland Conservation Ordinance : The subject application is in conformance with the requirements of the Woodland Conservation Ordinance. See Finding No. 3, Preliminary Plat Condition No. 5, for further discussion of Tree Conservation Plan approval. A condition of approval that will be carried over from the previous site plan approval for the subject property can be found in the recommendation section of this staff report.

6. Conformance with the Requirements of the Zoning Ordinance in the R-R Zone, including the Requirements of the Prince Georges County Landscape Manual : The subject application is in general conformance with Section 27-428 of the Zoning Ordinance which regulates development in the R-R Zone.

Sections 4.1, Residential Requirements, and 4.7, Buffering Incompatible Uses, of the Landscape Manual is applicable to the proposed development, and the plans are in full conformance with the requirements of the *Landscape Manual*.

- 7 Conformance to the Requirements of the Subdivision Regulations : The subject application is in general conformance with Section 24-138.01 of the Subdivision Regulations which sets the criteria for Flag Lot development.

Section 24-138.01(d)(2) requires that driveways within the flag stem of a flag lot be located a minimum of five feet from the parallel lot lines, unless modified

to address unique site characteristics. As noted in a memorandum (Chellis to Jordan) dated February 24, 2000, both flag lot driveways are located within five feet of the parallel lot lines. Staff believes that existing environmental conditions on the subject property have dictated the proposed layout and provide the basis for justification of the flag lot driveways' proximity to the parallel lot lines. The following is a discussion of the contributing pertinent environmental site characteristics:

1. The flag lots, proposed Lots 2 and 3, are occupied by extensive woodland. The subject plan proposes a minimal area of disturbance and amount of tree clearing in an effort to preserve existing mature vegetation. The proposed entrance drives have some segments that are curvilinear for the purpose of saving existing tree stands wherever possible. Between the south property line of the flag stem of proposed Lot 2 and its entrance driveway will be an existing stand of mature trees that measures approximately 25 feet in width and 90 feet in length. Had the plan provided a straight entrance drive parallel to the south property line, the preserved stand of trees would have to be cleared, and the existing well in that vicinity would have to be relocated. The curvilinear layout of the entrance drives allows for the preservation of existing mature woodlands.
2. The layout of the proposed entrance drives for Lots 2 and 3 will be separated by a strip of green space approximately 14 feet wide, which is generally consistent in width. As previously noted, some segments of the entrance drives are curvilinear which not only allows for the preservation of existing tree stands, but also provides for preservation of several large mature shade trees that are in proximity to the common property line that divides the individual flag lot stems. Staff believes that removal of the said trees to relocate the entrance drives, and thus demonstrate strict compliance with the requirements of Section 24-138.01(d)(2) would be

excessive with respect to preservation of natural features, and furthermore has no merit with respect to the design and layout of the lots. The curvilinear layout of the entrance drives allows for the preservation of several large mature shade trees in the green space between the drives.

Staff believes that the preservation of the existing shade trees within the said green space begins to establish a formal pattern of landscaping along the entrance drives. This pattern should be continued within the green space, and should end as the green space meets the existing woodland on Lot 2. It is recommended that additional shade trees be provided in the green space between the entrance drives.

Furthermore, as noted, the plan provides for green space between the proposed driveways. The opposite edges of the proposed driveways will be bounded by open space. These two factors, when considered together, will give the appearance that the requirement for spacing between the driveway edges and the parallel lot lines has been met. For all of the stated reasons, staff believes that the intent of Section 24-138.01(d)(2) has been met, and that the site characteristics are unique and the modified plan addresses the existing conditions.

8. Urban Design : The subject application has been reviewed by the Urban Design Section, and the following comments are provided:
 1. As stated, the singular difference between the subject application and that which was previously approved by the Planning Board, SP-94033, is the proposed architecture. The architecture initially approved provided for a 2,364-square-foot traditional two-story, two-car garage, colonial house type with an at-grade entrance, optional hip or gable roofs, bay or double-hung windows, and brick or siding exteriors, with shutters and trim. The proposed house type for the subject application differs in size, style, and amenities

offered. The proposed architecture will provide for a 2,150-square-foot traditional two-story, split-level foyer house type, with a combination of brick and vinyl siding at the front facade, a gable roof, and double-hung windows with shutters and trim. Existing homes in the community that are adjacent to, or across from, the subject property are generally smaller cottages with traditional styling. The proposed location of the subject homes will be setback a significant distance, and will not be visible from the roadway, and thus will not infringe upon, nor alter the character of the community that has been established by the existing structures. Although the proposed architecture is somewhat less ambitious with respect to size and amenities than that which was previously approved by the Planning Board, staff believes that the architecture is appropriate for the subject community and will add some variety to the house types offered in the general area. The proposed architecture is acceptable. It is recommended that the front elevations of the units not be identical to each other.

2. The plan does not specify any material used for the entrance drives. It is recommended that the driveways and parking areas be constructed of a dust-free material, and shall be so noted on the plan.
9. The subject application was referred to the City of Bowie, and in a memorandum (Cronk to Hewlett) dated May 10, 2000 it was recommended that the subject application be approved subject to conditions. The proposed conditions pertain specifically to the architecture, and they address some concerns staff has with respect to the architecture. Conditions concerning the proposed architecture can be found in the Recommendation Section of this staff report.
10. The Detailed Site Plan was referred to all applicable agencies and divisions; no significant issues were identified.

11. The Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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

1. Prior to certificate approval, the following revisions shall be made to the Detailed Site Plan or the specified information shall be supplied:
 3. Provide additional shade trees in the green space between the entrance drives for Lots 2 and 3. Quantities and species to be determined by the Urban Design staff as designee of the Planning Board.
 4. Provide a note on the plan specifying the entrance driveway will be constructed of dust-free material, and the material shall be specified on the plan.
 5. Provide a note on the plan specifying that the front elevations of the units shall not be identical to each other.
 6. Provide a minimum of two standard features for each side elevation, on the architectural drawings.
 7. Provide brick the entire height of the ground level of the units front facade, on the architectural drawings.
2. Prior to the approval of any building permit, the applicant shall demonstrate to the Environmental Planning Section that all unacceptable fill material has been removed from the property. A letter from the

County Grading Inspector indicating that this has been performed will suffice to meet this condition.

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 Brown, seconded by Commissioner McNeill, with Commissioners Brown, McNeill, Hewlett and Boone voting in favor of the motion, at its regular meeting held on Thursday, June 22, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of July 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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