

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 February 19, 2009 regarding Detailed Site Plan DSP-08026 for Talbert Court, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) application is for approval of 16 single-family semi-detached dwelling units in the R-T Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-T	R-T
Use(s)	Vacant	Single-family semi-detached
Acreage	2.48	2.48
Lots	16	16

OTHER DEVELOPMENT DATA

	REQUIRED	APPROVED
Total Parking Spaces	32	37
Of which are guest parking spaces including one van accessible space	-	5
Loading spaces	N/A	-

3. **Location:** The subject site is located on the north side of Talbert Drive, approximately 150 feet west of its intersection with Indian Head Highway (MD 210), in Planning Area 76A and Council District 8.
4. **Surrounding Uses:** The property is bounded to the south by the right-of-way of Talbert Drive. Across Talbert Drive further to the south are properties in the R-T, Commercial Office (C-O), and Commercial Miscellaneous (C-M) Zones. To the east of the site is property in the Commercial Shopping Center (C-S-C) Zone; to the west is property in the R-T Zone and to the north is the right-of-way of Audrey Lane and property in the C-S-C Zone.
5. **Previous Approvals:** The 2000 Approved Master Plan and Sectional Map Amendment for the

Heights and Vicinity (Planning Area 76A) classified the subject property in the R-T Zone. The Preliminary Plan of Subdivision, 4-06079, for the site was approved by the Planning Board on January 4, 2007. The resolution (PGCPB Resolution No. 07-02) was adopted on January 25, 2007. The subject site also has an approved Stormwater Management Concept Plan, 33277-2006-00, which is valid through August 2009.

6. **Design Features:** The proposed 16 single-family semi-detached dwellings are arranged in eight building footprints, each containing a pair of units, located in the larger eastern portion of the site. The western portion of the site is occupied by the two proposed stormwater management (SWM) ponds and the woodland preservation area. The dwellings are accessed through a driveway perpendicular to Talbert Drive.

One three-story model has been approved with this DSP. The model has a base finished floor area of approximately 1,588 square feet with a one-car garage at the first floor. The proposed model has two front elevations. One is a full brick façade and the other is an alternative façade finished with brick on the first floor and vinyl on the two floors above. Highly visible side elevations have been finished with a brick water table and windows with white trim and panel shutters. The other side and rear elevations are finished with vinyl. The main elevation is designed in a three-part composition. The base portion is composed of the first floor with a continuous sloped roof that covers the garage entrance and the recessed entrance to the building. The middle section consists of the second and third floors with twin windows and individual sash windows decorated with panel shutters and lintels with or without faux keystones. The upper portion is a large pitched fiberglass-shingled roof with dormers. The buildings on Lots 1 and 2 as well as buildings on Lots 15 and 16 have rear elevations either fronting on or visible from Talbert Drive. The rear elevations on those lots should have additional embellishments in order to increase their visual interest. The first floor of the rear elevations should be finished with brick, and panel shutters should also be added. The side elevations of the buildings on those lots are highly visible from Talbert Drive. A condition has been imposed by the Planning Board in this resolution to require the applicant to provide additional improvements on the above-discussed elevations. In addition, in order to be consistent with the esthetic requirements for townhouse development in the R-T Zone, a minimum of 60 percent of the units should have full brick front elevations. A brick water table should also be added to the regular side elevation.

A monumental entrance sign has been included with this DSP. The maximum allowable sign face area is 12 square feet. The site plan shows a 21-square-foot sign area that is not consistent with the requirement. In addition, the sign will be a wood sign with a brick base. Other durable or maintenance free materials should be considered. A condition has been imposed by the Planning Board in this resolution to require the applicant to provide more durable sign materials prior to certification, to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.

A pole lighting fixture with full cut-off optics has been proposed with this DSP. The lighting fixture, which is widely used in the parking lots, should be more residential in character. A condition has been attached to this approval to require the applicant to provide a lighting fixture

which is residential in character to be reviewed and approved by the Urban Design Section as the designee of the Planning Board prior to certification.

The DSP also shows the location of optional decks for some units. In the future, a homeowner who adds a deck which is located within the delineated optional deck area will not be required to revise this DSP.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-T Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs development in residential zones. The proposed single-family semi-detached dwellings are permitted in the R-T Zone.
 - b. The DSP shows a site layout that is consistent with Section 27-442 as follows:

	Required	Provided
Net lot area (sq. ft.)	1,500	1,540
Lot coverage (max. % of net lot area)	35*	12.8
Green area (min. % of net lot area)	50	72.2
Lot/Width frontage (min. in feet)		
at front building line	100	260.9
at front street line	100	260.9
Yards	Specific individual yards are not required.	
Building height (max. in feet)	40	36
Density (max. DUs per net acre of net lot/tract area)	8	7.6

Note. *This percentage for semi-detached is for building coverage (and not for lot coverage) of the overall net tract area.

The DSP has been reviewed for compliance with other applicable design guidelines in the R-T Zone regarding dwellings, streets, access to individual lots, utilities, minimum area for the development, common areas, front elevations, and site plan. The DSP is also in conformance with the applicable site design guidelines. However, this DSP does not identify units with potential to be made accessible through barrier-free design construction in accordance with Section 27-443(k). A condition has been imposed in this resolution by the Planning Board to require the applicant to identify a minimum of two units prior to certification.

8. **Preliminary Plan of Subdivision 4-06079:** On January 4, 2007, the Planning Board approved this preliminary plan of subdivision with nine conditions. The conditions applicable to the review of this DSP warrant discussion as follows:

2. **All reforestation notes and details shall be provided on the TCPII. All plants proposed shall be native plant species. The outermost edge of the planting area shall contain trees 1 inch in caliper minimum. Clear notes regarding responsibility for maintenance of this area during establishment and in perpetuity shall be provided.**

The above condition has been met by this application.

6. **Development of this site shall be in conformance with the Stormwater Management Concept Plan 33277-2006-01 and any subsequent revisions.**

This DSP conforms to the approved Stormwater Management Concept Plan, 33277-2006-01.

7. **In accordance with Division 9, Part 3 of the Zoning Ordinance, a detailed site plan (DSP) shall be approved by the Planning Board. That DSP shall consider, but not be limited to, the findings regarding architecture, noise attenuation, the entrance features, and pedestrian circulation.**

The subject DSP has been filed to satisfy this condition. Among other site plan related issues, the architecture of the proposed model, entrance features, and pedestrian circulation have been reviewed and found acceptable. The unmitigated noise line has been shown on the site plan. No noise mitigation measures are provided with this DSP. A condition has been imposed by the Planning Board to require the applicant to provide a noise attenuation measure and details prior to certification.

9. **The applicant or the applicant's heirs, successors, and/or assignees shall provide a standard sidewalk along the subject site's frontage of Talbert Drive, unless modified by DPW&T.**

A standard sidewalk has been provided in accordance with this condition. However, since Talbert Drive is a County roadway, the final decision by the Department of Public Works and Transportation (DPW&T) will govern this issue.

9. **Landscape Manual:** The proposed development for 16 single-family semi-detached dwellings is subject to Sections 4.1, Residential Requirements, and 4.7, Buffering Incompatible Uses, of the Landscape Manual. The landscape plan shows a Section 4.3(c) schedule, which is not required.
- a. Section 4.1(f), Residential Requirements, for one-family semi-detached dwellings

requires a minimum total of 1.5 major shade trees and one ornamental or evergreen tree per dwelling unit to be located on individual lots and in common open space. The landscape plan only shows one shade tree for each dwelling unit, but shows the correct number of ornamental trees. A condition has been attached to this approval to require the applicant to provide the required number of shade trees prior to certification.

- b. The subject site is bordered on the north and east sides by existing incompatible uses such as an integrated shopping center, a bank, and a gas station. The landscape plan identifies five Section 4.7 bufferyards. Except for Bufferyard 1, the other four bufferyards are correct. For Bufferyard 1, the subject site is not directly adjacent to the existing shopping center, but is separated from it by the right-of-way of Audrey Lane. According to Section 4.7, Buffering Incompatible Uses, there is no bufferyard required for this portion of the site. However, the applicant has provided a staggered row of evergreen trees that is acceptable.
10. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland, and there is an approved Type I Tree Conservation Plan, TCPI/46/06, for this site.
- a. A signed Natural Resources Inventory, NRI/075/06, was submitted and reviewed with the preliminary plan of subdivision for this site. The limits of the 100-year floodplain and expanded buffer as shown on the Type II tree conservation plan (TCPII) are not consistent with the signed NRI and TCPI. The Planning Board requires that either the plan be revised or the supporting documentation with regard to the change in floodplain limits to be provided.
 - b. The Type II Tree Conservation Plan, TCPII/ 078/08, submitted with this application has been reviewed and was found to be consistent with the approved NRI and Type I tree conservation plan.
11. **Planning Board Analysis:** The subject application was referred to the concerned agencies and divisions. The Planning Board summarizes as follows:
- a. The application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier and is in conformance with the land use recommendation for low urban residential land use (up to 11.9 dwelling units per acre). The community planner also listed several site design issues relating to master plan guidelines such as the placement of dumpsters, safety, street lighting, noise, and sidewalks.
 - b. The Planning Board concludes that the DSP is in substantial conformance with the approved Preliminary Plan of Subdivision 4-06079, as set forth in PGCPB Resolution 07-02.

- c. The required minimum 50-foot right-of-way of Talbert Drive was not shown correctly. The required sidewalk along Talbert Drive was also not shown.

The applicant has provided the required information during the review process.

There are no master plan trails issues that impact the subject site and the Planning Board requires that the applicant provide a standard sidewalk along the subject site's frontage of Talbert Drive and along all internal roads, unless modified by DPW&T.

The required sidewalks have been shown on both the frontage of Talbert Drive and on both sides of internal roads. The sidewalks along Talbert Drive will be subject to final approval by DPW&T. The sidewalk on the east side of the street leading to the subdivision stops at the first driveway to the garage on Lot 16 due to the confines of the space between the street and buildings. Given this is a small subdivision, this sidewalk arrangement is reasonable.

- d. A review of the application's conformance with applicable previous conditions of approval regarding noise, revision of the 100-year floodplain and the expanded buffer, and consistency among the NRI, TCPII, and DSP was undertaken and the Planning Board approved with six conditions.
- e. The Department of Public Works and Transportation (DPW&T), in a memorandum dated November 21, 2008, provided a standard response on issues such as right-of-way dedication, frontage improvement, sidewalks, street trees and lighting, and storm drainage systems and facilities in order to be in accordance with the requirements of DPW&T. Those issues will be enforced at the time of issuance of the access permit. DPW&T also indicated that the subject DSP is consistent with the approved SWM concept plan.
- f. All applicable comments provided have been either addressed during the review process or will be addressed by conditions by the Permit Section in this resolution.
- g. The Department of Parks and Recreation (DPR), in a memorandum dated November 18, 2008, provided no comments on this DSP.
- h. Verizon Inc., in a memorandum dated June 20, 2008, indicated that a ten-foot public utility easement to all the units is required.

A ten-foot public utility easement has been shown along Talbert Drive. All utilities will be buried underground along the internal private streets. The applicant will work with the utility companies on the connections to each individual unit.
- i. The City of Forest Heights had not responded to the referral request.

12. As required by Section 27-285(b), the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost 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 Type II Tree Conservation Plan (TCPII/078/08) and further APPROVED Detailed Site Plan DSP-08026 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Provide architecture-related site plan notes as follows:
 - “A minimum of 60 percent of the dwelling units (10 units) shall have full brick front elevations.”
 - “The rear elevations of buildings on Lots 1, 2, 3, 4, 15, and 16 shall have brick finish for the first floor and panel shutter windows on all floors.”
 - “The side elevations of buildings on Lots 1, 2, 3, and 16 are high visibility elevations.”
 - “All side elevations shall have a brick water table.”
 - “The high visibility elevations shall be finished with brick for the first floor.”
 - b. Remove the Section 4.3(c) schedule from the landscape plan.
 - c. Reduce the sign face area for the proposed monumental sign to the maximum 12 square feet and provide more durable or maintenance free materials to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
 - d. Provide a lighting fixture of residential character with full cut-off optics to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
 - e. Provide the correct date of the Planning Board resolution on site plan Note 4 and re-number the rest of the site plan notes accordingly.
 - f. Provide the approved TCPI number and the approval date on site plan Note 5.

- g. Revise the plan to show the elevations in accordance with the signed Natural Resource Inventory (NRI/075/06) or provide documentation to justify the change in the 100-year floodplain and expanded buffer.
 - h. Revise the Type II tree conservation plan as follows:
 - (1) Show the TCPII at the same scale as the DSP.
 - (2) Show the proposed grading.
 - (3) Show the proposed limits of disturbance.
 - (4) Show all proposed and existing utility lines, and their easements.
 - (5) Show only the clearing that is necessary for the development of the site.
 - (6) Show the correct TCPII number on the plan.
 - (7) Revise the worksheet as necessary.
 - (8) Have the plans signed and dated by the qualified professional who prepared them.
 - (9) Show the approved stormwater management concept on the TCPII.
 - i. Provide a six-foot-high solid fence, berm, or combination of both, along the rear of proposed Lots 9–13 as identified on the DSP date stamped as received on November 13, 2008. The fence and/or berm shall be placed on land to be dedicated to the homeowners association and detail shall be shown on the detailed site plan.
 - j. Identify a minimum of two units which have the potential to be made accessible through barrier-free design construction.
 - k. Provide special treatment for the sidewalk to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
2. Prior to the issuance of a grading permit for the site, the design approved on the technical stormwater management plan shall be correctly shown on the TCPII.
3. Prior to issuance of building permits for any lots occurring within the projected 65 dBA Ldn contour line, the applicant shall submit a certification prepared by a professional engineer with competency in acoustical analysis using the certification template of the Environmental Planning Section. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.

4. At the time of sign permit, the applicant shall include a sign maintenance agreement to demonstrate that the perpetual maintenance of the gateway sign will be the responsibility of a homeowners association, or other entity designated in the agreement.

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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, Clark and Parker voting in favor of the motion, and with Commissioner Cavitt absent at its regular meeting held on Thursday, February 19, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of March 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator