

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 November 6, 2008 regarding Detailed Site Plan DSP-00050/04 for Dolan's Addition to Southern Pines, the Planning Board finds:

1. **Request:** The subject application is a request for approval of a detailed site plan for 17 single-family detached dwelling units.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant	Residential
Acreage	13.34	13.34
Lots	17	17
Parcels	1	1
Dwelling Units	0	17

ARCHITECTURAL MODEL DATA

Model	Square Footage
Ashley	3,600
Bennington	2,952
Bennington II	3,001
Lancaster	3,082
Morrison III	2,600
Windsor	3,350
Sareen	4,395
Tennyson	2,300

3. **Location:** The subject property is located at the northwest end of Arundel Drive, approximately 800 feet northwest of its intersection with Allentown Road in Planning Area 76B and Council District 8.
4. **Surrounding Uses:** The subject property is surrounded on the east, west, north and most of the

south sides by existing single-family detached houses in the R-R Zone. The southwest portion of the property is adjacent to a C-O zoned property that is currently used by C&P Telephone Company of Maryland.

5. **Previous Approvals:** The site is the subject of two Preliminary Plans, 4-96022 (PGCPB Resolution No. 96-235) and 4-98080 (PGCPB Resolution No. 99-77), which was approved by the Planning Board on May 13, 1999, subject to seven conditions. Detailed Site Plan DSP-00050 was approved by the Planning Board (PGCPB Resolution No. 01-32) on February 15, 2001, subject to two conditions. Final Plat REP 193@88 was recorded for the subject property on June 8, 2001. The District Council affirmed the Planning Board's approval of DSP-00050 on June 11, 2001. No construction materialized pursuant to the approval of DSP-00050 and the detailed site plan expired three years after it was approved. On April 29, 2005, the Planning Director approved Alternative Compliance AC-05010 to allow a reduction in the required building setback between then Lots 1–4 and an adjacent utility use. On May 12, 2005, the Planning Board approved DSP-00050/01 (PGCPB Resolution No. 05-103) subject to six conditions. This revision constituted a re-approval of DSP-00050 necessitated by its expiration. Two additional revisions were processed and approved by the Planning Director for the addition of architectural models. The site is also the subject of a lot line adjustment, Final Plat REP 213@47, which was recorded in order to adjust the common boundary lines between Lots 3–6, now numbered Lots 18–21. The site has an approved Stormwater Management Concept Plan, 30201-2007-00, which expires on June 27, 2011.
6. **Design Features:** The subject site is irregularly shaped and is proposed to be developed with 17 single-family detached residences on 17 lots. One parcel, Parcel A, will be dedicated to the homeowners association and will contain open space and a stormwater management facility. One additional lot was included in the original approval of DSP-00050 and was designated as Lot 18 on that plan. This lot is improved with a single-family detached residence and is accessed via Calvert Way. The previous owner of the subdivision retains ownership of this lot and does not wish to have his property included in this detailed site plan revision. See Finding 8 for a more detailed discussion of this lot.

Access to the 17 lots included in this detailed site plan is proposed via the extension of two existing and stubbed streets. Lots 9–16 will be accessed via the extension of Capri Drive, which will terminate in a cul-de-sac. Lots 1, 2, 17, and 18–21 will be accessed through the extension of Arundel Drive, which will also terminate in a cul-de-sac.

Eight previously approved architectural models by Haverford Homes are included in the application, the total base finished square footage of which range from 2,300 to 4,395. The models show elevation design that draws heavily from the traditional colonial style. The models have two stories with two-car garages as a standard feature. Many units also offer a three-car garage option. Proposed finish materials include standard vinyl siding and brick veneer. Various architectural details, such as jack arch windows, Palladian windows, keystone, soldier course brick bands, decorative columns and pilasters, transom entrance doors, shutters, optional brick water tables, etc., have been presented on various elevations. All of the models have been

previously approved under DSP-00050 and subsequent revisions and have been built in other subdivisions within the county. Three conditions related to architecture have been incorporated in the recommendation section of this report: one requires special treatment of highly visible side elevations, another will ensure that no two units located directly next to or across from each other would have identical front elevations, and the final condition requires that a minimum of ten units within the development feature full brick fronts.

At the time of preliminary plan, the Department of Parks and Recreation recommended the payment of a fee-in-lieu of mandatory parkland dedication in accordance with Section 24-135(a) of the Subdivision Regulations. Private on-site recreational facilities were not recommended and will not be required with this application due to the unsuitability of the open space parcels, which include steep slopes and other environmental features.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R 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), which governs permitted uses in the R-R Zone. The proposed single-family detached units are a permitted use in the R-R Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in the R-R Zone.
8. **Preliminary Plan of Subdivision 4-98080:** This preliminary plan was approved by the Planning Board on May 13, 1999 (PGCPB Resolution No. 99-77) subject to seven conditions. The following conditions of approval are applicable to the review of the subject detailed site plan.
 1. **Appropriate landscape screening techniques shall be employed at each entrance to the subdivision, which techniques shall be described in detail at the time of Detailed Site Plan.**

Although a mixture of shade and ornamental trees are proposed to be planted at the entrances to the subdivision, the plant material shown at the entrance on Capri Drive is minimal. The plans should be revised to provide two additional shade trees and two additional ornamental or evergreen trees at this entrance to the subdivision. A condition has been incorporated in the recommendation section of this report, requiring the addition of this plant material to the plans prior to signature approval.

2. **Development of this subdivision shall be in compliance with the approved Type II Tree Conservation Plan (TCP II/1-3/98). The following note shall be placed on the Final Plat of Subdivision:**

“Development is subject to restrictions shown on the approved Type II Tree Conservation Plan (TCPII/103/98) which 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 and Subtitle 25.”

According to the Environmental Planning Section, the proposed detailed site plan is in conformance with Type II Tree Conservation Plan TCPII/103/98. The above-referenced note was placed on both final plats of subdivision.

7. Prior to Final Plat, a Detailed Site Plan shall be approved for the cluster subdivision.

Detailed Site Plan DSP-00050 was approved by the Planning Board (PGCPB Resolution No. 01-32) on February 15, 2001. Final Plat REP 193@88 was recorded pursuant to that detailed site plan approval.

9. **Final Plats REP 193@88 and REP 213@47:** In a memorandum dated August 19, 2008, the Subdivision Section indicated that the subject detailed site plan was in conformance with the final record plats with the exception of Lots 7 and 17, the square footage of which varied slightly from that shown on the record plat.

The detailed site plan was revised to reflect the correct square footage for Lots 7 and 17. Therefore, the detailed site plan is now in conformance with Final Plats REP 193@88 and REP 213@47.

10. **Detailed Site Plan DSP-00050:** The District Council approved DSP-00050 on June 11, 2001. The following condition of approval is applicable to the review of the subject detailed site plan:

1. Prior to certification of the Detailed Site Plan:

- a. The architectural plans shall be revised to eliminate the one-car garage option.**

All of the models proposed with this application were previously certified demonstrating standard two-car garages and continue to demonstrate such. Several models also feature a three-car garage option.

- b. The site and landscape plans shall be revised to show all the landscape schedules needed to comply with the *Landscape Manual*.**

The plans currently show all landscape schedules needed to comply with the Landscape Manual.

On April 29, 2005, the Planning Director approved Alternative Compliance AC-05010 to allow a reduction in the required building setback from 40 to 30 feet between then Lots 1–4 and an adjacent utility use. These lots have since been renumbered and are shown on the subject detailed site plan as Lots 1, 2, 18 and 19. The plans correctly reference the approval of alternative compliance in this area; however, depending on which unit is ultimately constructed on each of these lots, additional relief from the approved 30-foot setback may be required. Therefore, at the time of building permit, if the proposed siting of the unit on Lots 1, 2, 18 or 19 results in a setback less than 30 feet from the shared property line with the C&P Telephone property, a revision to AC-05010 should be requested and approved.

11. **Detailed Site Plan DSP-00050/01:** On May 12, 2005, the Planning Board approved DSP-00050/01 (PGCPB Resolution No. 05-103) subject to six conditions, the following of which are applicable to the review of the subject detailed site plan:

- 3. Prior to the issuance of any building permits, the applicant shall receive approval of and record a new final plat to reflect the lot line adjustment as approved in the subject detailed site plan.**

As mentioned above, the site is the subject of a lot line adjustment, Final Plat REP 213@47, which was recorded in order to adjust the common boundary lines between Lots 3–6, now numbered Lots 18–21.

- 5. No two units located next to or immediately across the street from each other may have identical front elevations.**

This condition has been carried forward as a condition of approval of this detailed site plan.

- 6. The developer, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the Detailed Site Plan and Landscape Plan.**

This condition has been carried forward as a condition of approval of this detailed site plan.

12. **Prince George's County Landscape Manual:** The proposed development is subject to Section 4.1, Residential Requirements, and Section 4.7, Buffering Incompatible Uses, of the Landscape Manual.

On April 29, 2005, the Planning Director approved Alternative Compliance AC-05010 for the subject property. The alternative compliance approval provided relief from Section 4.7 of the Landscape Manual between then Lots 1–4 and the adjacent property to the south, which is owned by C&P Telephone, and therefore, considered a medium impact use per the Landscape Manual. Alternative compliance was granted to allow a ten-foot reduction in the 40-foot required building setback between the adjacent utility and single-family detached residential uses. To compensate

for the reduction in the setback, a six-foot-high sight-tight fence is proposed to be installed along the rear property line of these lots. Depending on which model type is ultimately selected for these lots, a revision to AC-05010 may be necessary to provide additional relief from the required setback. A condition has been incorporated in order to address this issue.

Final Plat REP 213@47 was recorded to adjust the lot lines between Lots 3 and 4. This plat also renumbered Lots 3 and 4, which are now known as Lots 18 and 19, respectively.

13. **Woodland Conservation Tree Preservation Ordinance:** In a memorandum dated September 2, 2008, the Environmental Planning Section indicated that the development proposal was reviewed in detail for conformance with the Woodland Conservation Ordinance during the review of Preliminary Plan 4-98080 and Type I Tree Conservation Plan TCPI/045/98. Staff approved TCPII/103/98 in conformance with TCPI/045/98 and PGCPB Resolution No. 99-77 on March 6, 2000.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Subdivision:** In a memorandum dated August 19, 2008, the Subdivision Section provided the following comments:

The property is the subject of Preliminary Plan 4-98080 (PGCPB Resolution No. 99-77). A final plat for the entire property (REP 193@88) was recorded in land records in 2002. In 2006, a lot line adjustment (Final Plat REP 213@47) was recorded in land records to adjust the common boundary lines between Lots 3–6; these lots are now known as Lots 18–21.

1. The site plan provides insufficient general notes. General Note 2 incorrectly refers to the original acreage parcel descriptions for the property and should be revised to refer to the correct record plats for the subject property.

General Note 2 was revised in response to this comment; however, the note does not reflect the correct final plat numbers. This note should be corrected prior to certification of the plans.

2. The square footage of Lots 7 and 17 does not conform to the record plat and should be revised.

The plans were revised to reflect the correct square footage of Lots 7 and 17.

3. The DSP coversheet should refer to all of the lots in the subdivision. The DSP applies to the entire property.

On August 27, 2008, Mr. Hugh Dolan, the previous owner of the subject property, contacted Steve Adams, Supervisor of the Urban Design Section. During this telephone conversation, Mr.

Dolan clearly expressed his desire that his lot, designated as Lot 18 on the originally approved DSP-00050, not be included in the current revision, DSP-00050/04. Lot 18 is improved with one single-family detached residence and is accessed via Calvert Way. Mr. Dolan was informed and expressed his understanding that any significant changes to his lot proposed in the future by him or any subsequent owner would be subject to detailed site plan review for his lot only.

b. **Permits:** In a memorandum dated August 18, 2008, the Permit Review Section offered numerous comments, which have either been addressed or have been included as conditions of approval of this detailed site plan.

c. **Environmental Planning:** In a memorandum dated September 2, 2008, the Environmental Planning Section provided the following comments:

The Environmental Planning Section has reviewed the above referenced detailed site plan and finds that the previously approved tree conservation plans are in conformance with it. No conditions for approval are recommended at this time. The following information is provided as background information for this review.

The Environmental Planning Section first reviewed this property as application number 4-96022 for a 20-lot conventional subdivision and Tree Conservation Plan TCPI/011/95, which were approved by the Prince George's County Planning Board on July 11, 1996 (PGCPB Resolution No. 96-235). A Type II tree conservation plan, in accordance with TCPI/011/95, was approved by staff on October 6, 1998. The Prince George's County Department of Environmental Resources subsequently denied a permit due to inadequate stormwater management.

The Environmental Planning Section later reviewed this property as application number 4-98080 for a 20-lot cluster subdivision and Tree Conservation Plan TCPI/045/98. Due to the extensive change in layout, the approval for TCPII/103/98 was revoked by staff. During the review of Preliminary Plan 4-98080, the Environmental Planning Section reviewed the proposal in detail with regard to noise, soils, scenic/historic roads, wildlife, streams, wetlands, floodplain, steep slopes and woodland conservation and recommended conditions that would result in no significant impacts. These conditions included preservation of existing nontidal wetlands, retention of undisturbed stream and wetland buffers and minimization of disturbance to steep slopes. Preliminary Plan 4-98080 was approved with appropriate conditions as an 18-lot cluster subdivision by the Planning Board on June 10, 1999 (PGCPB Resolution No. 99-77). A Type I Tree Conservation Plan, TCPI/045/98, was approved at the same time. Staff re-approved TCPII/103/98 in conformance with TCPI/045/98 and PGCPB Resolution No. 99-77 on March 6, 2000. The Planning Board affirmed TCPII/103/98 by PGCPB Resolution No. 01-32.

d. **Department of Public Works and Transportation (DPW&T):** In a memorandum dated August 14, 2008, the Department of Public Works and Transportation (DPW&T) indicated that the subject detailed site plan is consistent with approved Stormwater

Management Concept Plan No. 30201-2004-00 and that DPW&T has no objection to the approval of the detailed site plan.

15. As required by Section 27-285(b) of the Zoning Ordinance, 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/103/98) and further APPROVED Detailed Site Plan DSP-00050/04 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the detailed site plan, the applicant shall:
 - a. Revise General Note 2 to refer to the correct record plats for the subject property.
 - b. Revise the landscape plan to provide two additional shade trees and two additional ornamental or evergreen trees at the entrance to the development from Capri Drive. Plant selection and location shall be reviewed and approved by the Urban Design Section as designee of the Planning Board.
 - c. Revise the architectural elevations to indicate that a brick water table and a minimum of three standard end wall features will be required on all highly visible side elevations on Lots 1, 16, 17, and 21, and add a note to the plans to this effect.
2. No two units located next to or immediately across the street from each other may have identical front elevations.
3. The developer, his heirs, successors, and/or assignees shall display, in the sales office, all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the detailed site plan, and landscape plan.
4. A minimum of ten units within the proposed development shall have full brick fronts.
5. Prior to the issuance of a building permit for Lots 1, 2, 18 or 19, if the proposed siting of the selected model type results in a setback less than 30 feet from the shared property line with the C&P Telephone Company property, a revision to AC-05010 shall be requested and approved by the Planning Director.

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 Cavitt, with Commissioners Squire, Cavitt, Clark, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, November 6, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of December 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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