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SPECIFIC DESIGN PLAN

SDP-8949/05

| Application | General Data |
|---|---------------------------------|
| Project Name KINGS GRANT (WINTERSET) Location NORTHWEST CORNER OF BROOKE LANE AND RITCHIE MARLBORO ROAD Applicant/Address COSCAN OF WASHINGTON 8521 LEESBURG PIKE, SUITE 200 VIENNA, VIRGINIA 22180 | Date Accepted 9/22/2003 |
| | Planning Board Action Limit N/A |
| | Plan Acreage 196 AC |
| | Zone R-S |
| | Dwelling Units 119 |
| | Square Footage NA |
| | Planning Area 79 |
| | Council District 06 |
| | Municipality NA |
| | 200-Scale Base Map 206 SE 11 |

| Purpose of Application | Notice Dates |
|--|---|
| Applicant requests revision to the site plan to remove proposed fences shown on the plan to be located in certain areas around the central recreational facility and to validate the existing landscaping around the stormwater management pond. | Adjoining Property Owners Previous Parties of Record Registered Associations: 8/22/2003 (CB-12-2003) |
| | Sign(s) Posted on Site 9/24/03 |
| | Variance(s): Adjoining Property Owners N/A |

| Staff Recommendation | | | Staff Reviewer: LAREUSE |
|----------------------|--------------------------|-------------|-------------------------|
| APPROVAL | APPROVAL WITH CONDITIONS | DISAPPROVAL | DISCUSSION |
| X | | | |

June 5, 2003

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator

SUBJECT: Specific Design Plan SDP-8949/05
Kings Grant (Winterset)

The Urban Design staff has reviewed the proposed revision to the site plan and presents the following evaluation and findings leading to a recommendation of APPROVAL.

EVALUATION

The Specific Design Plan was reviewed and evaluated for conformance with the following criteria:

- a. Conformance to Basic Plans A-9869 and A-9870.
- b. Conformance to Comprehensive Design Plan CDP-9306.
- c. Conformance to the Woodland Conservation and Tree Preservation Ordinance.
- d. Conformance to the *Landscape Manual*.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. This Specific Design Plan revision is for the purpose of validating the existing landscaping around the stormwater management pond and to eliminate proposed fencing shown on the plan to be located at the perimeter of the central recreational area.
2. This case was originally approved with conditions by the Planning Board on December 21, 1989. One of the original conditions of approval applied to the design of the stormwater management pond and required the following:

The plans shall be revised to address compatibility of the proposed development to the adjacent Historic Site in the following manner:

- 1. The stormwater management dry pond bordering the south side of Brooke Lane shall be sensitively landscaped, because it is part of the approach to the historic site. The landscape plan shall be revised to provide year-round seasonal interest and shall be approved by the Planning Board or its designee.**

The originally certified approved plans addressed the condition above. In 1994, the applicant, Coscan of Washington, revised the stormwater management pond, converting its design from a dry pond to a wet pond. New standards were developed by the Department of Environmental Resources (DER) during the same timeframe. The applicant submitted the plans for review by DER, which were subsequently reviewed and approved; however, the applicant did not resubmit the revised plans for review by the Planning Board or its designee, as the original condition had required. The applicant obtained permits and built the facility in accordance with the DER-approved pond plan. Subsequently, DER discovered the error and has required the applicant to obtain M-NCPPC approval. The applicant met with the homeowners association and followed with the submission of this revised Specific Design Plan. The following letter dated August 19, 2003, from Kevin Thornton, of Kaplan and Kaplan, P.A. Law Offices, to Susan Lareuse provides evidence of the Winterset Homeowners Association (HOA) concurrence with the plan:

“Our office represents Winterset Homeowners Association and our client has asked that we forward the following information to your attention.

“After carefully reviewing the landscape plan developed by Office of Environmental Resources for Prince George’s County (DER), and the landscape plan Maryland National Capital Park & Planning Commission (MNCPPC) plan for the Storm Water Management (SWM) Pond in the Winterset Development located in Upper Marlboro, MD, it is apparent that the design of the DER plan is for a wet pond and the MNCPPC plan is for a dry pond.

“The Winterset Homeowners Association feels that the landscape plan developed by DER is the most desirable landscape plan for our community. We also feel that the DER landscape plan is just as good, or better than the MNCPPC landscape plan. The Winterset HOA is willing to accept the DER landscape plan.”

It is staff’s opinion that the DER-approved plan is acceptable and fulfills the original Planning Board condition of approval.

3. The second revision under consideration is in regard to fencing shown on the Specific Design Plan. The revision is for the purpose of eliminating fencing that was approved on the plans around the central recreational area. The applicant was approached by the Winterset Homeowners Association (HOA) and was asked to not construct the fences, which were originally designed to provide a buffer from the activities within the central recreational area, creating privacy for the single-family detached units. The following letter dated June 11, 2003, from Delton M. Thurman, Winterset HOA President, to Dean Dubbe, Coscan of Washington, provides evidence of the HOA’s desire to have the fencing eliminated from the plans:

“My name is Delton Turman. I live in the Winterset Development located in Upper Marlboro, MD. I am the current president of the Winterset Homeowners Association. It has come to the attention of the Board of Directors that a 6 foot high wooden fence is to be constructed that would surround our

community's playground area on Foyette Lane. We also understand that the fence is part of the original site development plan for our community. We would like to request that this fence not be constructed and be removed from any future consideration.

"The fence would take away the open area that we currently have there, and would limit access to and from the playground. Our community Basketball court, Tennis court, and most importantly our two Tot Lots, where the small children play, are in the area. We would like an open view of the kids as they play. The playground borders a wooded area with bicycle paths that connect our community with other communities along Brown Station Road. A fence that blocks the view of, or limits access to, the playground would cause a considerable and unwarranted security risk."

It is staff's opinion that the elimination of the fences would not be detrimental to the overall design of the site. Each individual homeowner adjacent to the play area will continue to have the opportunity to fence their rear yard, if they prefer more privacy.

4. This revision to the Specific Design Plan conforms to the approved Comprehensive Design Plan and the applicable standards of the *Landscape Manual*.
5. This revision to the Specific Design Plan will have no impact on the previous finding that the project 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. The proposed revisions to the plans will have no impact on this finding.
6. This revision to the Specific Design Plan has made adequate provision for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.
7. This revision to the Specific Design Plan is in conformance with an approved Tree Conservation Plan.

RECOMMENDATION

The Urban Design Review staff recommends that the Planning Board adopt the findings of this report and APPROVE Specific Design Plan SDP-8949/05.