



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 <http://mncppc.iqm2.com/Citizens/Default.aspx>

## Detailed Site Plan Remand Hearing Oaklawn

**DSP-16004**

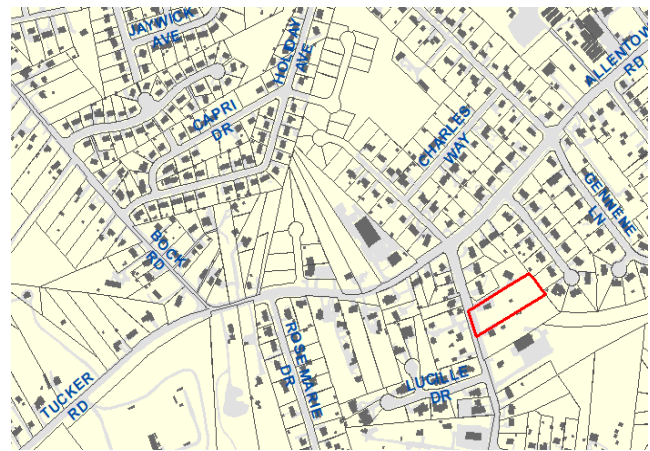
REQUEST	STAFF RECOMMENDATION
Remand Hearing	APPROVAL with conditions

**Location:** On the east side of Allentown Road, approximately 400 feet south of the intersection of Allentown Road and Tucker Road.

Gross Acreage:	1.58
Zone:	R-R
Dwelling Units:	3
Gross Floor Area:	9,891 sq. ft.
Planning Area:	76B
Council District:	08
Election District:	09
Municipality:	N/A
200-Scale Base Map:	211SE03

**Applicant/Address:**  
Daniel Mwavua  
8314 Allentown Road  
Fort Washington, MD 20744

**Staff Reviewer:** Henry Zhang, AICP LEED AP  
**Phone Number:** 301-952-4151  
**Email:** Henry.Zhang@ppd.mncppc.org



Planning Board Date:	10/07/2021
Planning Board Action Limit:	09/24/2021
Memorandum Date:	09/24/2021
Date Accepted:	11/20/2019
Informational Mailing:	08/04/2018
Acceptance Mailing:	11/18/2019
Sign Posting Deadline:	08/24/2021

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.



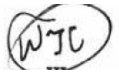
# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
[www.pgplanning.org](http://www.pgplanning.org)

September 20, 2021

## MEMORANDUM

TO: The Prince George's County Planning Board

VIA: William Capers III., PTP, Supervisor, Urban Design Section, Development Review Division 

FROM:  Henry Zhang, AICP, LEED AP, Master Planner, Urban Design Section, Development Review Division

SUBJECT: Detailed Site Plan DSP-16004 (Remanded)  
Oaklawn

## BACKGROUND

Detailed Site Plan DSP-16004, Oaklawn, for a development of three single-family detached dwelling units on a 1.58-acre property, in the Rural Residential Zone, was accepted on November 20, 2019, for review by the Development Review Division, in accordance with Section 27-282, Submittal Requirements, of the Prince George's County Zoning Ordinance. The subject site has a governing Preliminary Plan of Subdivision, 4-06055, which was approved by the Prince George's County Planning Board (PGCPB Resolution No. 07-65), for three lots, on March 15, 2007, with 12 conditions, and is valid through December 31, 2021. Two of the three approved lots are new lots, and one lot has been developed with an existing single-family detached home. According to the applicant, the existing home will be demolished and rebuilt with the proposed architecture model.

DSP-16004 was approved by the Planning Board on March 4, 2021, and a final resolution (PGCPB Resolution No. 2021-30) was adopted on March 25, 2021. The Prince George's County District Council elected to review this application on April 26, 2021. The District Council conducted oral arguments on June 14, 2021 and remanded the DSP back to the Planning Board for further consideration. The Order of Remand was issued on June 21, 2021.

The subject site was posted on August 24, 2021, for a public hearing on September 23, 2021.

In a letter dated August 30, 2021, the applicant's representative, Daniel F. Lynch, requests a two-week continuance of the Planning Board hearing date from September 23, 2021 to October 7, 2021. The continuance is necessary to allow time for the applicant to obtain the approval of the amended stormwater management (SWM) concept plan from the Prince George's County Department of Permitting, Inspections and Enforcement (DPiE).

On September 23, 2021, the Planning Board approved the applicant's request for continuance to schedule this DSP on the October 7, 2021 Planning Board agenda.

## ORDER OF REMAND FINDINGS

Within the Order of Remand, the District Council requires the Planning Board to reopen the record and take further testimony or evidence on five specific issues. This memorandum, as supplemental to the original resolution, provides the required findings to address those five issues (in **BOLD**, followed by staff's analysis), as follows:

1. **Applicant(s): Evidence shall be presented and received concerning the person, persons, business entity or entities legally authorized to file this DSP. If it is determined that the applicant or co-applicant is a business entity or are entities, the application shall be amended in accordance with all requirements of the Zoning Ordinance, including revising the DSP where appropriate. The business entity or entities shall present proof of legal status in Maryland and shall file all necessary required public ethics affidavits in accordance with Md. Code Ann., General Provisions §§5-833–5-839 (2012 Repl. Vol., 2020 Supp.).**

In a letter dated August 19, 2021, the applicant's attorney, Mr. Daniel Lynch of McNamee Hosea, stated that the applicant and property owner for this DSP is Daniel Mwavua. There are no other individuals or entities associated with this application that have an ownership or contractual interest in the property, or this DSP. Packard and Associates, Inc. is the engineering firm that was commissioned by the applicant to prepare all DSP drawings and survey documents for this project.

2. **Submittal Requirements: The appropriate applicant or applicants shall revise the DSP and submit all rights-of-way and easements necessary to extend the proposed stormwater pipe or any other stormwater management across neighboring properties for stormwater drainage. All rights-of-way and easements submitted shall indicate [a] *grant* or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, the use of which must be included in the conveyance of land affected by such easement. PGCC § 32-171(a)(26).**

A revised DSP that reflects a new SWM arrangement was submitted with this review. The applicant has filed an amendment to the previously approved SWM concept plan that requires only one off-site stormwater pipe to travel across the adjacent Lot 14, which is owned by Wynton L. and Barbara L. Boyette. The prior off-site SWM easement across Lot 358, which is owned by Daniel Ayala, is not needed anymore on the revised SWM concept plan. DPIE approved the off-site SWM easement document, and it was signed off by Mrs. Boyette, as the surviving spouse, on August 23, 2021.

In addition, the revised DSP is not consistent with the landscape plan and Type 2 tree conservation plan regarding the shared driveway of the two flag lots. Those plans should be revised to show the exact same driveway location.

3. **Stormwater Management Concept Plan:** The appropriate applicant or applicants shall file a revised application for stormwater management concept plan approval with DPIE, which shall include all rights-of-way and easements submitted with the DSP deemed necessary to extend the proposed stormwater pipe or any other stormwater management across neighboring properties for stormwater drainage. The revised application shall include the proposal to install an engineered drainage solution to collect and discharge stormwater drainage from Mr. Daniel R. Ayala's property onto the property of Wynton and Barbara Boyette. All rights-of-way and easements submitted with the DSP shall indicate [a] *grant* or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, the use of which must be included in the conveyance of land affected by such easement. PGCC § 32-171(a)(26).

As discussed above, the revised SWM concept plan only requires one off-site easement across Lot 14, owned by Wynton L. and Barbara L. Boyette, to accommodate the proposed SWM concept plan for the development. As noted correctly by the applicant's response to the Order of Remand, usually DPIE does not prepare any off-site SWM easement documents as part of concept approval. Since the Order of Remand specifically requires so, DPIE worked with the applicant and prepared the stormdrain easement document that has been signed by Mrs. Boyette, as the surviving spouse. The signed easement document is included in the backup of this DSP.

4. **DPIE:** Upon receipt of this Order of Remand, Planning Board or its authorized designee shall transmit the Order to DPIE.

On July 2, 2021, the Development Review Division of The Maryland-National Capital Park and Planning Commission sent an official referral request to DPIE with the Order of Remand attached. The referral due date was August 2, 2021.

5. **Design Features:** The applicant shall provide testimony or evidence on the feasibility of a revised exterior design for the proposed dwelling units to include elements such as a dormer and increased brick façade.

The one architectural model proposed for the development, and included in the original approval, has a base finished area of 3,297 square feet and a building height of approximately 34 feet. The model features a pitched roof with multiple cross gables above the entrance portico and garage on the front façade and a sunroom on the rear. Varied architectural options, including carriage-style garage door, entrance portico, and finish materials of brick and cementitious siding will be provided for the houses to be built on each lot to avoid identical appearance. A condition has been included in the Recommendation section of this report, to require the applicant to submit front elevation variations for the other two lots to be reviewed and approved by the Urban Design Section, as the designee of the Planning Board. The applicant agrees to increase the percentage of the brick finish on both side elevations to 30 percent of the wall areas. The proposed model is of the same style of the predominate single-family houses within the Washington Metropolitan area and therefore, is acceptable.

**REFERRAL COMMENTS:** This remanded DSP was referred to DPIE for comments, as follows:

**Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated September 21, 2021 (Giles to Zhang), DPIE stated, among other issues, that this DSP is consistent with the Site Development Concept Plan filed under 53170-2018-0, approved by DPIE on October 5, 2020.

All SWM facilities and drainage systems are to be designed and constructed in accordance with the standards and specifications set forth by DPIE and the Prince George's County Department of Public Works and Transportation. Approval of all facilities are required prior to permit issuance.

All easements, on-site and off-site, as well as a maintenance agreement are to be approved by DPIE and recorded prior to technical approval. The proposed development will require a site development permit approved by DPIE.

DPIE further stated that their memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:

- a) Final site layout, exact impervious area locations are shown on plans.
- b) Exact acreage of impervious areas has not been provided.
- c) Proposed grading is shown on plans.
- d) Stormwater volume computations have not been provided.
- e) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth.
- f) Disturbances and impacts to natural resources, and an overlay plan showing the types and locations of environmental site design devices and erosion and sediment control practices are not included in the submittal.
- g) A narrative in accordance with the code has not been provided.
- h) Applicant shall provide items (a-g) at the time of filing final site permits.

All other DPIE comments will be enforced in their separate permitting process.

## **RECOMMENDATION**

Based on the forgoing supplemental evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the additional findings of this memorandum that fully address the five specific issues, as identified in the District Council's Order of Remand, and issue an amendment to PGCPB Resolution No. 2020-30, subject to two new conditions:

2. Prior to certification of the detailed site plan, the following corrections shall be made:
  - j. Show the exact location of the driveway serving the two flag lots on all plans.
4. Prior to certification of this detailed site plan, the applicant shall provide two front elevation variations, with different architectural options and combination of finish materials, and revise the side elevations to include a minimum of 30 percent brick, to be reviewed and approved by the Urban Design Section, as the designee of the Prince George's County Planning Board.