



PGCPB No. 13-142

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 File No. DSP-04040/05

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 5, 2013 regarding Detailed Site Plan DSP-04040/05 for Waterford, the Planning Board finds:

1. **Request:** The subject application is for approval of architecture and building siting for Lots 4 and 19, Block A, in accordance with Condition 15 of the District Council Order for Detailed Site Plan DSP-04040, and an update of the landscape plan for the lots owned by Stanley Martin Homes to meet the requirements of the 2010 *Prince George's County Landscape Manual*.

2. **Development Data Summary:**

Previously approved for Waterford

Zone(s)	R-A
Use(s)	Residential
Acreage	261.19
Net tract area	232.56
Area within 100-year floodplain	28.63
Lots	126 lots and 4 parcels
Dwelling Units:	
Detached	126
Minimum Lot Area	43,560 sq. ft.*

*Due to the use of varying lot size provisions.

3. **Location:** The site is in Planning Area 74A, Council District 6. Waterford is located on the south side of John Hanson Highway (US 50) and on the north side of Woodmore Road, approximately 2,000 feet east of its intersection with Pleasant Prospect Road. The subject lots are located within Waterford across from Pleasant Prospect, Historic Site 74A-6.
4. **Surrounding Uses:** A Potomac Electric Power Company (PEPCO) right-of-way, undeveloped farmland, and large single-family lots within the Woodmore Subdivision surround the Waterford development.
5. **Previous Approvals:** Waterford has a number of previous site plan approvals. Waterford was previously the subject of Pre-Preliminary Plan of Subdivision P-03011; Preliminary Plan of Subdivision 4-03111 and Type I Tree Conservation Plan TCPI/72/03; and Detailed Site Plan DSP-04040 and Type II Tree Conservation Plan TCPII/152-04. The Planning Board's action of

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approval for Preliminary Plan 4-03111 is found in PGCPB Resolution No. 04-24, adopted on March 24, 2004; and for Detailed Site Plan DSP-04040 in PGCPB Resolution No. 05-61, adopted on March 3, 2005. The District Council took action on DSP-04040 on September 12, 2005 and affirmed the Planning Board's decision, with additional conditions.

An -01 revision to DSP-04040 was reviewed at staff level for architecture on Lot 100, although that application remains dormant. Detailed Site Plan DSP-04040-02 and TCPII/152-04-05 were approved for the addition of vegetative berms within the larger property. An entrance monument and security cameras were added under an -03 revision to the previously approved detailed site plan (DSP). An -04 revision was approved for architecture for Lot 17, Block A. Various revisions to the Type II tree conservation plan (TCPII) were also reviewed at staff level.

6. **Design Features:** Lot 4 is a narrow and long 98,685-square-foot (2.26 acre) lot located across from Pleasant Prospect, Historic Site 74A-006, in the southeastern quadrant of the intersection of Waterford Mill Road and Winding Creek Lane. Driveway access to the proposed single-family home on Lot 4 is from Winding Creek Lane. Lot 19 is a 50,684-square-foot (1.16 acre) lot located on the east side of Waterford Mill Road across from the historic site. The dimensions of both driveways shall be provided on the DSP. For discussion regarding the architecture proposed for lots 4 and 19, see Finding 8.
7. **Prince George's County Zoning Ordinance:** The Planning Board finds that the subject application complies with the requirements in the R-A (Rural-Agricultural) Zone. The following provisions warrant discussion:

Section 27-442(c): Table II- Lot Coverage

Lot Coverage (Maximum % of Net Lot Area):

One-family detached, in general = 10 percent (Footnote 12)

Footnote 12

For lots created pursuant to the Varying Lot Size provisions in accordance with Section 27-442(b) Table I - Net Lot Area, Footnote 5. In the O-S Zone, lots below five (5) acres, but not less than two (2) acres in size may have a maximum percentage of net lot area lot coverage of ten percent (10%) and in the R-A Zone, lots below two (2) acres, but not less than one (1) acre in size may have a maximum percentage of net lot area lot coverage of fifteen percent (15%).

Section 27-442(b) Table I - Net Lot Area, Footnote 5

The following modifications may be permitted for preliminary plats of subdivision accepted prior to July 1, 2006.

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- (A) **Minimum lot size of at least sixty percent (60%) of the total number of lots:**
 - (i) **O-S Zone - five (5) acres; or**
 - (ii) **R-A Zone - two (2) acres;**

- (B) **Minimum lot size of any one (1) lot:**
 - (i) **O-S Zone - two (2) acres - only one (1) such lot per fifty (50) acres;**
 - (ii) **R-A Zone - one (1) acre - only one (1) such lot per twenty-five (25) acres;**

- (C) **Minimum lot size of remaining lots:**
 - (i) **O-S Zone - three (3) acres; or**
 - (ii) **R-A Zone - fifty thousand (50,000) square feet;**

- (D) **All lots allowed under (B) & (C), above, shall be used only for residential or agricultural purposes; and**

- (E) **No portion of the subdivided tract may be resubdivided unless:**
 - (i) **The land is rezoned to another zone;**
 - (ii) **The entire tract is resubdivided into five (5) acre lots in the O-S Zone or two (2) acre lots in the R-A Zone; or**
 - (iii) **The size and number of lots which would be created by resubdivision are in conformance with (A), (B), (C), & (D), above, and the maximum number of lots permitted is not more than the gross acreage divided by five (5) (O-S Zone) or two (2) (R-A Zone).**

The Planning Board finds that the subject lots were created pursuant to varying lot size provisions, which is discussed in the resolution of approval for Preliminary Plan 4-03111 (PGCPB No. 04-24). Finding 17 of PGCPB No. 04-24 is as follows:

Section 27-442(b) (Table I) of the Zoning Ordinance sets the minimum standards for varying lot sizes. In the R-A Zone, the creation of varying lot sizes is permitted as long as the total tract being subdivided is at least 25 acres in size. In this case the total tract area is 258.73 acres. Further, at least 60 percent of the lots created using varying lot sizes must meet or exceed the minimum lot size in the zone: two acres in the R-A Zone. This requirement has been met with the submitted preliminary plan: 76 of the 126 lots (or 60.3 percent) are a minimum of two acres on this subdivision.

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The Zoning Ordinance allows one 1-acre lot for every 25 acres of land in the tract. With 258.73 acres of land in the R-A tract, a maximum of ten 1-acre lots is permitted. The remaining lots are required to exceed 50,000 square feet. The submitted preliminary plan includes nine lots between one acre and 50,000 square feet in size, with the remaining 41 lots exceeding 50,000 square feet. This arrangement meets the minimum standards set forth in Section 27-442(b) (Table I) of the Zoning Ordinance for the use of varying lot sizes.

Lot 4 is 2.26 acres and has a total lot coverage of 4.9 percent, which complies with the ten percent maximum lot coverage requirement. Lot 19 is 1.16 acres and has a total lot coverage of 11.1 percent. Pursuant to Footnote 12, lot coverage of 15 percent is permitted for Lot 19 because the lot is between one and two acres in size and was developed pursuant to the varying lot size provisions. Both lots conform to the requirement of Section 27-442(c): Table II- Lot Coverage. No variance from the lot coverage provisions is necessary.

The site plan, and specifically the Site Tabulations chart on the DSP, shall be revised to indicate that lots between one and two acres in size may have a lot coverage of 15 percent.

Section 27-442(e): Table IV - Yards (Minimum Depth/Width in Feet)

Yard	Required	Approved (Lot 4)	Approved (Lot 19)
Front	50 feet	65 feet	95 feet
Minimum of Either Yard	17 feet	64 feet	44 feet
Total of Both Yards	35 feet	537 feet	89 feet
Rear	35 feet	58 feet	148 feet

The provided yards exceed the minimums defined in the Zoning Ordinance.

Section 27-442 (f): Table V – Building Height (Maximum in Feet, Main Building)

All allowed uses: 50 feet

The architectural elevations indicate that both buildings conform to this requirement. The proposed building heights and number of stories shall be shown on the DSP.

- 8. **Detailed Site Plan DSP-04040:** Detailed Site Plan DSP-04040 was approved by the District Council on September 12, 2005 with 24 conditions. Condition 15 requires a limited DSP for the subject site. The relevant conditions are discussed below:
 - 15. **Prior to the issuance of building permit, a limited detailed site plan to be approved by the Planning Board or its designee, for architecture for the proposed houses on Lots 4, 17, 18 and 19 shall be required. Particular attention shall be given to the siting of the houses on Lots 4 and 17 for compatibility to the Historic Site. The**

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architectural elevations shall indicate brick on front and side façades, and some Federal-style architectural elements (such as pedimented entrances, fanlights, flat-arch brick lintels and shutters) shall be incorporated into the design of these houses.

The subject lots are identified as Lots 4 and 19, Block A, Waterford Subdivision, which are adjacent to Pleasant Prospect (74A-006), a National Register historic site. The Planning Board adopts the following regarding the plan's conformance with the above condition:

Pleasant Prospect

Pleasant Prospect was built in 1798 for Dr. Isaac Duckett. It is a two and one-half-story brick plantation house with side passage and a kitchen wing. The walls are laid in Flemish bond, which is a decorative style of bricklaying that alternately lays headers and stretchers in a single course. The home is an important example of a Federal plantation house. Pleasant Prospect was listed in the National Register of Historic Places in 1976 and is protected by a preservation easement held by the Maryland Historical Trust (MHT).

The historic home lies within a five-acre environmental setting on Parcel 10. The main structure is set back approximately 390 feet from Waterford Mill Road.

Federal-style architectural elements

Condition 15 specifies that Federal-style architectural elements shall be incorporated into the design of the houses on Lots 4, 17, 18, and 19. Traditional building materials, such as brick, pedimented entrances, fanlights, flat-arch brick lintels, and shutters, are frequently used in Federal-style buildings.

Lot 4

The applicant proposes the Windermere architectural model on Lot 4. This is a two-story building with a gable roof and dormers at the attic story. The building will be largely symmetrical on either side of the building entrance, which is in keeping with the architecture of Federal-style buildings. As required by the above condition, the building will have full brick on the front and sides. Federal-style architectural elements are incorporated into the building elevations through the use of brick detailing such as flat brick lintels with keystones above the windows, window sills defined with rowlock brick, and a watertable treatment with rowlock and soldier course brick work. Shutters are also proposed along the windows on the front elevation. A portico is incorporated into the front facing elevation. A side-loaded three-car garage is proposed with access from Winding Creek Lane. The architectural elevations show vinyl along the rear building elevation. The Planning Board finds that brick shall be retained as an option for the rear elevation.

The proposed single-family home will be set back approximately 64 feet from Winding Creek Lane and 65 feet from Waterford Mill Road. The house will therefore not block views of Pleasant Prospect from those traveling west on Winding Creek Lane to its intersection with Waterford Mill Road.

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Lot 19

The applicant also proposes the Windermere architectural model on Lot 19. A two-story building with a hip roof and a front facing gable is proposed that is also largely symmetrical on either side of the building entrance, which is in keeping with the architecture of Federal-style buildings. As required by the above condition, this building will also have full brick on the front and sides. Federal-style architectural elements are incorporated into the building elevations through the use of flat brick lintels with keystones above the windows, window sills defined with rowlock brick, and dark shutters that are also proposed along the windows on the front elevation. Additional brick detailing is proposed through the use of brick quoins along the front. A smaller portico is incorporated into the front facing elevation. A side-loaded three-car garage is proposed with access from Waterford Mill Road.

The DSP and statement of finished square footage shall clearly indicate the proposed gross floor area of both buildings.

Both buildings were reviewed by the Historic Preservation Commission, and were recommended for approval. Prior to certification of the DSP, the Historic Preservation Section requests the ability to receive and review the brick and roofing selections to ensure their compatibility with the historic site. Brick samples have been provided and appear attractive and appropriate for the proposed setting.

Overall, the submission for Lots 4 and 19, Block A, meets the intent of Condition 15 and demonstrates compatibility with the historic site.

16. **Prior to certificate of approval, a full Phase III data recovery research design shall be approved by the Historic Preservation staff, in collaboration with the Maryland Historical Trust. The research design shall include a more comprehensive documentation of the African-American presence at the site and their relationships to other plantations in the area. The research design shall include an expanded public interpretation plan and a schedule for its implementation.**

A Phase III data recovery project was conducted on Site 18PR705 in March 2006. The applicant's Phase III research design included a general statement regarding the types of public interpretive measures that would be implemented following the field investigations. With the subject revision, the applicant submitted an expanded public interpretation plan in conformance with the above requirement.

9. **Preliminary Plan of Subdivision 4-03111:** The DSP is in conformance with approved Preliminary Plan 4-03111. The following condition is relevant to the subject review:

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- 18. Prior to the issuance of building permits for Lots 16 and 89 through 91, a limited detailed site plan shall be approved by the Planning Board or its designee to address the materials, elevations and architecture of proposed houses on these lots.**

Lot 19 was previously identified as Lot 89. At the time of preliminary plan of subdivision, it was determined that the houses on Lots 89 through 91 would be visible from the historic site. A limited DSP is required to show the siting, size, materials, elevations, and architectural elements of the proposed houses, prior to issuance of building permits. The subject application was submitted in fulfillment of the above requirement for Lot 19, Block A.

10. **2010 Prince George's County Landscape Manual:** Future residential construction in Waterford is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The landscape plans have been revised to meet these requirements for the lots owned by Stanley Martin Homes as follows:

- a. Future building and grading permits for the single-family detached lots will be subject to Section 4.1, Residential Requirements. The number of trees required for lots 40,000 square feet or larger is unchanged from the 1990 Landscape Manual requirements; however, there are changes to the design requirements of this section. The submitted landscape plan indicates conformance to these requirements for the lots owned by Stanley Martin Homes.
- b. Section 4.6 requires a minimum 75-foot-wide landscape strip along the right-of-way of an arterial roadway, John Hanson Highway (US 50). This landscape bufferyard has been designed to meet combined Landscape Manual and afforestation requirements and is the subject of an approved Alternative Compliance, AC-10029. The plan proposes one to one and a half-inch caliper shade trees at a minimum rate of two per every required two and a half to three-inch caliper shade tree, wider landscaped/afforestation yards, and an overall greater amount of plant units conducive to the creation of woodland.
- c. In regard to Section 4.7, the property is adjacent to a public utility use, the PEPCO right-of-way that contains overhead wires. The public utility use is categorized as a low-intensity use and a Type "B" bufferyard is required. This is a reduction from the 1990 Landscape Manual requirement. The property is also adjacent to a townhouse subdivision within the Woodmore development. Both of these areas have been designed to include bufferyards that meet the combined Landscape Manual and afforestation requirements and are the subject of Alternative Compliance AC-10029.

The Section 4.7, Buffering Incompatible Uses, schedules have been revised to indicate a minimum 60-foot-wide building setback and 50-foot-wide landscape yard between the proposed single-family homes and the historic property. This is an increase from the requirements of the 1990 Landscape Manual.

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Lot 95, Block A, adjacent to the historic site, has already been constructed and was subject to the 1990 Landscape Manual only. The Section 4.7 schedule for Lot 95A should state "For Constructed Lot 95A Only."

- d. Section 4.9 requires that a percentage of the proposed plant materials used to meet the requirements of the Landscape Manual be native plants. The submitted landscape plan and plant schedules conform to the requirements of Section 4.9 for the lots owned by Stanley Martin Homes.
11. **Prince George's County Woodland Conservation Ordinance:** The property is subject to the 1993 Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has a previously approved tree conservation plan (TCP). The approved TCP is a combined TCP and landscape plan. The current application is for architectural review and house siting for Lots 4 and 19, Block A, as related to the requirements associated with the on-site historic property.

There are no environmental issues with the current application. The -07 revision to TCP11-152-04 must be certified with the subject application only because it is a combined landscape plan that has been revised to account for current landscape requirements. No areas of woodland conservation are proposed to be revised with the current application.

12. **The Tree Canopy Coverage Ordinance:** The subject application is not subject to the requirements of the Tree Canopy Coverage Ordinance, because it is located within the R-A Zone, where tree canopy provisions do not apply.
13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The Planning Board adopts the following:
- a. **Historic Preservation**—The Historic Preservation Commission reviewed the subject application at its September 17, 2013 meeting and, in a memorandum dated September 19, 2013, recommended that the Planning Board approve DSP-04040-05 with one condition:

"Prior to the approval of DSP-04040/05 by the Planning Board, the applicant, his heirs, successors and/or assigns shall submit to the Planning Department's Historic Preservation staff and the Maryland Historical Trust, an expanded public interpretation plan focused on the historic and archeological significance of the surrounding property; the interpretation plan shall include a schedule for the implementation of the plan over a period not to exceed 180 days from the approval of DSP-04040/05. The research design for the interpretation plan shall emphasize the African-American presence at the site and the relationship of Pleasant Prospect to other plantations in the area. In addition to on-site signage, the interpretation plan shall include at least two of the following: a website, a printed brochure, and public programming focused on the history and significance of the property."

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Subsequent to the Historic Preservation Commission review of the application, the applicant submitted a Phase III Public Interpretation Plan, as recommended above for review by the Historic Preservation Section. This recommendation has been addressed and no further conditions are necessary.

- b. **City of Bowie**—The City of Bowie provided a referral response of no comment.
14. Based on the foregoing and as required by Section 27-285(b) of the Zoning Ordinance, the Planning Board finds that 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.

The subject application is grandfathered from the requirement of Section 27-285(b)(4) that came into effect on September 1, 2010 because the project has a previously approved preliminary plan of subdivision and Type II tree conservation plan.

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-152-04-07) and further APPROVED Detailed Site Plan DSP-04040/05 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the detailed site plan (DSP), the following information shall be provided or revisions made:
 - a. Provide the dimensions of the proposed driveways.
 - b. Revise the site plan and the Site Tabulations chart to indicate that lots between one and two acres in size may have maximum lot coverage of 15 percent.
 - c. Provide the heights and number of stories of the buildings proposed on Lots 4A and 19A on the DSP in or near the building footprint.
 - d. Provide the proposed gross floor area of the buildings on Lots 4A and 19A within the DSP and statement of finished square footage.
 - e. Provide samples of the roofing selections for review by the Historic Preservation and Urban Design staff, as designees of the Planning Board.
 - f. Label the architectural elevations with building materials and colors, including roofing materials.

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- g. Revise the Section 4.7 schedule for Lot 95A to state "For Constructed Lot 95A Only."
- h. Provide a plan note on the architectural elevations for Lot 4, Block A, to indicate that rear brick is an approved option for the future homeowner.

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.

* * * * *

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, December 5, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of December 2013.

Patricia Colihan Barney
Executive Director

By *Jessica Jones*
Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj

APPROVED AS TO LEGAL SUFFICIENCY
Jessica Jones
M-NCPPC Legal Department
Date 12/11/13