

RESOLUTION

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 December 14, 2000, regarding Detailed Site Plan SP-96070/03 for Marlboro Downs, the Planning Board finds:

1. The Planning Board approved a Detailed Site Plan SP-96070 for the subject residential development consisting of 67 lots in the R-80 Zone on May 29, 1997 (PGCPB No. 97-157). The Detailed Site Plan proposed four types of the *Kenwood* model ranging from 1,874 square feet to 2,147 square feet in size. A Revision to the Detailed Site Plan, SP-96070/01 was approved by staff as the Planning Board's designee on May 23, 2000 for the addition of the Ravenwood architectural model. A Revision to the Detailed Site Plan, SP-96070/02 was approved by staff as the Planning Board's designee on July 20, 2000 for the addition of the Jefferson, Zachary, Savoy, Belvedere and Victoria architectural models.

2. This subject Revision to a Detailed Site Plan proposes the following architectural models:

<u>Model</u>	<u>Square Feet</u>
Melville	2,755 square feet
Hemingway	2,663 square feet
Octavia	1,809 square feet

3. The subdivision is located on the north side of Old Marlboro Pike at the intersection with Maple Shade Lane, approximately 1,300 feet west of the intersection with Brown Station Road. Old Marlboro Pike is a designated historic road. The adjacent properties are:

West - Maple Shade Lane and single-family
residential development, Maple
Heights, zoned R-R
North - Undeveloped property zoned R-R

East - Undeveloped agricultural property zoned R-R
South - Old Marlboro Pike

4. The 1993 Subregion VI Master Plan indicated that the subject property was designated for low suburban residential use. The 1994 Sectional Map Amendment approved on May 24, 1994, CR-54-1994, recommended that the subject property remain zoned R-R. However, through Council Amendment #4 the property was rezoned to R-80. All surrounding properties remained in the R-R Zone. A Preliminary Plat, 4-95047, was approved by the Planning Board on September 28, 1995.
5. This revision proposes house models ranging from 1,809 sq.ft. to 2,755 sq.ft. in size. The minimum square feet approved for the previous models was 1,874 square feet. The floor area of the proposed *Octavia* model is less than the floor area of the smallest house in the previous approval. The proposed *Melville* and *Hemingway* architectural models have a two-car garage and a no-garage option. The proposed *Octavia* model has a garage option with three elevations.

The applicant's letter dated September 5, 2000 states that Lots D2 to D5 and D13 to D16 are extremely narrow lots. The *Melville* and *Hemingway* architectural models can be built on these lots with the no-garage option. The proposed *Octavia* model can also be built on these lots. The applicant has stated that there is no specific garage requirement in this community. Ryan homes will build the *Hemingway* and *Melville* options as and when possible and would like the option of building the *Octavia* model on the above narrow lots only. If two adjoining lots have the *Octavia* model, different elevations will be built.

The smallest *Octavia* model is 65 sq.ft. smaller than the smallest house of the previously approved *Kenwood* models. However, the overall size of the model will appear substantially smaller than the previously approved models because they will be accommodated on the smaller narrow lots. Therefore, the proposed architecture will not provide for a unified harmonious use of architectural styles. Subsection 10, Architecture of Section 27-274, Design Guidelines of the Zoning Ordinance requires the proposed architecture to provide a variety of building forms, with a unified, harmonious use of materials and styles.

The proposed no-garage option is a new feature in this single-family residential subdivision. All the previously approved architectural models were approved with the garage option. Although the size, style and design of the no-garage model are generally consistent with the

overall architecture of the development, it is inferior to the previously approved models because of the absence of a garage. A garage is an important feature of a typical single-family house and elimination of this feature reduces the overall quality of the proposed architecture. Therefore, the garage should be proposed as an integral part of the single-family detached homes in this development.

Therefore, the proposal will not be consistent with Section 27-285 (b), Required Findings, which states that the Planning Board may approve a Detailed Site Plan if it finds that the 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. If it cannot make these findings, the Planning Board may disapprove the Plan.

6. Since the subject revision to the Detailed Site Plan is for architecture and there are no alterations to the previously approved site/grading plans, the subject revision to the Detailed Site Plan is in conformance with the Preliminary Plat of Subdivision 4-95047 and Detailed Site Plan SP-96070 and all applicable conditions of approval.
7. The Preliminary Plat of Subdivision 4-95047 and Detailed Site Plan SP-96070 found that the proposal was consistent with the requirements of the Zoning Ordinance for the R-80 Zone. Therefore, this revision to the Detailed Site Plan is also in conformance with the requirements of the Zoning Ordinance.
8. The revision to the Detailed Site Plan is subject to the requirements of Section 4.1, Residential Requirements, of the *Landscape Manual*. The proposal meets the requirements of this section.
9. The Community Planning Division (Lord to Srinivas, September 26, 2000) has stated that the addition of new architectural models does not raise any master plan issues.
10. The Subdivision Section (Chellis to Srinivas, October 31, 2000) has stated that there are no subdivision issues related to this proposal.
11. The Environmental Planning Section (Finch to Srinivas, September 27, 2000) has stated that the site is exempt from woodland conservation and that the historic and scenic issues were addressed during the review of the Preliminary Plat and Detailed Site Plan reviews.
12. The Permits Review Section, the Transportation Planning Section and the Department of Environmental Resources have no comments regarding the proposal.
13. The Town of Upper Marlboro was sent a referral. The letter from the Town (Ford to Hewlett, December 13, 2000) states as follows:

■For sometime the Town has recommended that close attention be given to the conversion of agricultural land in and around the county seat to ensure the upscale development desired fro this area is not eroded.

For this reason, special attention was given to this development by the citizens in the direct vicinity of the proposed property to ensure a quality development for the area. In deed, the applicant's attorney, in his June 24, 1997 letter to the Planning Board Chairman, recognized that the County wished to upgrade its housing stock and that a more expensive house was preferred for this property.

Despite many concerns expressed during the preliminary stages of the review, the developer was granted concessions for smaller lots than those allowed for the R-80 Zone. While the Town argued that there were too many small lots proposed, compromises were made during the Preliminary Plan approval with condition placed on the approval. The developer since asked for and received approval to change the lot coverage from 30 percent to 35 percent.

We are now seeing the request for yet another revision. This time, to reduce the size of the houses because the lots are too narrow to accomodate the smallest size house allowed.

We have come a long way since agreements were reached between the citizens and the developer during the preliminary plan process. We believe the small houses will diminish the overall quality of this development and will set the precedent for other such development in the area.

It is our belief that the developer already has been granted concessions for the smaller lots and lot coverage and should not be granted any further concessions. If a remedy is needed, we suggest that the four lots on each side be reduced to three to accommodate the larger size house. Further, that the developer be required to meet the requirements as they exist today.

This is a unanimous position of the Town Commissioners reached in regular session on December 12, 2000. •

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 DENIED Detailed Site Plan SP-96070/03.

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 Eley, with Commissioners Lowe, Eley, and Hewlett voting in favor of the motion, and Commissioner Brown voting in opposition of the motion at its regular meeting held on Thursday, December 14, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of January 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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