

The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-03057

Application	General Data
<b>Project Name:</b> <b>Palisades at Oak Creek</b>  <b>Location:</b> Southwest quadrant of the intersection of Church Road and Central Avenue.  <b>Applicant/Address:</b> Ricker, Patrick P.O. Box 523 College Park, MD 20741	Date Accepted: 04/19/05
	Planning Board Action Limit: N/A
	Plan Acreage: 200.30
	Zone: R-L
	Lots: 166
	Parcel: 1
	Planning Area: 74A
	Council District: 06
	Municipality: None
	200-Scale Base Map: 201NE12

Purpose of Application		Notice Dates	
<b>RECONSIDERATION HEARING:</b> By letters dated April 19, 2005 and March 15, 2006, the applicant requested a reconsideration of the layout for five of the lots. On April 20, 2006, the Planning Board granted this request.		Adjoining Property Owners: (CB-15-1998)	N/A
		Previous Parties of Record:	08/28/2006
		Sign(s) Posted on Site:	N/A
		Variance(s): Adjoining Property Owners:	N/A
Staff Recommendation		Staff Reviewer: Alan Hirsch	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

August 29, 2006

**MEMORANDUM**

**TO:** Prince George's County Planning Board

**FROM:** Alan S. Hirsch, Planning Supervisor

**SUBJECT:** The Palisades at Oak Creek Reconsideration Hearing  
Preliminary Plan of Subdivision 4-03057

In April of 2005, the applicant requested a reconsideration of the subject preliminary plan to relocate five lots. That request was finalized in a March 2006 letter. On April 20, 2006, the Planning Board granted the applicant's request to reconsider the original approval based on the limited scope of adjusting the lotting pattern to accomplish a more environmentally sensitive layout.

At the request hearing, the Planning Board informed the applicant that they would like some documentation from the state regarding the environmental impact. In a May 1, 2006 e-mail from Robert Cooper of the Maryland Department of the Environment (MDE), Mr. Cooper concluded that given the impacts associated with each option (originally approved versus currently proposed), the originally approved layout was "less favorable to MDE than the Church Road option."

After the reconsideration was granted, the applicant submitted revised versions of the preliminary plan of subdivision and the Woodland Conservation Plan (TCPI/24/03-02). These plans were reviewed by Urban Design and Environmental Planning staff, as well as staff from the Subdivision Section and other public agencies.

Staff of the Environmental Planning Section (EPS) concurred with the assessment that the proposed lotting pattern has less environmental impact. They did note, however, a conflict with a proposed sewer extension and a buffer requirement established with the Basic Plan (A-9839C) approved by the District Council. Additionally, EPS recommended a minor change to an existing condition to reflect the now applicable tree conservation plan number to be noted on the final plat.

Another issue associated with the adjustment of the lotting pattern is the location of the 25 lots with access from Panora Way. Although not fully articulated in the original review, it is clear that the development of these lots was to be associated with the adjoining golf course

development known as Oak Creek Club. These 25 lots are isolated from the other lots in the Palisades by surrounding environmental features and the access is provided via an extension of Panora Way, a private road owned and maintained by the Oak Creek Club homeowners association (HOA).

Staff believes the inclusion of the Panora Way lots into Oak Creek Club is appropriate, but some practical concerns need to be addressed. The original layout reflected the entire area devoted to lots. Subsequent to the original approval, the applicant and staff determined that the woodland preservation area located along the rears of nine lots would be better located in an open space parcel. The concern relates to access for the parcel. The layout currently proposes no access for the parcel to the street. This parcel is surrounded on three sides by the Panora Way lots and on the fourth side by a golf course parcel in Oak Creek Club. Staff believes this open space parcel should either be incorporated into the holdings of the golf course or be conveyed to the Oak Creek Club HOA with an access strip provided out to Panora Way.

There are some additional minor concerns with the revised preliminary plan that need to be corrected or clarified. A shared driveway easement is reflected along the common boundary of Lots 131 and 132 on Panora Way. The Subdivision Regulation do not provide for this type of lot access. Each lot should have its own separate and distinct access to Panora Way. With regard to the five lots situated along Church Road, some additional clarification on the plan is needed. The cul-de-sac roadway that is set back 100 feet from Church Road should be noted for dedication to public use and its width dimensioned. Additionally, the plan reflects what appear to be two separate parcels in between the proposed cul-de-sac street and Church Road. These parcels need to be labeled with a parcel designation, their area (square footage) provided and a notation that they are to be conveyed to the HOA.

## **RECOMMENDATION**

Based upon the foregoing evaluation and analysis, the Subdivision staff recommends that the Planning Board adopt all of the findings and conditions contained in the original action (PGCPB No. 03-203(A)) as now modified or supplemented by the findings of this report, and APPROVE 4-03057, subject to the following modification to existing condition 2 and the following additional conditions:

2. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/24/03-042). The following notes shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/24/03-042), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

19. Prior to signature approval of the preliminary plan, the preliminary plan and TCPI shall be revised as follows:
  - a. The sewer alignment shall be relocated outside of the 100 foot-wide landscape buffer along the west side of Church Road; and

- b. The sewer alignment shall be revised to reduce the length of the alignment to the extent possible, in order to minimize impacts to the PMA to the greatest extent possible.
- 20. Prior to signature approval of the preliminary plan and woodland conservation plan, the plan shall be amended to:
  - a. Remove the shared driveway easement that is reflected along the common boundary of Lots 131 and 132 on Panora Way.
  - b. Note that the cul-de-sac roadway that is setback 100 feet from Church Road be dedication to public use and its width dimensioned.
  - c. The two separate parcels in between the proposed cul-de-sac street and Church Road shall be labeled with a parcel designation, their area (square footage) provided and a notation that they are to be conveyed to the HOA.
- 21. At the time of final plat of subdivision for the 25 lots along Panora Way, appropriate revisions to the respective HOA documents for the Palisades and Oak Creek Club shall be accomplished to clearly provide that these lots, the parcel for Panora Way and the open space parcel are to be part of the Oak Creek Club development.
- 22. At the time of Specific Design Plan for the 25 lots along Panora Way, a determination shall be made that the open space parcel behind lots 133 through 141 will either be conveyed to the holdings of the Oak Creek Club golf course or to the Oak Creek Club HOA with an access strip provided out to Panora Way.