



The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530

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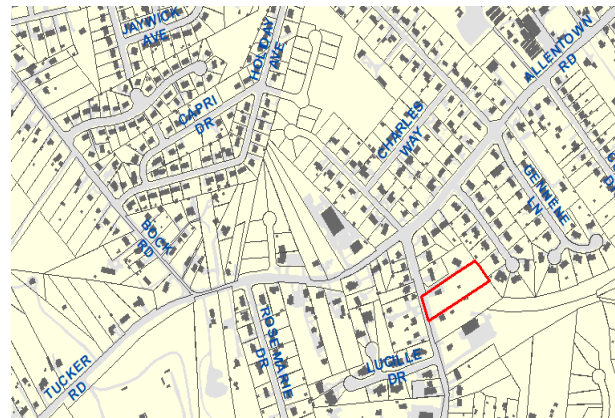
Detailed Site Plan

Oaklawn

DSP-16004

REQUEST	STAFF RECOMMENDATION
Three single-family detached dwelling units.	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:	1.61
Zone:	R-R
Dwelling Units:	3
Gross Floor Area:	N/A
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: Jeremy Hurlbutt, AICP Phone Number: 301-952-3759 Email: Jeremy.Hurlbutt@ppd.mncppc.org	



Planning Board Date:	02/18/2021
Planning Board Action Limit:	Indefinite
Staff Report Date:	02/03/2021
Date Accepted:	11/20/2019
Informational Mailing:	08/04/2018
Acceptance Mailing:	11/18/2019
Sign Posting Deadline:	01/19/2021

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/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-16004
Type 2 Tree Conservation Plan TCP2-040-2019
Oaklawn

The Urban Design staff has reviewed the detailed site plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION CRITERIA

The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance in the Rural Residential (R-R) Zone and the site design guidelines;
- b. The requirements of Preliminary Plan of Subdivision 4-06055;
- c. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- d. The requirements of the 2010 *Prince George's County Landscape Manual*; and
- e. Referral comments.

FINDINGS

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

1. **Request:** This detailed site plan (DSP) requests to develop three single-family detached dwelling units.

2. Development Data Summary

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Residential	Residential
Acreage	1.61	1.58 (0.03 acre dedication)
Lots	1	3
Square Footage/GFA	0	9,891*

Note: *3,297 square feet per dwelling unit

Parking Requirements

Section 27-568(a) of the Prince George’s County Zoning Ordinance requires a minimum of two parking spaces be provided for one-family detached dwellings. The proposed development includes a two-car attached garage in each unit, satisfying the requirement.

- 3. **Location:** The subject site is on the east side of Allentown Road, approximately 400 feet south of the intersection of Allentown Road and Tucker Road, in Planning Area 76B and Council District 8. The site is zoned Rural Residential (R-R).
- 4. **Surrounding Uses:** The subject property is bounded to the north, east, and south by existing single-family detached houses in the R-R Zone, and the right-of-way of Allentown Road to the west, with existing single-family detached houses in the R-R Zone beyond.
- 5. **Previous Approvals:** The site is subject to Preliminary Plan of Subdivision (PPS) 4-06055, which was approved by the Prince George’s County Planning Board on March 15, 2007 with 12 conditions (PGCPB Resolution No. 07-65), and is valid until December 31, 2021 via Prince George’s County Council Bill CB-74-2020.

DSP-07054 was submitted on October 28, 2008, for the subject property, proposing two new single-family detached dwellings, in addition to the existing single-family dwelling on the site. The DSP was approved by the Planning Board (PGCPB Resolution No. 09-21) on January 22, 2009. DSP-07054 was subsequently denied by the Prince George’s County District Council on June 22, 2009 for not meeting site design guidelines for control of stormwater runoff from the subject property.

- 6. **Design Features:** The applicant has submitted this DSP to construct three new single-family detached dwellings on proposed Lots 399, 400, and 401. The existing single-family detached dwelling located on Lot 399 is proposed to be razed. Lots 400 and 401 were designed as flag lots in the eastern portion of the property behind Lot 399. Per Section 27-441(b) of the Zoning Ordinance, flag lot development is permitted in the R-R Zone, in accordance with Section 24-138.01 of the Prince George’s County Subdivision Regulations. Per Section 24-138.01 and CB-4-2006, flag lots may be permitted for PPS accepted prior to November 1, 2006, in accordance with Subtitle 24 of the Prince George’s County Zoning Ordinance. PPS 4-06055 was accepted on October 17, 2006, which approved two 25-foot-wide stems, leading to two new lots in the southeast corner of the property. Each stem will have a 10-foot-wide asphalt paved driveway from Allentown Road and the houses on Lots 400 and 401 will be angled to face the southwest corner of the property.

The proposed house on Lot 399 will be located in the general location of the existing house that is to be razed and will have a 15-foot-wide driveway on the northwest corner of the property that will provide vehicular access to Allentown Road.

Architecture

All three houses are to use one common architectural model that will be 3,297 square feet and approximately 34 feet in height. A front stoop and garage with gabled roofs above will highlight the front elevation entry points. The two-car garage will have windows in the door and a metal mansard roof above the door. Most of the front façade will be brick with a vertical column of Hardie plank that will separate the main entrance from the garage on the front façade. Keystones over the windows, columns, and different brick courses add additional detail to the front façade. A brick water table is provided on all four sides of the houses with Hardie plank siding and windows on all elevations.



Figure 1: Front Elevation



Figure 2: Rear Elevation



Figure 3: Right Elevation



Figure 4: Left Elevation

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the R-R Zone of the Zoning Ordinance:
 - a. In accordance with Section 27-441(b), the Table of Uses for Residential Zones, the proposed single-family detached residential development (in general) is a permitted use in the R-R Zone.
 - b. The DSP conforms with Section 27-442 of the Zoning Ordinance, Regulations for Development in Residential Zones, for the R-R Zone, as follows:

	Required	Provided
(b) Net Lot Area (minimum in sq. ft.)	20,000 sq. ft.	20,054 sq. ft. minimum
(c) Lot Coverage (maximum percent of net lot area)	25 percent	15.1-23.9 percent
(d) Lot/Width Frontage (minimum in feet)		
At front building line	100 ft.*	100 ft.
At front street line	25ft (flag lot)**, 45 ft.	25 & 106 ft.
(e) Yards (minimum depth/width in feet)		
Front	25 ft.	44 ft.
Side	17 ft. /8 ft.	17 ft./9 ft.
(total of both yards/ minimum of either yard)		
Rear	20 ft.	20 ft.
(f) Building Height (maximum in feet)	35 ft.	34 ft.

Notes: *Footnote 14: For a flag lot, the front building line shall be established by the approved building envelope.

**Per Section 24-138.01(d)(2), the flag stem shall have a minimum width of 25 feet at the street line. This minimum width shall be maintained from the street line to the lot area. Driveways located within flag lot stems serving single lots shall be set back a minimum of five feet from the parallel lot lines, unless modified to address unique site characteristics.

8. Preliminary Plan of Subdivision 4-06055: The Planning Board approved PPS 4-06055 on March 15, 2007 with 12 conditions (PGCPB Resolution No. 07-65), the following of which are applicable to this DSP:

5. The driveways to proposed Lots 400 and 401 shall be designed with a turnaround capability in order to minimize the need for vehicles accessing the lot to have to back onto Allentown Road. The design of the driveways shall be verified at the time of building permit.

The DSP reflects a turnaround area in the driveway on all three proposed lots.

6. At the time of final plat approval, the applicant shall dedicate right-of-way along Allentown Road of 40 feet from centerline, as shown on the submitted plan.

The DSP reflects dedication of 40 feet wide right-of-way from centerline along Allentown Road, in accordance with the approved PPS. Dedication of the right-of-way will be required with the final plat.

7. Development of this site shall be in conformance with the approved stormwater management concept plan and any subsequent revisions.

The applicant submitted a copy of approved Stormwater Management (SWM) Concept Plan 53170-2018-0, which shows conceptual SWM for the proposed development. The approval was issued on October 5, 2020 by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to use three micro-bioretention facilities, replace the failing stormdrain pipe, and construct a stormwater outfall off-site. A SWM fee of \$750.00 is required in lieu of providing on-site attenuation and quality control measures.

11. Prior to Final Plat approval the applicant shall have a Detailed Site Plan approved by the Planning Board. The Detailed Site Plan shall address architecture (elevation and placement on all the lots, specifically the two flag lots), buffering, screening, fencing, the location of the driveways and parking drives on the flag lot, turnaround capabilities and landscaping.

The proposed DSP includes the required information to address this condition. Exhibits submitted with this application include architectural and rendered elevations, and the landscape plan shows planted buffering, screening, and fencing. The driveways of both flag lots are designed with hammerhead turnaround areas, and the proposed houses are oriented to avoid a direct front-to-rear relationship with each other.

The applicant proposes to screen the two flag lots from the lots to the east with a 6-foot-tall sight-tight fence. In addition, the applicant proposes planting trees in the yards of the two new lots, which will contribute to the screening of the new houses from their surroundings.

12. If the applicant is not able to demonstrate to the Planning Board through the Detailed Site Plan that they meet the criteria for Flag Lots, then the applicant shall have a two-lot subdivision.

The applicant has submitted a statement of justification (SOJ), addressing how the DSP meets the design standards for flag lots, which are stated in Section 24-138.01(d), and are as follows:

(1) A maximum of two (2) tiers of flag lots may be permitted from the street line.

The DSP proposes a maximum of two tiers of flag lots from the street line (Lots 400 and 401), with Lot 399 being proposed as an interior lot. This layout is consistent with the layout which was approved by the Planning Board under 4-06055.

(2) The flag stem shall have a minimum width of twenty-five (25) feet at the street line. This minimum width shall be maintained from the street line to the lot area. Driveways located within flag lot stems serving single lots shall be set back a minimum of five (5) feet from the

parallel lot lines, unless modified to address unique site characteristics.

Each flag stem is at least 25 feet in width at the street line, and the driveways are set back a minimum of 5 feet from the parallel lot lines, though these widths and setbacks are not dimensioned on the DSP.

- (3) The minimum net lot area required in the respective zone shall be provided exclusive of the flag stem connection to the street.**

The minimum net lot area in the R-R Zone is 20,000 square feet. The proposed lots provide this minimum area outside of the flag stem area; however, the plans do not clearly label this area as the net lot area.

- (4) Building envelopes shall be established at the time of preliminary plan approval.**

(A) Flexibility in determining the front building line should be based on an evaluation of yards and their relationship to adjoining properties. The front building line is not necessarily parallel to the street line.

(B) Building restriction lines shall be determined in the following manner:

(i) The front of the building restriction line shall be a minimum of twenty-five (25) feet from the front street line. The minimum width shall be that which is permitted by Section 27-442(d) of the Zoning Ordinance.

(ii) The minimum side and rear yard shall be that which are permitted by Section 27-442(e) of the Zoning Ordinance.

The front building lines for the flag lots are located where the lot width allows them to meet the minimum 100 foot front building line width in the R-R Zone, but has not been labeled on the DSP. The required minimum side and rear yards have been provided, but again, have not been clearly labeled or dimensioned.

- (5) Shared driveways shall not be permitted unless the lot is located within the Chesapeake Bay Critical Area or the M-X-C Zone. When shared driveways are provided, they shall be in accordance with the following:**

(A) Shared driveways shall only be permitted for a maximum of two (2) lots when the applicant can demonstrate that their use will minimize disturbance of existing vegetation, will be a benefit to public safety by minimizing the number of access points to the public street, and will enhance the appearance of the

subdivision. Where two (2) lots are proposed to be served by a shared driveway, the driveway shall have a width of eighteen (18) feet. Parking spaces shall not be provided within the driveways.

(B) Easement locations for shared driveways must be shown on the preliminary plan and the final plat.

(C) Shared driveways must be designed such that at least some portion of the width of the driveway falls within each flag lot stem for its entire length from the street line to the dwelling.

The site is not located in the Chesapeake Bay Critical Area or the Mixed Use Community Zone, and the applicant does not propose shared driveways.

(6) Where a rear yard is oriented towards a driveway that accesses other lots, or towards a front or side of another lot, the rear yard shall be screened by an "A Bufferyard" as defined by the Landscape Manual, unless Alternative Compliance is approved at the time of preliminary plan. The location of the bufferyard shall be shown on the preliminary and final plat. (See Figures 1 and 2.)

The rear yard of Lot 399 is oriented toward the driveway and side yard of Lot 400, and the rear yard of Lot 400 is oriented toward the side yard of Lot 401 and the front of the adjacent Lot 358. Type "A" bufferyards are therefore required along the rear yard of Lot 399 and along the northern and eastern sides of Lot 400. The landscape plan shows a Type "A" bufferyard located to screen the rear yard of Lot 399, and the rear yard of Lot 400 toward Lot 401, as required by this criterion. However, the required bufferyard to screen the rear yard of Lot 400, that is oriented toward the front of the adjacent Lot 358, and has an existing dwelling, is not shown. Staff recommends that a Type "A" bufferyard be provided along the rear lot line of Lot 400.

(7) Where a front yard is oriented towards a rear yard, a "C Bufferyard" as defined by the Landscape Manual shall be provided, unless Alternative Compliance is approved at the time of preliminary plan. The location of the bufferyard shall be shown on the preliminary and final plat. (See Figure 1.)

The proposed houses have been oriented on the lots such that no front yards are oriented toward a rear yard.

9. 2010 Prince George's County Landscape Manual: The proposed project is subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Special Roadways; and Section 4.9, Sustainable Landscape Requirements, of the 2010 *Prince George's County Landscape Manual*. Staff has found that the DSP provides the required plantings, in conformance with these requirements.

10. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The site is subject to the provisions of Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A revised Type 2 tree conservation plan (TCP2) was submitted with the revised DSP review package on January 15, 2021. The 1.61-acre site contains 0.55 acre of woodlands. The TCP2 shows clearing with small, wooded areas to remain in the rear yard of two new lots. Single-family residential lots are required to have a minimum of 40 feet of area counted as cleared behind the house to provide for an active rear yard area. These small, wooded areas do not qualify as woodlands, and must be considered as “woodland retained-assumed cleared.” The woodland conservation worksheet assumes the entire site being cleared, which results in a woodland conservation requirement of 0.81 acre. This application proposes to meet the woodland requirement with fee-in-lieu for the entire 0.81 acre.

Minor revisions are required to the TCP2, as conditioned herein.

Specimen Trees

Section 25-122(b)(1)(G) of the WCO requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Environmental Technical Manual.”

The site contains two specimen trees which have a good condition rating. The current design proposes to remove one specimen tree. A Subtitle 25 variance application and an SOJ in support of a variance were received for review with this application, dated December 2, 2019.

Section 25-119(d)(1) of the WCO contains six required findings be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for the two specimen trees and details specific to individual trees have been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (in inches)	CONDITION	DISPOSITION
1	Southern Red Oak	32	Good	To be removed
2	Silver Maple	32	Good	To be saved

The text in **BOLD**, labeled A–F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship.

The site contains an existing single-family dwelling with the remaining area in woodlands. Behind the existing dwelling, to the east, there is an existing stormdrain

line with a north-south alignment. The two specimen trees are located to the east of this stormdrain. The proposed residential development requires the on-site stormdrain system to be re-sized to correct on-site floodplain and to outfall in a DPIE approved location.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

The applicant is proposing to remove one specimen tree, which is located adjacent to an existing stormdrain line and between two proposed driveways. The grading for the two driveways and replacement of the drainage pipe is required for the proposed development. The applicant proposes to retain the specimen tree located on Lot 399. The proposed development of the site is in keeping with similar projects within the area.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Based on the failing on-site stormdrain line and the existing specimen tree, the granting of this variance will allow the project to be developed in a functional and efficient manner, in conformance with the zoning of the site.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

This request is not based on conditions or circumstances which are solely the result of actions by the applicant. The applicant proposes to remove one specimen tree, due to its location, adjacent to a failing stormdrain line that requires replacement and extension to a DPIE-approved, off-site location.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property;and

This request is based on the nature of the existing site, the location of the subject tree, and the required on-site infrastructure. This request is not based on conditions related to land or a building use on a neighboring property.

(F) Granting of the variance will not adversely affect water quality.

The removal of one specimen tree will not adversely affect water quality. Also, the proposed Oaklawn development will not adversely affect water quality because the project will be subject to the requirements of the Prince George's County Soil Conservation District, and the approval of a SWM concept plan by DPIE. The applicant is proposing to meet the woodland conservation requirement with paying fee-in-lieu.

The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of Specimen Tree 1 and staff recommends approval of the variance.

11. **Prince George's County Tree Canopy Coverage Ordinance:** The proposed project is subject to the requirements of Section 25-128 of the WCO, Tree Canopy Coverage Requirements. The subject site is in the R-R Zone, which requires 15 percent tree canopy coverage (TCC). The site is 1.61 acres and provides the required 0.24 acre of TCC, in conformance with the requirement. However, a TCC schedule is not provided on the submitted plans and should be, prior to certification, as conditioned herein.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and are incorporated herein by reference:
- a. **Historic**—In a memorandum dated December 20, 2019 (Stabler and Smith to Bush), it was noted that the subject property does not contain, and is not adjacent to, any Prince George's County historic sites or resources. This proposal will not impact any historic sites, historic resources, or known archeological sites. A Phase I archeology survey is not recommended.
 - b. **Community Planning**—In a memorandum dated January 6, 2021 (Lester to Hurlbutt), the Community Planning Division noted pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
 - c. **Transportation**—In a memorandum dated June 25, 2020 (Masog to Hurlbutt), the Transportation Planning Section noted that proposed site access from Allentown Road is acceptable and provided comments on previous conditions. The Transportation Planning Section determined that the DSP is acceptable from the standpoint of transportation, and meets the findings required for a DSP, as described in the Zoning Ordinance.
 - d. **Trails**—In a memorandum dated February 20, 2020 (Masog to Hurlbutt), the Trails planner provided comments on the application and recommended bike signage along the property's frontage on Allentown Road.
 - e. **Environmental Planning**—In a memorandum dated January 20, 2021 (Schneider to Hurlbutt), the Environmental Planning Section provided an analysis of previous conditions of approval incorporated into findings above, as well as the additional information:

The site has an approved Natural Resources Inventory plan (NRI-098-06-01), which was approved on September 9, 2019. During the Subdivision and Development Review Committee meeting, the applicant's DSP, TCP2, and SWM plan showed the off-site drainage outfall in three different directions. Staff commented that the NRI needs to show the correct off-site outfall location to determine if there are any regulated environmental features that could be impacted by this off-site stormwater structure. A revised NRI was submitted with the June 17, 2020 revised DSP review package. The revised NRI verifies that the subject site and off-site stormdrain and outfall location contains no regulated environmental features, but contains woodlands and specimen trees. The submitted TCP2 is in conformance with the revised NRI and no revisions are required.

- f. **Subdivision**—In a memorandum dated January 22, 2021 (Gupta to Hurlbutt), incorporated herein by reference, the Subdivision and Zoning Section provided a review of conditions attached to prior approvals, and recommended revisions to the plan, which are conditioned herein.
 - g. **The Department of Parks and Recreation (DPR)**—In a memorandum dated November 22, 2019 (Asan to Bush), incorporated herein by reference, DPR has reviewed and evaluated this DSP for conformance with the requirements and conditions of prior approvals as they pertain to public parks and recreational facilities. The two proposed lots are required to pay a fee-in-lieu of parkland dedication at the time of final plat, as approved with the PPS.
 - h. **Prince George’s County Police Department**—In a memorandum dated December 6, 2019 (Yuen to Planning Coordinator), incorporated herein by reference, the Police Department provided no comments on the subject application.
 - i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated January 3, 2020 (Giles to Bush), incorporated herein by reference, DPIE provided standard comments on this DSP that will be enforced in their separate permitting process.
13. As required by Section 27-285(b) of the Zoning Ordinance, the DSP, if revised as conditioned, 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.
14. Per Section 27-285(b)(4), which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.**

Development of this site has retained regulated environmental features to the fullest extent possible because there none located on the subject property.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-16004 and Type 2 Tree Conservation Plan, TCP2-040-2019 for Oaklawn, subject to the following conditions:

- 1. Prior to certification of the detailed site plan, the applicant shall obtain signature approval of the preliminary plan of subdivision.

2. Prior to certification of the detailed site plan, the following corrections shall be made:
 - a. Dimension the width of each flag stem to be at least 2 feet in width at the street line.
 - b. Dimension the setback from each driveway to the parallel lot lines to be a minimum of 5 feet.
 - c. Clearly label the net lot area for each flag lot exclusive of the flag stem.
 - d. Label the front building line width, side yard, and rear yard widths.
 - e. Provide a Type "A" bufferyard along the rear lot line of Lot 400.
 - f. Provide a north arrow on all plans
 - g. Provide consistent height, footprint, and gross square footage of the houses on the architecture and site plans.
 - h. Provide a tree canopy coverage schedule demonstrating conformance to the requirements.
 - i. Revise the Type 2 tree conservation plan (TCP2), as follows:
 - (1) Add a "Retain and Remove" column on the specimen tree table.
 - (2) Revise the woodland conservation worksheet numbers.
 - (a) The gross area of the site is 1.61 acres.
 - (b) The total woodland area is 0.55 acre.
 - (c) The off-site area of woodlands cleared is 0.11 acre.
 - (3) Add the following note to the plan under the specimen tree table:

"NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE): The removal of one specimen tree (Section 25-122(b)(1)(G), ST-1, a 32-inch Southern Red Oak."
 - (4) Add a property owner awareness signature block on Sheets 1 and 2 of the TCP2.
 - (5) Have the revised plan signed and dated by the qualified professional who prepared it.
 - (6) Place the following note on the TCP2:

"Prior to the issuance of the first permit for the development shown on this TCP2, all off-site woodland conservation required by this

plan shall be identified on an approved TCP2 plan and recorded as an off-site easement in the land records of Prince George's County. Proof of recordation of the off-site conservation shall be provided to the M-NCPPC, Planning Department prior to issuance of any permit for the associated plan.

In accordance with Subtitle 25, Division 2, Sec. 25-122. Methods for Meeting the Woodland and Wildlife Conservation Requirements, if off-site woodland conservation is approved to meet the requirements, then the following locations shall be considered in the order listed: within the same eight-digit sub-watershed, within the same watershed, within the same river basin, within the same growth policy tier, or within Prince George's County. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out opportunities for off-site woodland conservation locations following these priorities. All woodland conservation is required to be met within Prince George's County."

3. Prior to the first building permit, the applicant, and the applicant's heirs, successors and/or assignees shall provide \$420 to the Prince George's County Department of Public Works and Transportation for the placement of one "Share the Road with a Bike" signage assembly along Allentown Road.

ITEM: 5

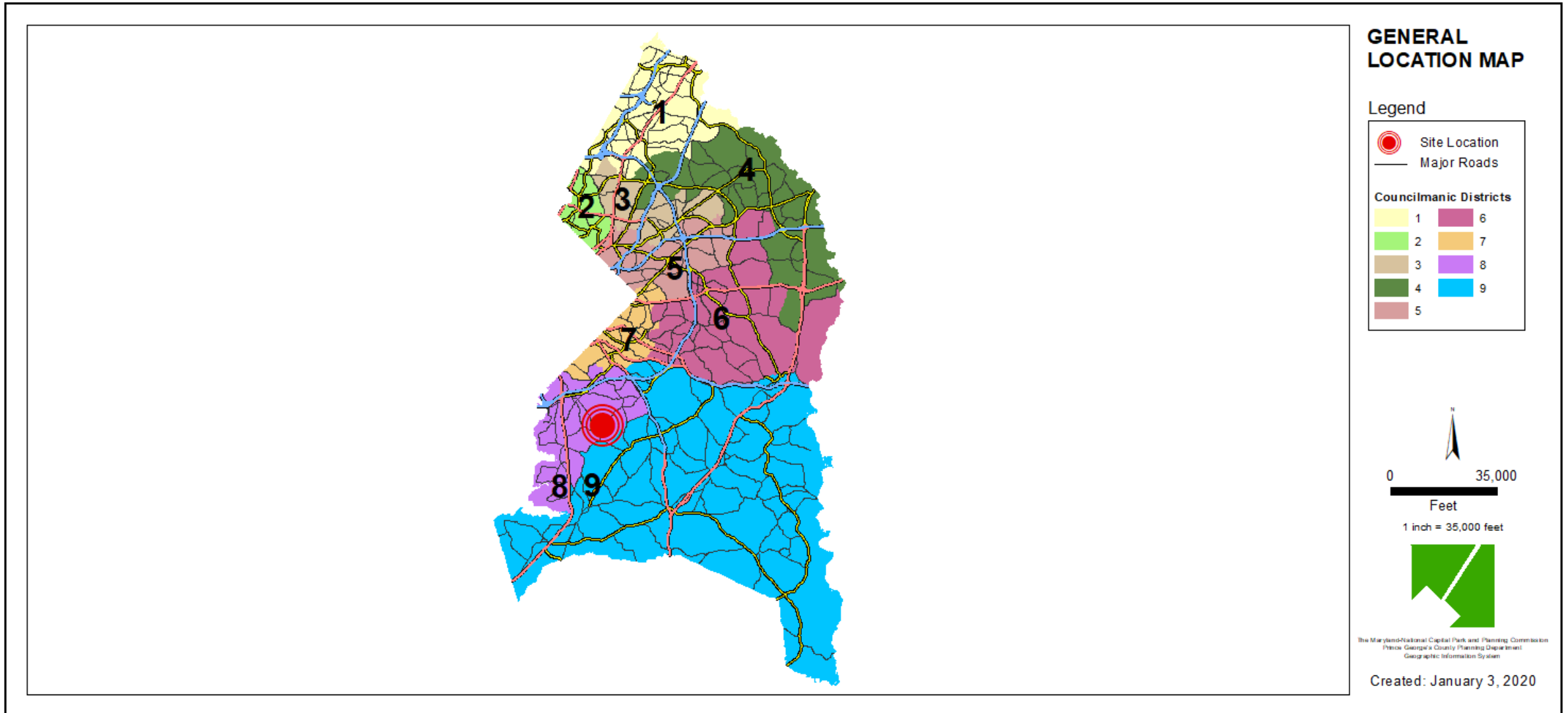
CASE: DSP-16004

OAKLAWN

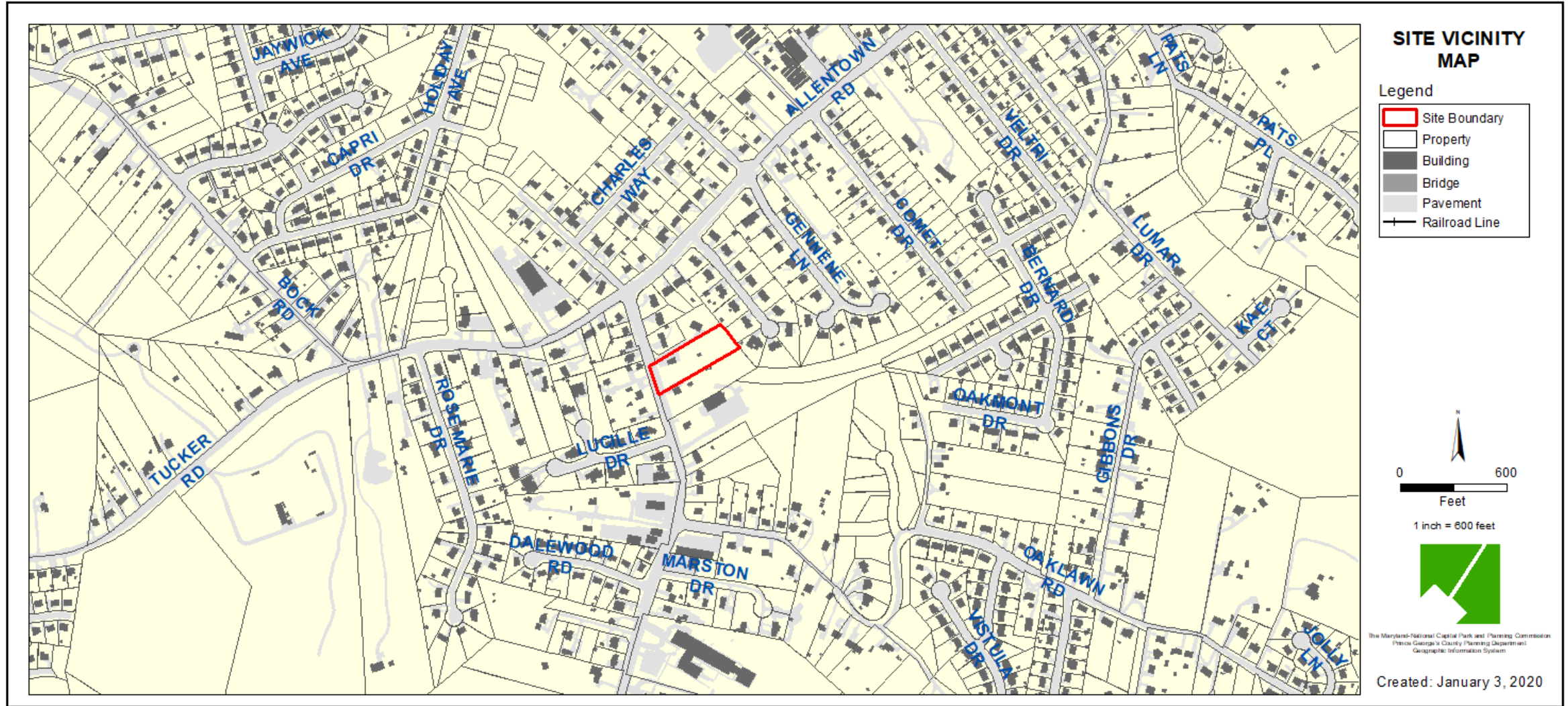
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



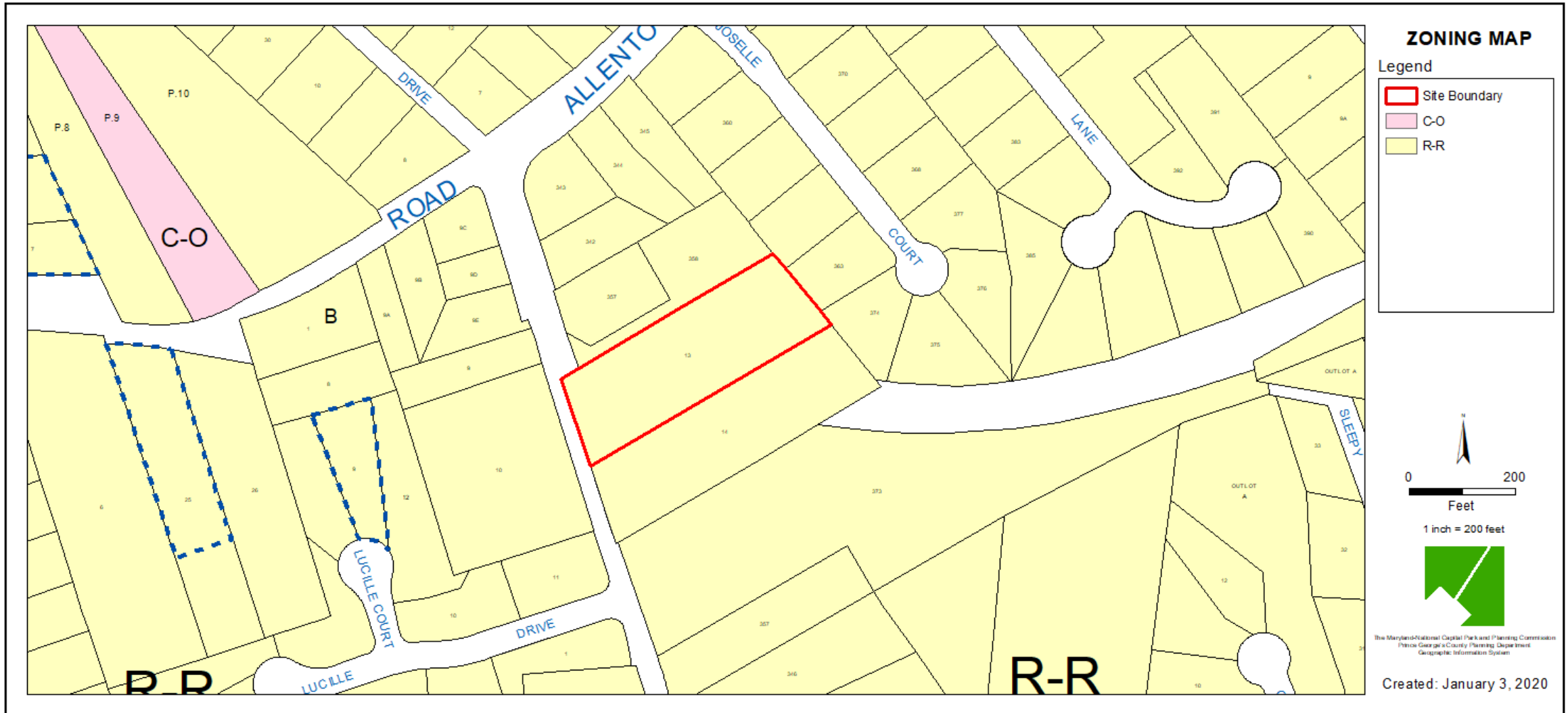
GENERAL LOCATION MAP



SITE VICINITY



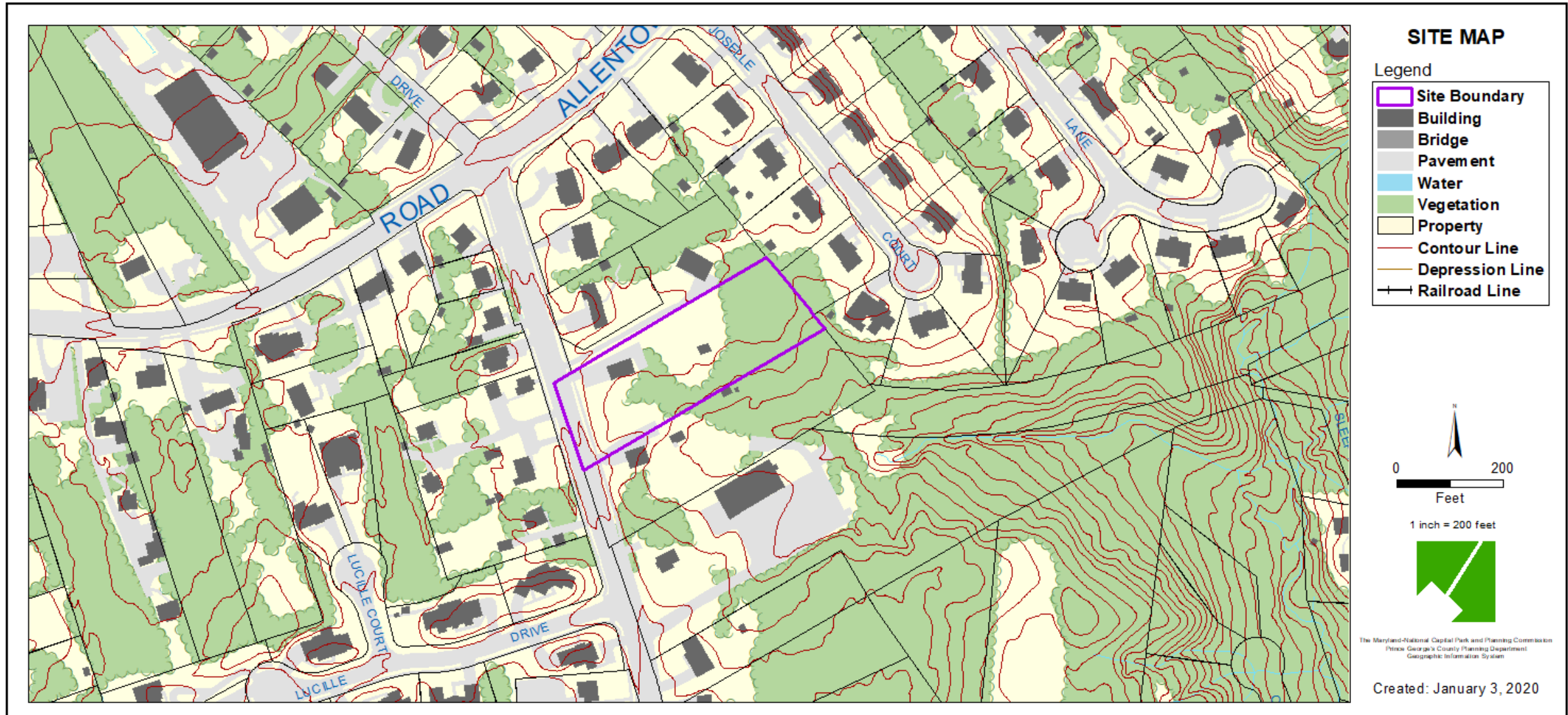
ZONING MAP



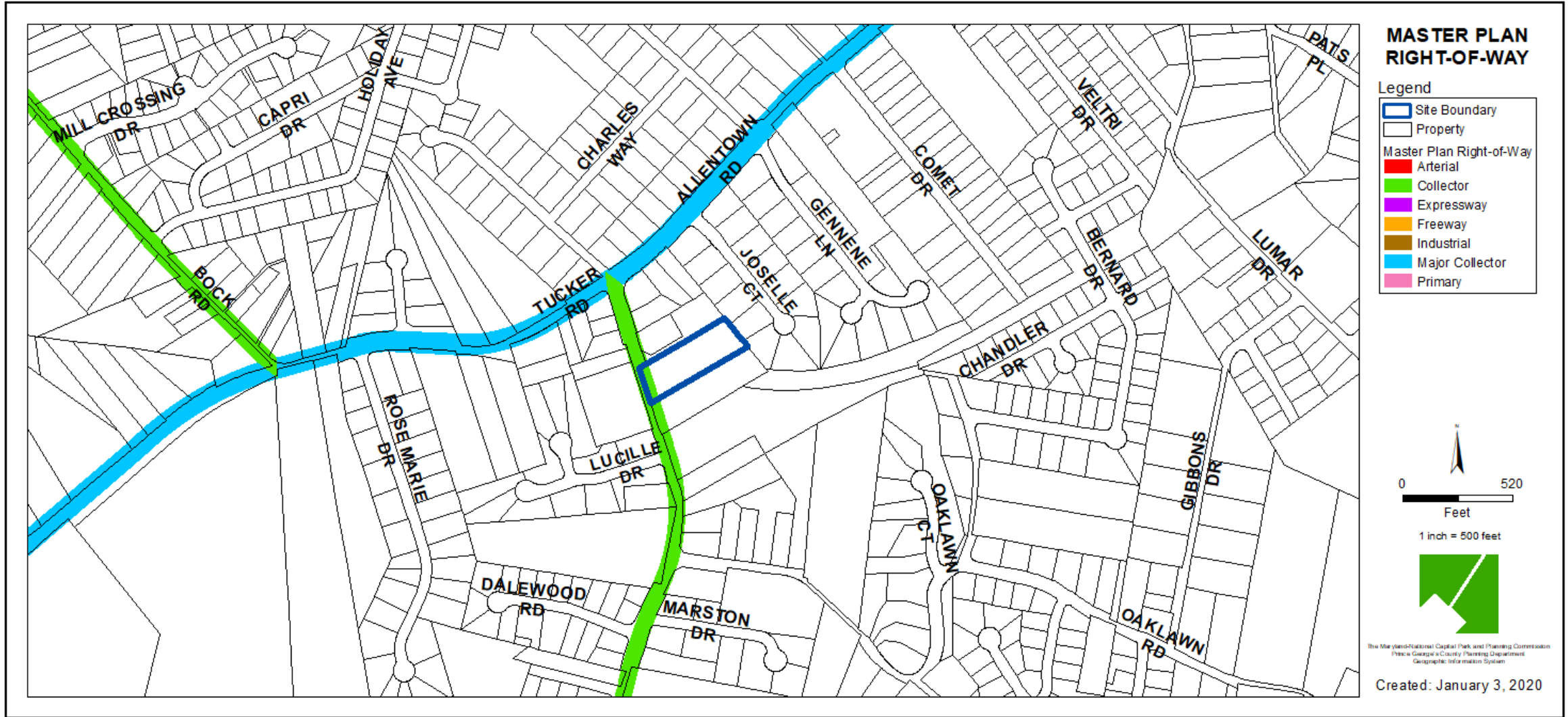
AERIAL MAP



SITE MAP



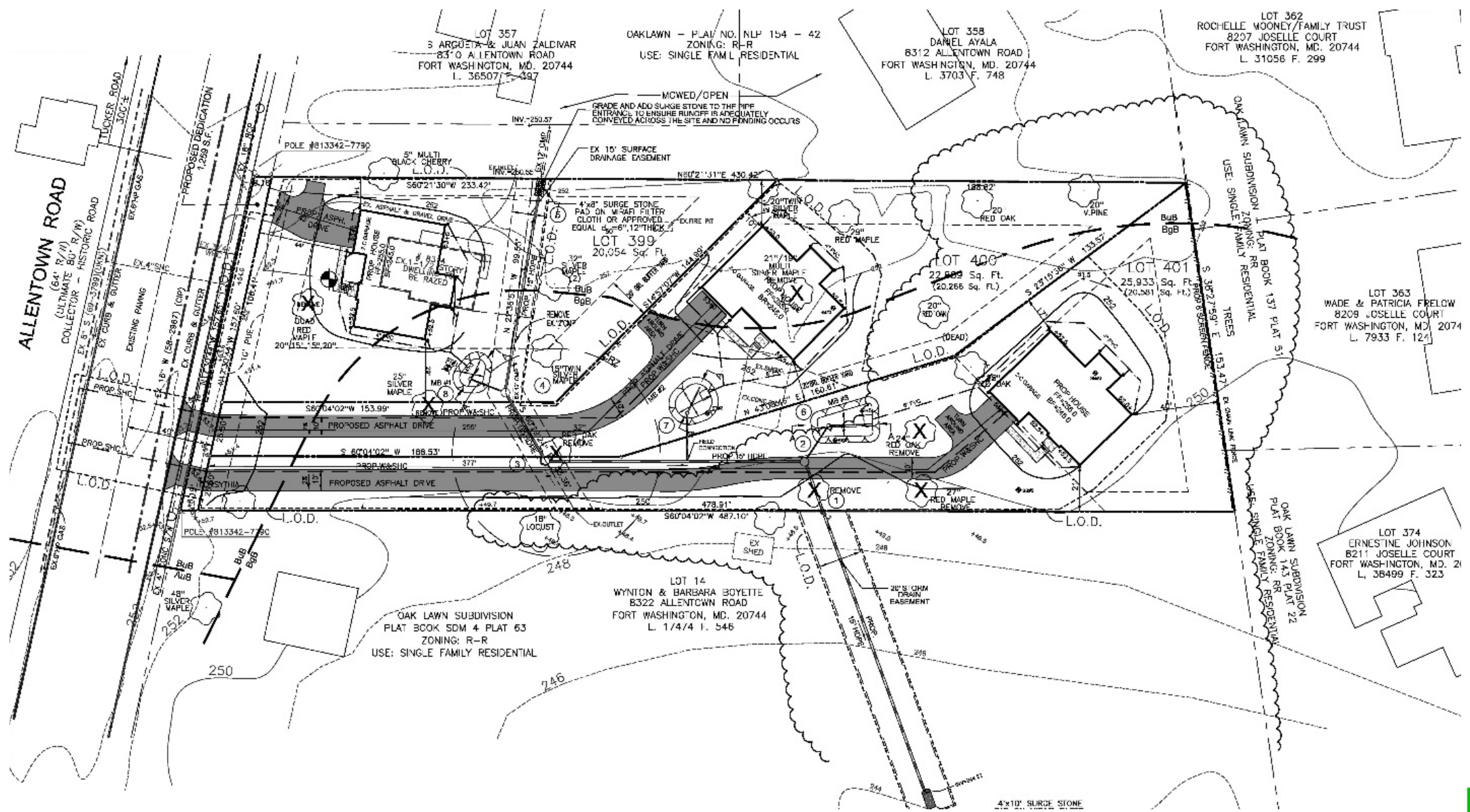
MASTER PLAN RIGHT-OF-WAY MAP



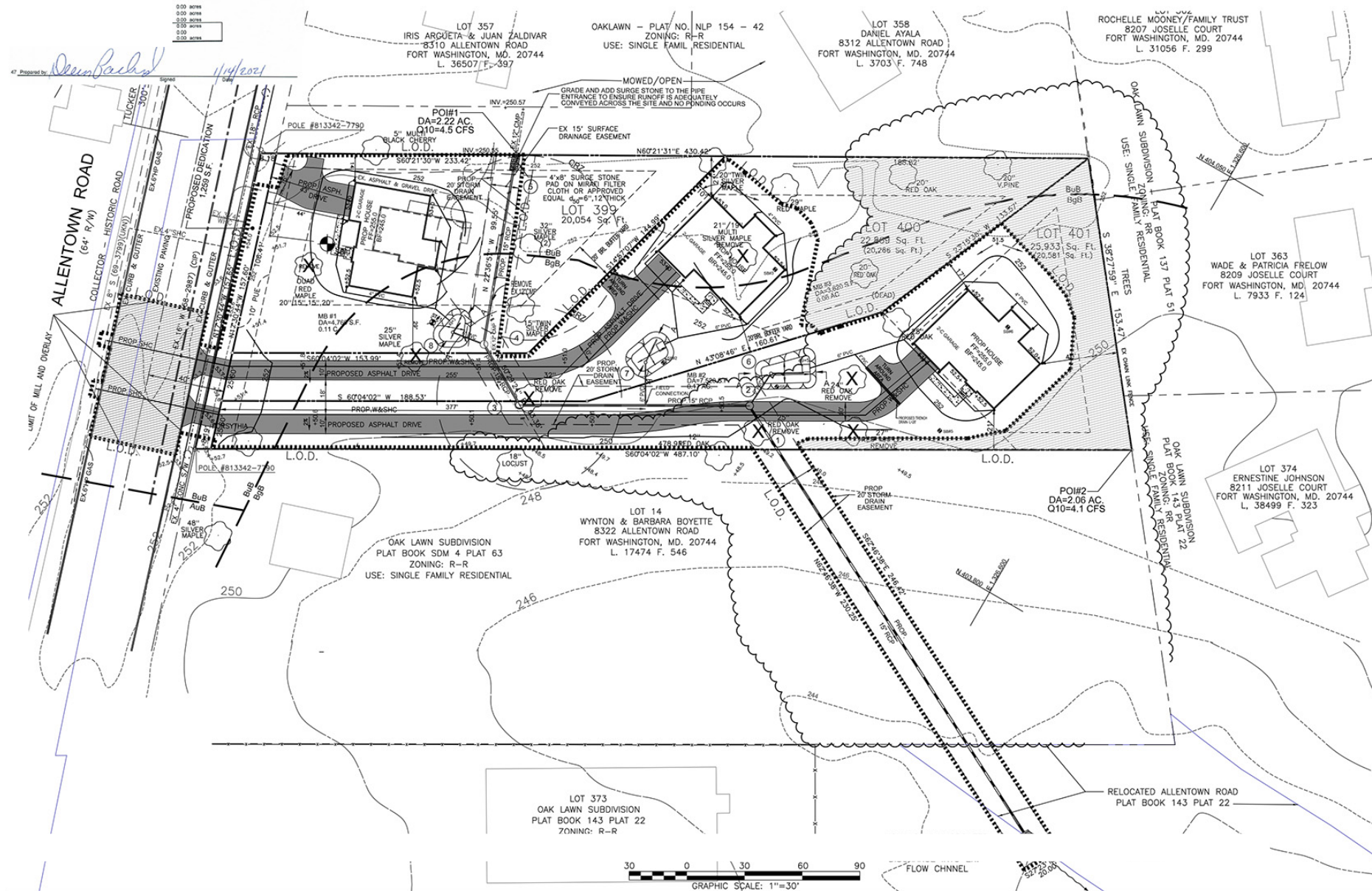
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



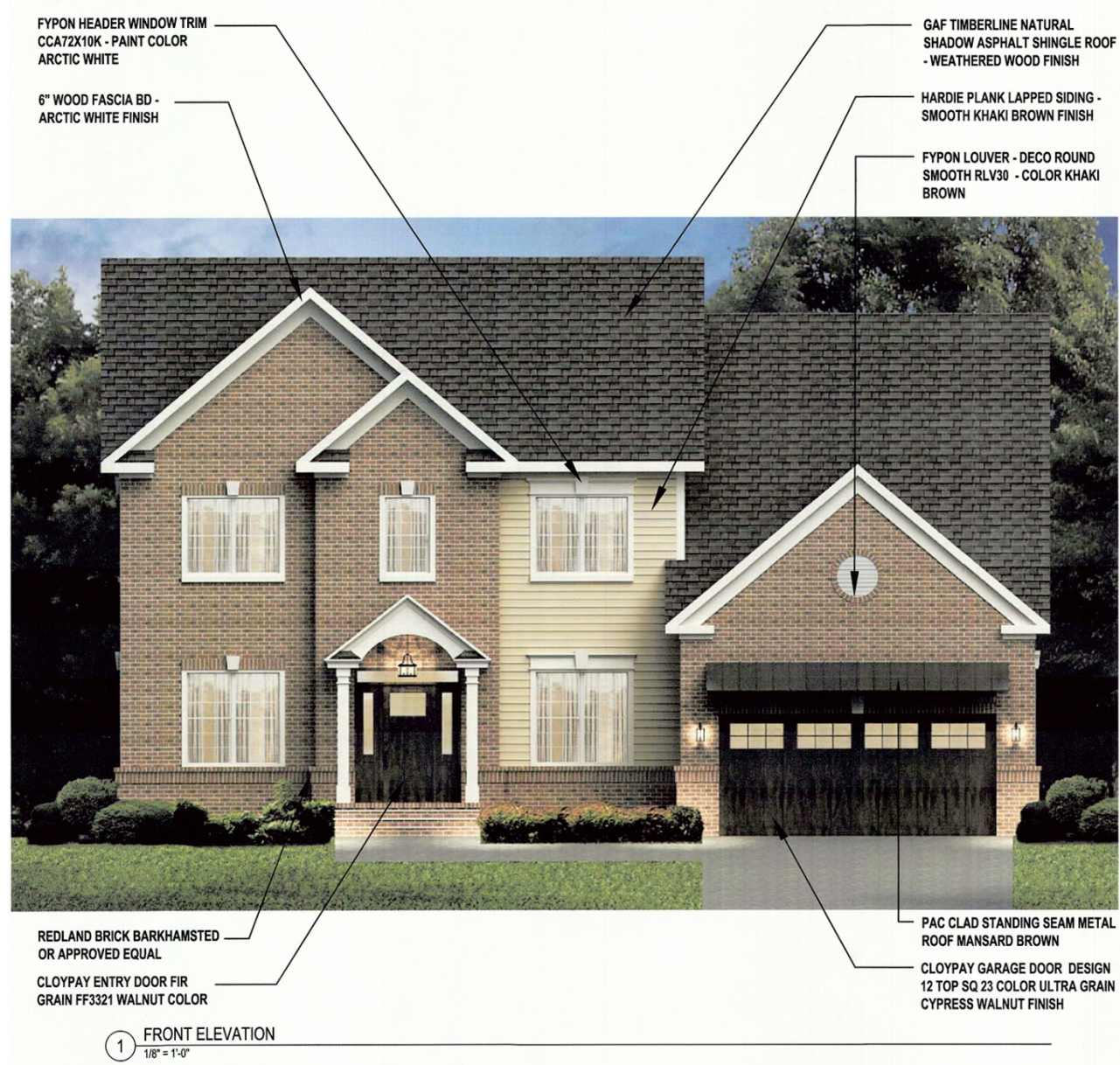
SITE PLAN



TYPE II TREE CONSERVATION PLAN



FRONT ELEVATION



1 FRONT ELEVATION
1/8" = 1'-0"



STUDIO 3
innovations, llc

Architectural Design Specialists
 Anthony Frazier, AIA, NCARB, LEED AP
 p: 703.593.0249 e: afrazier@sthreei.com
 3041 old channel rd - laurel, md 20724

**OAKLAWN
DEVELOPMENT**

8314 ALLENTOWN RD
 FORT WASHINGTON, MD 20744

PROJECT #: 2016-0529

DRAWN BY: AMF

DATE: 07.05.2016

SK-3



REAR ELEVATION

FYPON HEADER WINDOW TRIM
CCA72X10K - PAINT COLOR
ARCTIC WHITE

6" WOOD FASCIA BD -
ARCTIC WHITE FINISH

GAF TIMBERLINE NATURAL
SHADOW ASPHALT SHINGLE ROOF
- WEATHERED WOOD FINISH

HARDIE PLANK LAPPED SIDING -
SMOOTH KHAKI BROWN FINISH



REDLAND BRICK BARKHAMSTED
OR APPROVED EQUAL



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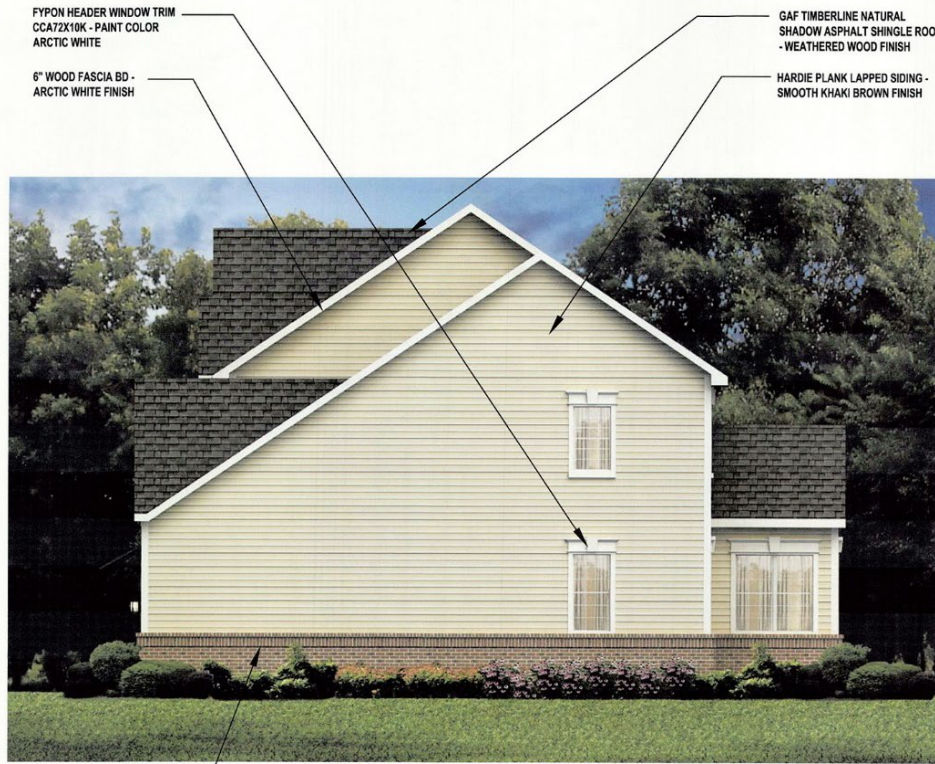
DATE: 07.05.2016

SK-4

1 REAR ELEVATION
1/8" = 1'-0"



SIDE ELEVATIONS



1 LEFT SIDE ELEVATION
1/8" = 1'-0"

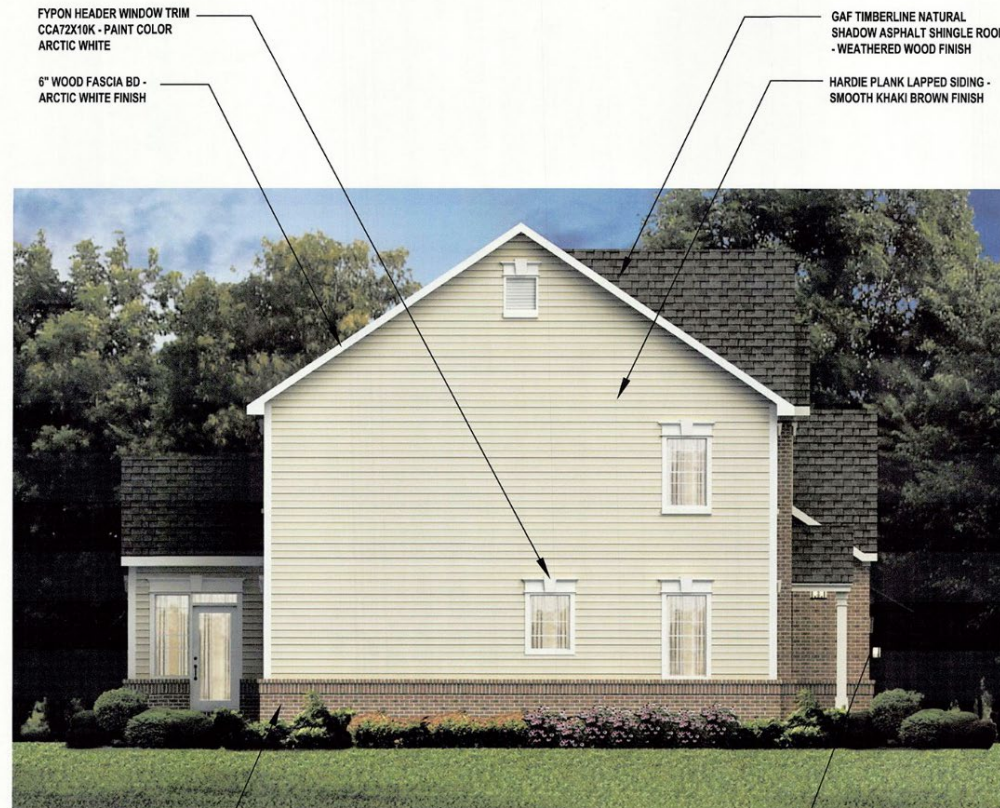


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 FORT WASHINGTON, MD 20744

PROJECT #: 2016-0529
 DRAWN BY: AMF
 DATE: 07.05.2016

SK-5



1 RIGHT SIDE ELEVATION
1/8" = 1'-0"



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 DEVELOPMENT**
 8314 ALLENTOWN RD
 FORT WASHINGTON, MD 20744

PROJECT #: 2016-0529
 DRAWN BY: AMF
 DATE: 07.05.2016

SK-6



STATEMENT OF JUSTIFICATION

Detailed Site Plan DSP-16004

8314 Allentown Road

Description of Proposed use/request

The proposed use is to subdivide a single parcel with one detached dwelling into three residential detached dwelling unit lots, proposing three new houses.

Description and location of the subject property

The subject property is located on the east side of Allentown Road just south of the intersection of Allentown Road and Tucker Road, #8314. The existing dwelling house will be demolished and replaced with a new detached house.

History and description of request

This property was previously subdivided and approved by the planning commission on June 7, 2007. It was a standard method subdivision in the R-R zoning, Section 27-442, utilizing the Flag Lot Provision in Section 24-138.01 of the code. This property can only be subdivided utilizing the Flag Lot Provision because of the lack of frontage on Allentown Road. The Flag Lot Provision was discontinued by the county just after this preliminary plan was approved.

The original justification for the utilizing the Flag Lot Provision was that due to the narrow nature of the parcel, there was only one way to subdivide the property and the proposed alignment met the lot area, coverage and other necessary requirements in the Ordinance.

With the downturn in the economy the original applicant defaulted on their responsibilities and left the current client, who was a minority partner, with the property. The current owner/applicant has carried the property for nine years with no revenue from the house due to a failed septic system. The current hardship has reached the point where, in order to halt the losses, the property must quickly proceed to a recorded plat. Family health issues are creating a crisis to record as soon as possible. This preliminary plan has remained active with the continuing extensions by the County Council.

To prevent the significant erosion of value for the property, we are proposing to obtain re-approval of the Detailed Site Plan and immediately proceed to recording of the plat. The Site Plan, DSP-07054 was approved by the Planning Board on February 17, 2009, accepting the Flag Lot Provision. The only changes to the site plan have been the drainage solution, updated footprints and minor adjustment to the lots and impervious area.

On June 29, 2009, the County Council, sitting as the District Council, issued an Order of Denial. This denial was based on the fact that we didn't have the time to work out a solution between

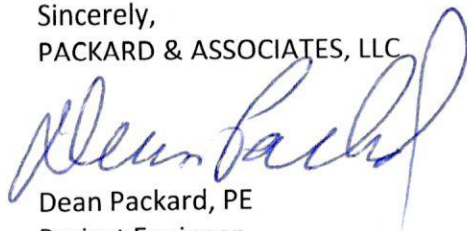
the neighbors regarding drainage issues. We have met with the same owners as a part of Community Outreach and have determined the drainage issues continue to be a problem. The problem is the uphill owner, Daniel R Ayala, residing at 8312 Allentown Road installed a small metal pipe draining water from his "Flag Lot" driveway, across our property, without permission, out-falling the water onto the downstream owner, Wynton L & Barbara L Boyette, at 8322 Allentown Road.

These two neighbors were adversarial to each other over ten years ago and continue to be extremely argumentative with each other, to the point where the Boyette's have plugged the end of the pipe to back the water up onto Mr. Ayala's property. We have met with both of them, in the same room at a community meeting and proffered to be a solution to each of their issues. With their inability to speak to themselves directly, we proposed to install an engineered drainage solution to collect the water from Mr. Ayala's property, convey it across our property and discharge it on the Boyette's property, at an acceptable location away from their house.

We never got to this point in 2009 and that was the reason the District Council issued the Order of Denial. After great efforts to convince each of the two neighbors that we would work with each of them separately to act in their combined best interest. This problem will continue without the proposed underground piped drainage solution and re-approval of the attached site plan will proffer construction of the system.

We hereby request that this Detailed Site Plan be processed with the same, but updated, reviews from 2009 with DSP-07054. The site conditions are the same with only the drainage solution proposed and verbally agreed upon by the neighbor being the difference. There will only be a limited time left before the Preliminary Plan dies, therefore we ask for assistance to re-process the Detailed Site Plan for approval as soon as possible.

Sincerely,
PACKARD & ASSOCIATES, LLC



Dean Packard, PE
Project Engineer



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 07-65

File No. 4-06055

RESOLUTION

WHEREAS, a 1.63-acre parcel of land known as Parcel 149, Tax Map 115 in Grid A-1, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on March 15, 2007, Acumen TSC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 3 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-06055 for Oaklawn Subdivision was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 15, 2007, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on March 15, 2007, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/49/06), and further APPROVED Preliminary Plan of Subdivision 4-06055, Oaklawn Subdivision, for Lots 399 through 401 with the following conditions:

1. The following note shall be placed on the final plot of subdivision:

“Development is subject to restrictions shown on the approved Type I tree conservation plan (TCPI/49/06), or as modified by the Type II tree conservation plan, and 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 Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.

2. Prior to signature of the Preliminary Plan or the Type I Tree Conservation Plan, copies of the approved Stormwater Management Concept Plan and letter shall be submitted. The approval number and approval date shall be noted on the Preliminary Plan and the Type I Tree Conservation Plan.

3. Prior to approval of the final plat of subdivision the applicant, his heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication for Lots 400 and 401.
4. The applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of "Share the Road with a Bike" signage along Allentown Road. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.
5. The driveways to proposed Lots 400 and 401 shall be designed with a turnaround capability in order to minimize the need for vehicles accessing the lot to have to back onto Allentown Road. The design of the driveways shall be verified at the time of building permit.
6. At the time of final plat approval, the applicant shall dedicate right-of-way along Allentown Road of 40 feet from centerline, as shown on the submitted plan.
7. Development of this site shall be in conformance with the approved stormwater management concept plan and any subsequent revisions.
8. Prior to the issuance of building permits the applicant, his heirs, successors, or assignees shall demonstrate that any abandoned wells or septic systems have been pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or scavenger and witnessed by a representative of the Health Department.
9. A raze permit is required prior to the removal of any structures on site. A raze permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structures on site must be removed and properly stored or discarded prior to the structures being razed. A note needs to be affixed to the preliminary plan that requires that the structures are to be razed and the well properly abandoned/sealed before the release of the grading permit.
10. Prior to the issuance of a grading permit for the development, a public safety mitigation fee shall be paid in the amount of \$11,340 (\$3,780 x 3 dwelling units). Notwithstanding the number of dwelling units and the total fee payments noted in this condition, the final number of dwelling units shall be as approved by the Planning Board and the total fee payment shall be determined by multiplying the total dwelling unit number by the per unit factor noted above. The per unit factor of \$3,780 is subject to adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for all urban consumers. The actual fee to be paid will depend upon the year the grading permit is issued.
11. Prior to Final Plat approval the applicant shall have a Detailed Site Plan approved by the Planning Board. The Detailed Site Plan shall address architecture (elevation and placement on all the lots, specifically the two flag lots), buffering, screening, fencing, the location of the driveways and parking drives on the flag lot, turnaround capabilities and landscaping.

12. If the applicant is not able to demonstrate to the Planning Board through the Detailed Site Plan that they meet the criteria for Flag Lots, then the applicant shall have a two lot subdivision.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The subject property is located on Tax Map 115, Grid A-1, and is known as Parcel 149. The property is approximately 1.63 acre in area and is zoned R-R.
3. The subject property is located approximately 400 feet south of the intersection of Allentown Road and Tucker Lane.
4. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Single-family Residences	Single-family Residences
Acreage	1.63	1.63
Lots	0	3
Outparcels	0	0
Parcels	1	0
Dwelling Units:	1 (to remain)	2 (1 new)
Public Safety Mitigation Fee		Yes

5. **Subdivision**—The applicant originally proposed creating a three lot subdivision utilizing flag lots. However, Subdivision Regulation 24-138.01 (d)(1) states, “A maximum of two (2) tiers of flag lots may be permitted from the street line.” The applicant’s proposal included three tiers. Staff would not support the proposed configuration, nor does the regulation support such as design. As a result staff recommends support of a proposal for a two-lot configuration that invokes the flag lot regulation.
6. **Environmental**—This 1.63-acre property in the R-R zone is located on the east side of Allentown Road about 400 feet north of its intersection with Tucker Road. The site is currently developed with a single-family detached residential structure and is partly wooded. There are no streams, wetlands or 100-year floodplain on the property. Stormwater run-off from the property eventually reaches Tinkers Creek in the Potomac River watershed. According to the *Approved Countywide Green Infrastructure Plan*, none of the property is within the designated network. The Master Plan does not indicate any natural reserve or condition reserve areas on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no nearby sources of traffic-generated noise. The proposed use is not

expected to be a noise generator. There are no designated scenic and historic roads in the vicinity of this property. According to the "Prince George's County Soil Survey", the principal soils on the site are in the Beltsville series. According to available information, Marlboro clay does not occur in the vicinity. This property is located in the developing tier as reflected in the adopted General Plan.

Environmental Review

An approved Natural Resources Inventory, NRI/098/06, was submitted with the application. There are no streams, wetlands or 100-year floodplain on the property. The forest stand delineation indicates one forest stand totaling 0.55 acre and one specimen tree. According to the Green Infrastructure Plan, none of the property is within the designated network. Based upon this analysis, there are no priority woodlands on-site.

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 and there are more than 10,000 square feet of existing woodland on-site. The Type I Tree Conservation Plan, TCPI/49/06, has been reviewed. The plan allows for the clearing all of the existing 0.55 acres of woodland. The woodland conservation threshold is 0.33 acre and the total requirement is 0.71 acre.

Because of the lot sizes and lack of priority woodlands, on-site conservation is not recommended because it would unnecessarily encumber small lots without providing the benefits envisioned by the Woodland Conservation Ordinance. Additionally, woodland conservation cannot be accomplished on-site because the site is very flat and must be graded to provide positive drainage as required by the Building Code. The use of a fee-in lieu for the total woodland conservation requirement of 0.71 acres is appropriate. A note detailing the provisions of the Tree Conservation plan should be placed on the Final Plat of Subdivision.

According to the "Prince George's County Soil Survey" the principal soils on the site are in the Beltsville series. Beltsville soils are in the B-hydric series and are highly erodible. This information is provided for the applicant's benefit. No further action is needed as it relates to this Preliminary Plan of Subdivision review. A soils report in conformance with CB-94-2004 will be required during the permit process review. Copies of the Stormwater Management Concept approval letter and/or plan were not submitted with this application. No on-site pond should be needed because of the minimal size of this project. The approved Stormwater Management Concept Plan and letter should be submitted prior to signature of the Preliminary Plan or the Type I Tree Conservation Plan. The approval number and approval date shall be noted on the Preliminary Plan and the Type I Tree Conservation Plan.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003. The property will be served by public systems. Water and sewer lines in Allentown Road abut the property.

7. **Community Planning**—This application is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. The 2006 Approved Henson Creek-South Potomac Master Plan and Sectional Map Amendment suggested land use is for residential low-density land use (up to 3.5 dwelling units per acre). The proposal is for three single-family residential lots. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. This application conforms to the residential, low-density land use (up to 3.5 dwelling units per acre) recommended in the 2006 Approved Henson Creek-South Potomac Master Plan and SMA. The closeness of the ingress/egress to lots 400 and 401 and the potential safety concern of the curb cuts associated with the development of these lots on Allentown Road which is a collector should be determined by the appropriate agency.
8. **Parks and Recreation**—In accordance with Section 24-134(a) of the Prince George's County Subdivision Regulations, the Park Planning and Development Division recommends that the Prince George's County Planning Board require a payment of a fee-in-lieu of dedication from Lots 400 and 401 as applicable from the subject subdivision because land available for dedication is unsuitable due to its size and location. Lot 399 is exempt because it contains an existing dwelling unit to remain.
9. **Trails**—The Approved Henson Creek-South Potomac Master Plan recommends continuous sidewalks and designated bike lanes along Allentown Road. There is an existing sidewalk along the subject site's frontage of Allentown Road. Bikeway signage has also been placed at various locations along Allentown Road. Pavement markings for designated bike lanes may be considered at the time of road resurfacing or road improvement. Staff recommends the provision of one "Share the Road with a Bike" signage to alert motorists to the possibility of bicycle traffic.

Tayac Elementary School and Isaac Gourdine Middle School are approximately a quarter-mile south of the subject site along Allentown Road. There is a gap in the sidewalk along Allentown Road between the subject site and the schools, but it is off the subject property.

The Adopted and Approved Henson Creek-South Potomac Master Plan recommends that Allentown Road be designated as a Class III bikeway with appropriate signage. Because Allentown Road is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns should provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note should be placed on the final plat for payment to be received prior to the issuance of the first building permit.

10. **Transportation**—The application is a preliminary plan of subdivision for a residential development consisting of three single family residential lots within an existing developed and platted residential lot – for a net of one lot. The proposed development of three lots would generate 2 AM and 2 PM peak-hour vehicle trip as determined using Guidelines for the Analysis of the Traffic Impact of Development Proposals.

The site is within the Developing Tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The traffic generated by the proposed preliminary plan would impact the intersection of Allentown Road and Tucker Road/Arundel Drive, which is signalized.

There are no recent traffic counts available at the critical intersection. Analyses provided in a traffic study in 2002 indicated that the intersection would operate at Level-of-Service E during the PM peak hour, and the resulting development was conditioned to make improvements that would bring the service level to Level-of-Service C in both peak hours. The conditioned improvements have been completed. Nonetheless, due to the limited trip generation of the additional development proposed for the site, the Prince George’s County Planning Board could deem the site’s impact at this location to be de minimus. Staff would therefore recommend that the Planning Board find that 2 AM and 2 PM peak-hour trip will have a de minimus impact upon delay in the critical movements at the Allentown Road and Tucker Road/Arundel Drive intersection.

Although Allentown Road is a 100-foot wide collector facility in some areas in the master plan, it is not so at this location. Therefore, 40 feet from centerline dedication is appropriate. The subdivision plan proposes that the two new lots receive driveway access onto Allentown Road. In consideration of current operating speeds and volumes, the driveway onto the new lots should utilize a turnaround capability in order to minimize the need for vehicles accessing these lots to back onto Allentown Road.

TRANSPORTATION STAFF CONCLUSIONS

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions.

- 11. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

The Prince George's County Planning Department has determined that this preliminary plan is within the required 7-minute response time for the first due fire station Allentown Road, Company 32, using the 7 Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire/EMS Department.

Pursuant to CR-69-2006, Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels. The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

- 12. **Police**—The preliminary plan is located in Police District V. The response standard is 60 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on October 17, 2006.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	09/05/05-09/05/06	12.00	20.00
Cycle 1	10/05/05-10/05/06	11.00	19.00
Cycle 2	11/05/05-11/05/06	11.00	19.00
Cycle 3	12/05/05-12/05/06	11.00	19.00

Pursuant to CR-69-2006, Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels. The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

The applicant may enter into a mitigation plan with the county and file such plan with the Planning Board. The Planning Board may not approve this preliminary plan until a mitigation plan is submitted and accepted by the county.

13. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	2 sfd	2 sfd	2 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.48	0.12	0.24
Actual Enrollment	3,946	5,489	9,164
Completion Enrollment	121	64	127
Cumulative Enrollment	16.80	108.60	217.20
Total Enrollment	4,084.28	5,661.72	9,508.44
State Rated Capacity	4,033	6,114	7,792
Percent Capacity	101.27	92.60	122.03

Source: Prince George's County Planning Department, M-NCPPC, December 2005

These figures are correct on the day this referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of: \$7,000 per dwelling if a building is located between I- 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,671 and \$13,151 to be a paid at the time of issuance of each building permit.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes. The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

14. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision and noted that the existing house at 8314 Allentown Road is connected to public water and sewer, the abandoned septic tank must be pumped, backfilled, and/or sealed in accordance with COMAR 26.04.04. The location should be indicated on the preliminary plan. A

raze permit is also required for any structures that are to be removed. This too should be noted on the preliminary plan.

15. **Stormwater Management**—A Stormwater Management Concept Plan is required prior to signature approval of the preliminary plan. The approval number and date should be indicated on the preliminary plan. Development must be in accordance with this approved plan.
16. **Archeology**—Phase I archeological survey is not recommended for the above-referenced 1.63-acre property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. There is an extant house and a shed on the property that have likely previously impacted any possible archeological resources. Major development characterizes the general area around the subject property.

However, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

17. **Historic Preservation**—The subject application for preliminary plan of subdivision has no effect on historic resources.
18. **Flag Lot**—The applicant proposes two flag lots within the subdivision. The flag lots are shown as Lots 400 and 401.

Flag lots are permitted pursuant to Section 24-138.01 of the Subdivision Regulations. Staff does not supports the triple - tier based on the following findings and reasons.

- a. A maximum of two tiers is permitted. The flag lot proposed consists of three tiers.

Comment: Staff will only support the flag lot configuration as a single tier.

- b. The flag stem is a minimum width of 25 feet for the entire length of the stem.

Comment: The applicant proposes two 25-foot stems for the two proposed flag lots.

- c. The net lot area for the proposed lot exclusive of the flag stem exceeds the minimum lot size of 20,000 square feet as required in the R-R Zone.

Comment: The proposed flag lots exceed the 20,000 square foot minimum net lot area required in the R-R Zone, exclusive of the flag lot stems.

- d. The proposal includes no shared driveways.

Comment: No shared driveways are proposed.

- e. Where rear yards are oriented toward driveways they shall be screened by an “A” bufferyard.

Comment: This orientation does not occur in this instance.

- f. Where front yards are oriented toward rear yards, a “C” bufferyard is required.

Comment: This orientation does not occur in this instance.

Prior to approval of a flag lot, the Planning Board must make the following findings of Section 24-138.01(f):

- A. The design is clearly superior to what would have been achieved under conventional subdivision techniques.**

Comment: The proposed flag lot configuration does not yield a superior design to that which would be allowed conventionally. The landscape bufferyards required for the flag lot will help to further screen the development on this lot from Allentown Road. In this instance, the flag lot design is not superior to what would have been achieved under conventional subdivision techniques.

- B. The transportation system will function safely and efficiently.**

Comment: No significant impact on the transportation system is expected.

- C. The use of flag lots will result in the creative design of a development that blends harmoniously with the site and the adjacent development.**

Comment: The applicant’s configuration is unlike anything else that exists in the area. It does not blend in with surrounding developments.

- D. The privacy of property owners has been assured in accordance with the evaluation criteria.**

Comment: The applicant has attempted to address privacy by illustrating the siting of the proposed residences at an angle. Staff does not believe that given the size of the net lot areas, the flag style developments of the lots are sufficient.

Staff does not recommend approval of the three-tiered configuration.

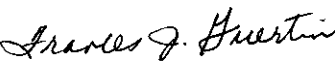
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

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 Clark, with Commissioners Squire, Clark and Vaughns voting in favor of the motion, with Commissioner Eley abstaining, and with Commissioner Parker opposing the motion at its regular meeting held on Thursday, March 15, 2007, in Upper Marlboro, Maryland.

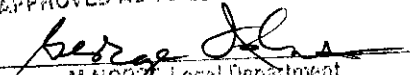
Adopted by the Prince George's County Planning Board this 7th day of June 2007.

R. Bruce Crawford
Executive Director

By 
Frances J. Guertin
Planning Board Administrator

RBC:FJG:IT:bjs

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCP&C Legal Department

Date 5/25/07

December 20, 2019

MEMORANDUM

TO: Jonathan Bush, Urban Design Section, Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division **HB**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**

SUBJECT: DSP-16004: Oaklawn


The subject property comprises 1.61 acres at 8314 Allentown Road in Fort Washington and is located on the east side of Allentown Road, approximately 400 feet south of the intersection of Allentown Road and Tucker Road. The subject application proposes the construction of three single-family detached dwellings. The subject property is Zoned R-R.

There are no historic sites or resources on or adjacent to the subject property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. A Phase I archeological survey is not recommended on the subject property. This proposal will not impact any historic sites or resources or known archeological sites. Historic Preservation staff recommends approval of DSP-16004: Oaklawn with no conditions.

January 6, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Planning Supervisor, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Thomas Lester, Senior Planner, Long-Range Planning Section, Community Planning Division **TEL**

SUBJECT: DSP-16004 Oaklawn

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan for property outside of an overlay zone.

Location: 8314 Allentown Road, Fort Washington, MD 20744

Size: 1.63 acres

Existing Uses: Single-Family residential

Proposal: Construct three single-family detached dwelling units

GENERAL PLAN, MASTER PLAN, AND SMA

Planning Area: 76B

Community: Henson Creek

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

General Plan: This application is in the Established Communities policy area. The vision for the Established Communities is context-sensitive infill and low- to medium-density development.

DSP-16004 Oaklawn

Master Plan: The 2006 *Approved Master Plan for the Henson Creek-South Potomac Planning Area* recommends Low-Density Residential land use on the subject property.

SMA/Zoning: The 2006 *Approved Sectional Map Amendment for the Henson Creek-South Potomac Planning Area* retained the subject property in the R-R (Rural Residential) Zone.

c: Long-range Agenda Notebook



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

301-952-3680

June 25, 2020

MEMORANDUM

TO: Jeremy Hurlbutt, Urban Design Review Section, Development Review Division
FROM:  Tom Masog, Transportation Planning Section, Countywide Planning Division
SUBJECT: **DSP-16004: Oaklawn**

Proposal

The applicant is proposing to construct three single-family detached residences.

Background

The site involves three lots created pursuant to Preliminary Plan of Subdivision (PPS) 4-06055 for Oaklawn. The resolution approving the PPS included a condition for a limited detailed site plan to address several site planning issues, including the design of the driveways. The site plan is also required to address general detailed site plan requirements such as access and circulation, but there are no specific requirements related to transportation adequacy related to the review.

Review of Plan

The application seeks to construct residences on lots that were created pursuant to PPS 4-06055. As such, the proposal creates no specific issues that trigger discussion of the general detailed site plan requirements or the related site design guidelines.

PPS 4-06055 was approved by the Planning Board on March 15, 2007 (PGCPB Resolution No. 07-65. The Planning Board approved the PPS with two traffic-related conditions which are applicable to the review of this DSP and warrant discussion, as follows:

- 5. The driveways to proposed Lots 400 and 401 shall be designed with a turnaround capability in order to minimize the need for vehicles accessing the lot to have to back onto Allentown Road. The design of the driveways shall be verified at the time of building permit.**

The site plan shows all lots having driveways with a turnaround capability, and these driveways are acceptable as shown.

- 6. At the time of final plat approval, the applicant shall dedicate right-of-way along Allentown Road of 40 feet from centerline, as shown on the submitted plan.**

While this condition is enforceable at the time of plat, the dedication is properly shown on the site plan.

As noted above, Allentown Road is a master plan collector facility. Dedication of adequate right-of-way of 40 feet from centerline, as required at the time of PPS, is properly reflected on the DSP.

Conclusion

The Transportation Planning Section determines that the detailed site plan is acceptable from the standpoint of transportation, and meets the findings required for a detailed site plan as described in the Zoning Ordinance.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 www.mncppc.org/pgco

February 20, 2020

MEMORANDUM

TO: Jonathan Bush, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

SUBJECT: **Detailed Site Plan Review for Non-Motorized Transportation Master Plan Compliance**

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2006 Approved Master Plan for the Henson Creek – South Potomac Planning Area* to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP-16004

Development Case Name: Oaklawn

Type of Master Plan Bikeway or Trail

Private R.O.W.*	<u> </u>	Public Use Trail Easement	<u> </u>
PG Co. R.O.W.*	<u> X </u>	Nature Trails	<u> </u>
SHA R.O.W.*	<u> </u>	M-NCPPC – Parks	<u> </u>
HOA	<u> </u>	Bicycle Parking	<u> </u>
Sidewalks	<u> X </u>	Trail Access	<u> X </u>

Subject to 24-124.01: No

Preliminary Plan Background	
Building Square Footage (non-residential)	N/A
Number of Units (residential)	3 Single-Family Detached Dwellings
Abutting Roadways	Allentown Road
Abutting or Nearby Master Plan Roadways	Tucker Road, Bock Road
Abutting or Nearby Master Plan Trails	Planned Bike Lanes for Allentown Road, Tucker Road and Bock Road, Planned Tinker's Creek Hard Surface Trail
Proposed Use(s)	3 Single-Family Detached Dwellings
Zoning	R-R
Centers and/or Corridors	N/A
Prior Approvals on Subject Site	4-06055

Previous Conditions of Approval

Approved Preliminary Plan of Subdivision (PPS) 4-06055 indicates that there are no prior conditions associated with the plan.

Existing Conditions Sidewalks and Bike Infrastructure

The subject property is located on Allentown Road approximately 0.10 miles south of Tucker Road. There are existing sidewalks on both sides of Allentown Road which run from Tucker Road approximately a quarter mile south to Tayac Elementary School and Isaac Gourdine Middle School. There are also existing sidewalks along Tucker Road.

There is no existing bicycle infrastructure along either Allentown Road or Tucker Road.

The plans submitted by the applicant indicate maintaining sidewalks on Allentown Road along the frontage of the subject property.

Review of Plan Compliance

The *Approved Countywide Master Plan of Transportation (MPOT)* and the *Approved Henson Creek – South Potomac Master Plan* recommend continuous sidewalks and bike lanes along Allentown Road. Additional bike lanes in the vicinity of the subject property are also planned along Tucker Road.

The MPOT planned Tinker's Creek Hard Surface Trail is located approximately 1.2 miles east of the subject property.

Comment: Since the subject property fronts only a portion of Allentown Road, a striped bike lane along this frontage may not be effective for facilitating bike transportation along the corridor. An on-street bike lane along the extent of Allentown Road, as recommended in the MPOT, can be installed as part of a future Capital Improvement Project or roadway maintenance project by the Department of Public Works & Transportation (DPW&T). While the roadway striping for a bike lane is not recommended at this time, it is recommended that the applicant provide a bikeway signage fee to DPW&T. Bikeway signs can be used with or without accompanying bike lanes to indicate to motorists that people bicycling may also use the roadway.

Recommended Conditions of Approval:

1. Prior to the first building permit, the applicant's heir, successors and/or assignees shall provide \$420 to the Department of Public Works and Transportation for the placement of one "Share the Road with a Bike" signage assembly along Allentown Road.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 TTY: (301) 952-4366
 www.mncppc.org/pgco

Countywide Planning Division
 Environmental Planning Section

301-952-3650

January 20, 2021

MEMORANDUM

TO: Jeremy Hurlbutt, Supervisor, Zoning Review Section, DRD

VIA: Megan Reiser, Supervisor, Environmental Planning Section, CWPD *KF for MR*

FROM: Chuck Schneider, Planner Coordinator, Environmental Planning Section, CWPD *ACS*

SUBJECT: **Oaklawn; DSP-16004 and TCP2-040-2019 (8314 Allentown Road)**

The Environmental Planning Section has reviewed the above referenced Detailed Site Plan (DSP-16004) and Type 2 Tree Conservation Plan (TCP2-040-2019) stamped as received by the Environmental Planning Section on November 20, 2019. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on December 13, 2019. Revised information was submitted on June 17, 2020, November 25, 2020, December 15-16, 2020, and January 15, 2021. The Environmental Planning Section recommends approval of DSP-16004 and TCP2-040-2019 subject to the conditions listed at the end of this memorandum.

Background

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
NRI-098-06	N/A	Staff	Approved	08/30/2006	N/A
4-06055	TCP1-049-2006	Planning Board	Approved	03/15/2007	07-65
DSP-07054		District Council	Denied	06/22/2009	N/A
NRI-098-06-01	N/A	Staff	Approved	09/09/2019	N/A
DSP-16004	TCP2-040-2019	Planning Board	Pending	Pending	Pending

Proposed Activity

This Detailed Site Plan proposes to create three single-family detached residential lots (Lot 399, 400, and 401). Lots 400 and 401 are proposed as “flag lots.” Each lot will have individual driveway access to Allentown Road and stormwater management (SWM) facilities.

Grandfathering

The project is grandfathered with respect to the environmental regulations contained in Subtitles 24 and 27 that came into effect on September 1, 2010 and February 1, 2012 due to the project having a previous preliminary plan approval (4-06055).

The approved preliminary plan did not show the removal of the on-site specimen tree. This application is not grandfathered from Subtitle 25.

Site Description

This 1.61-acre site is zoned R-R and is located on Allentown Road in Fort Washington. A review of the available information indicates that the site contains no Regulated Environmental Features (REF) such as streams, wetlands, associated buffers, or 100-year floodplain. A 15-foot-wide surface drainage easement carries storm water that cuts across the western section of the property in a north to south direction. This drainage swale is not regulated. The soil types found on-site, according to the United States Department of Agriculture Natural Resources Conservation Services (USDA NRCS) Web Soil Survey (WSS), are Beltsville-Grosstown-Woodstown complex and Beltsville-Urban land complex soils. No Marlboro or Christiana clays are present on-site. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), there are no Rare, Threatened, or Endangered (RTE) species found to occur on or near this property. The site is flat sloping in a southeast direction off-site. This site is located within two watersheds (Tinkers Creek and Piscataway Creek) both of which flow into the Potomac River. The site has frontage on Allentown Road, which is identified as a Master Plan Collector Roadway. This section of Allentown Road is also identified as a historic roadway. The site is located within the Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan*.

Review of Previously Approved Conditions

The following **BOLD** text includes environmentally related conditions of the most recent approvals for each case. The plain text provides comments on this plan's conformance with any environmental aspects of the proposed modified conditions.

Preliminary Plan 4-07054 was approved by the Planning Board on March 15, 2007. The conditions of approval can be found in PGCPB No. 07-65.

1. The following note shall be placed on the final plot of subdivision:

“Development is subject to restrictions shown on the approved Type I tree conservation plan (TCPI/49/06), or as modified by the Type II tree conservation plan, and 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 Woodland Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the

subject property are available in the offices of The Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.

This condition shall be met at the time of final plat.

- 2. Prior to signature of the Preliminary Plan or the Type I Tree Conservation Plan, copies of the approved Stormwater Management Concept Plan and letter shall be submitted. The approval number and approval date shall be noted on the Preliminary Plan and the Type I Tree Conservation Plan.**

The certified TCP1 did not have the approved Stormwater Management Concept number on the plan. The current application has the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) approval. The Stormwater Management Concept plan (53170-2018-00) approval was issued on October 5, 2020.

- 7. Development of this site shall be in conformance with the approved stormwater management concept plan and any subsequent revisions.**

The current application has the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) approval.

Environmental Review

Natural Resources Inventory/Existing Conditions

The site has an approved Natural Resource Inventory plan (NRI-098-06-01), which was approved on September 9, 2019. During the SDRC meeting, the applicants DSP, TCP2 and SWM plan showed the off-site drainage outfall in three different directions. Staff commented that the NRI needs to show the correct off-site outfall location to determine if there are any REF that could be impacted by this off-site stormwater structure. A revised NRI was submitted with the June 17, 2020 revised DSP review package.

The revised NRI verifies that the subject site and off-site storm drain and outfall location contains no REF but contains woodlands and specimen trees. The submitted TCP2 is in conformance with the revised NRI and no revisions are required.

Woodland Conservation Plan

The site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A revised TCP2 was submitted with the revised DSP review package on January 15, 2021. The 1.61-acre site contains 0.55-acres of woodlands. The TCP2 shows clearing with small, wooded areas to remain in the rear yard of two new lots. Single family residential lots are required to have a minimum of 40 feet of area counted as cleared behind the house to provide for an active rear yard area. These small, wooded areas do not qualify as woodlands, and must be considered as "woodland retained-assumed cleared." The

woodland conservation worksheet assumes the entire site being cleared which results in a woodland conservation requirement of 0.81-acres. This application proposes to meet the woodland requirement with fee-in-lieu for the entire 0.81 acres.

Minor revisions are required to the TCP2 as outlined in the recommended condition.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Environmental Technical Manual.”

The site contains two specimen trees which have a “good” condition rating. The current design proposes to remove one specimen tree.

Review of Subtitle 25 Variance Request

A Subtitle 25 variance application and a statement of justification in support of a variance were received for review with this application dated December 2, 2019.

Section 25-119(d)(1) of the WCO contains six required findings be made before a variance can be granted. The Letter of Justification submitted seeks to address the required findings for the two specimen trees and details specific to individual trees have been provided in the following chart.

SPECIMEN TREE SCHEDULE SUMMARY

ST #	COMMON NAME	Diameter (in inches)	CONDITION	DISPOSITION
1	Southern Red Oak	32	Good	To be removed
2	Silver Maple	32	Good	To be saved

Statement of Justification Request:

A variance from Section 25-122(b)(1)(G) is requested for the clearing of one specimen tree. The site consists of 1.61 acres and is zoned R-R. The current application proposes to develop the site with three single-family dwellings and associated infrastructure. This variance is requested to the WCO which requires under Section 25-122 of the Prince George’s County Zoning Ordinance, that “woodland conservation shall be designed as stated in this Division unless a variance is approved by the approving authority for the associated case.” The Subtitle Variance Application form requires a Statement of Justification of how the findings are being met.

The text in **bold**, labeled A-F, are the six criteria listed in Section 25-119(d)(1). The plain text provides responses to the criteria.

(A) Special conditions peculiar to the property have caused the unwarranted hardship.

The site contains an existing single-family dwelling with the remaining area in woodlands. Behind the existing dwelling, to the east, there is an existing storm drain line with a north to south alignment. The two specimen trees are located to the east of this storm drain. The proposed residential development requires the on-site storm drain system to be re-sized to correct on-site floodplain and to outfall in a DPIE approved location.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas.

The applicant is proposing to remove one specimen which is located adjacent to an existing storm drain line and between two proposed driveways. The grading for the two driveways and replacement of the drainage pipe is required for the proposed development. The applicant proposes to retain the specimen tree located on Lot 399. The proposed development of the site is in keeping with similar projects within the area.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants.

Based on the failing on-site storm drain line and the existing specimen tree, the granting of this variance will allow the project to be developed in a functional and efficient manner in conformance with the zoning of the site.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant.

This request is not based on conditions or circumstances which are solely the result of actions by the Applicant. The applicant proposes to remove one specimen tree due to its location adjacent to a failing storm drain line that requires replacement, and extension to a DPIE approved off-site location.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

This request is based on the nature of the existing site, the location of the subject tree, and the required on-site infrastructure. This request is not based on conditions related to land or a building use on a neighboring property.

(F) Granting of the variance will not adversely affect water quality.

The removal of one specimen tree will not adversely affect water quality. Also, the proposed Oaklawn development will not adversely affect water quality because the project will be subject to the requirements of the Prince George's County Soil Conservation District (PGSCD), and the approval of a stormwater concept plan by the DPIE. The applicant is proposing to meet the woodland conservation requirement with paying fee-in-lieu.

Recommended Finding: The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of Specimen Tree 1 and staff recommends approval of the variance.

Stormwater Management (SWM)

A Stormwater Management Concept Approval Letter (# 53170-2018-00) and associated plan were submitted with the application for this site. The approval was issued on October 5, 2020 by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to use three micro-bio retention facilities, replace the failing storm drainpipe, and construct a stormwater outfall off-site. A stormwater management fee of \$750.00 is required in lieu of providing on-site attenuation and quality control measures. No further action regarding SWM is required with this PPS review.

Soils/Unsafe land

The soils found to occur according to the United States Department of Agriculture Natural Resources Conservation Services (USDA NRCS) Web Soil Survey (WSS) are Beltsville-Grosstown-Woodstown complex and Beltsville-Urban land complex soils. No Marlboro or Christiana clays are mapped on-site.

Summary of Recommended Findings and Conditions

The Environmental Planning Section recommends approval of Detailed Site Plan DSP-16004 and Type 2 Tree Conservation Plan, TCP2-040-2019, subject to the following findings and conditions:

Recommended Finding

1. The required findings of Section 25-119(d) have been adequately addressed for the removal of one Specimen Tree (ST-1, 32-inch Southern Red Oak).
2. Development of this site has retained regulated environmental features to the fullest extent possible because there no Regulated Environmental Features (REF) located on the subject property.

Recommended Conditions:

1. Prior to signature approval of the detailed site plan the TCP2 shall be revised as follows:
 - a. Add a "Retain and Remove" column on the specimen tree table.
 - b. Revise the woodland conservation worksheet numbers.
 - i. The gross area of the site is 1.61 acres.
 - ii. The total woodland area is 0.55 acres.
 - iii. The off-site area of woodlands cleared is 0.11 acres.
 - c. Add the following note to the plan under the specimen tree table:
"NOTE: This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE):"

The removal of one specimen tree (Section 25-122(b)(1)(G), ST-1, a 32-inch Southern Red Oak.”

- c. Add a property owner awareness signature block on Sheets 1 and 2 of the TCP2.
 - d. Have the revised plan signed and dated by the qualified professional who prepared it.
2. Prior to Detailed Site Plan approval, the following note shall be placed on the TCP2:

“Prior to the issuance of the first permit for the development shown on this TCP2, all off-site woodland conservation required by this plan shall be identified on an approved TCP2 plan and recorded as an off-site easement in the land records of Prince George’s County. Proof of recordation of the off-site conservation shall be provided to the M-NCPPC, Planning Department prior to issuance of any permit for the associated plan.

In accordance with Subtitle 25, Division 2, Sec. 25-122. Methods for Meeting the Woodland and Wildlife Conservation Requirements, if off-site woodland conservation is approved to meet the requirements, then the following locations shall be considered in the order listed: within the same eight-digit sub-watershed, within the same watershed, within the same river basin, within the same growth policy tier, or within Prince George's County. Applicants shall demonstrate to the Planning Director or designee due diligence in seeking out opportunities for off-site woodland conservation locations following these priorities. All woodland conservation is required to be met within Prince George's County.”

If you have any questions concerning these comments, please contact me at 301-883-3240 or by e-mail at alwin.schneider@ppd.mncppc.org.

January 22, 2021

MEMORANDUM

TO: Jeremy Hurlbutt, Master Planner, Urban Design Section
VIA: Sherri Conner, Supervisor, Subdivision Section *SC*
FROM: Mridula Gupta, Planner Coordinator, Subdivision Section *MG*
SUBJECT: DSP-16004; Oaklawn

The subject property considered in this Detailed Site Plan (DSP) is known as Parcel 13 located on Tax Map 115 in Grid A1, and recorded in the Prince George's County Land Records in Plat Book SDH 4 page 63, on May 25, 1936. The property is 1.63 acres and is zoned Rural Residential (R-R).

The applicant has submitted this detailed site plan (DSP) to construct three new single-family dwellings on proposed Lots 399, 400 and 401. The existing single-family detached dwelling located on Lot 399 is proposed to be razed. Lots 400 and 401 were designed as flag lots in the eastern portion of the property behind Lot 399. Per Section 27-441(b), flag lot development is permitted in R-R-Zone in accordance with Section 24-138.01. Per Section 24-138.01 and Council Bill CB-4-2006, flag lots may be permitted for preliminary plans accepted prior to November 1, 2006 in accordance with Subtitle 24.

The area in this Detailed Site Plan (DSP) is subject to Preliminary Plan of Subdivision (PPS) 4-06055 which was accepted on October 17, 2006, approved by the Planning Board on March 15, 2007 with 12 conditions, and is valid until December 31, 2021 (CB-74-2020). In its review of the proposed lotting, the subdivision section stated that Regulations did not support the three-tiers of flag lots. Specifically, Subdivision Regulation 24-138.01 (d)(1) states, "A maximum of two (2) tiers of flag lots may be permitted from the street line". In addition, Staff's analysis noted that prior to approval of a flag lot, the Planning Board must make the following findings of Section 24-138.01(f):

- (A) The design is clearly superior to what would have been achieved under conventional subdivision techniques.
- (B) The transportation system will function safely and efficiently.
- (C) The use of flag lots will result in the creative design of a development that blends harmoniously with the site and the adjacent development.

- (D) The privacy of property owners has been assured in accordance with the evaluation criteria.

Subdivision staff found that the proposed flag lot configuration does not yield a superior design to that which would be allowed conventionally, that it is unlike anything else that exists in the area. It does not blend in with surrounding developments, and that given the size of the net lot areas, the flag style developments of the lots are sufficient. At the time of the Planning Board hearing, the applicant disagreed with staff's interpretation of Section 24-138.1(d)(1) which permit a maximum of two tiers of flag lots from the street line. The applicant argued that the proposed Lots 400 and 401 are flag lots and Lot 399 is an interior lot, thus meeting the requirement of two tier flag lot development. At the hearing, subdivision staff conceded that with the strict reading of the language in Section 24-128, one could interpret that counting lots would begin with flag lots, and the strict language would render the subject property a two tier flag lot development. The Planning Board approved PPS 4-06055 along with an added Condition 11 which stated:

- 11. Prior to Final Plat approval the applicant shall have a Detailed Site Plan approved by the Planning Board. The Detailed Site Plan shall address architecture (elevation and placement on all the lots, specifically the two flag lots), buffering, screening, fencing, the location of the driveways and parking drives on the flag lot, turnaround capabilities and landscaping.**

A detailed site plan (DSP-07054) was submitted in October 28, 2008 for the subject property proposing two new single-family detached dwellings, in addition to the existing single-family dwelling on the site. The DSP was approved by the Planning Board (PGCPB Resolution No. 09-21) on January 22, 2009. During its review of the DSP, the Subdivision staff analyzed the application for conformance to the flag lot design standards of Section 24-138.01, and for conformance with Conditions 11 and 12 of 4-06055. Staff found that the DSP met the required design standards and conditions of the approved PPS. DSP-07054 was subsequently ordered denial by the District Council on June 22, 2009 for not meeting conditions set for control of stormwater runoff from the subject property. The applicant has now filed this new DSP-16004 proposing construction of the three new dwellings on proposed Lots 399, 400, and 401.

Of the 12 conditions in the approved PPS (PGCPB Resolution No. 07-65) the following are applicable to this application. The relevant conditions are shown below in bold text. Staff analysis of the project's conformance to the conditions follows each one in plain text.

- 6. At the time of final plat approval, the applicant shall dedicate right-of-way along Allentown Road of 40 feet from centerline, as shown on the submitted plan.**

The DSP reflects dedication of 40 feet wide public road right-of-way from centerline along Allentown Road in accordance with the approved PPS. Dedication of the right-of-way will be required with the final plat.

- 7. Development of this site shall be in conformance with the approved stormwater management concept plan and any subsequent revisions.**

The applicant submitted a copy of approved Stormwater Management (SWM) Concept Plan 53170-2018-0 which shows conceptual stormwater management for the proposed development. The proposed development should be further reviewed by Environmental Planning Section for conformance to Condition 7.

- 11. Prior to Final Plat approval the applicant shall have a Detailed Site Plan approved by the Planning Board. The Detailed Site Plan shall address architecture (elevation and placement on all the lots, specifically the two flag lots), buffering, screening, fencing, the location of the driveways and parking drives on the flag lot, turnaround capabilities and landscaping.**

The proposed DSP includes the required information to address this Condition. Exhibits submitted with this application include architectural and rendered elevations, and landscape plan showing planted buffering, screening, and fencing. The driveways of both flag lots were designed with hammerhead turnaround areas, and the proposed houses are oriented to avoid a direct front-to-rear relationship with each other. The Urban Design section should further review the application for conformance to this condition.

- 12. If the applicant is not able to demonstrate to the Planning Board through the Detailed Site Plan that they meet the criteria for Flag Lots, then the applicant shall have a two lot subdivision.**

The applicant has submitted a statement of justification addressing how the DSP meets the criteria for flag lots. The criteria for flag lots are stated in Section 24-138.01 of the Subdivision Regulations, and are as follows:

(d) Design Standards. Where provided for by the Zoning Ordinance, flag lots may be permitted, provided the following conditions are met:

(1) A maximum of two (2) tiers of flag lots may be permitted from the street line.

The DSP proposes a maximum of two (2) tiers of flag lots from the street line (Lots 400 and 401), with Lot 399 being proposed as an interior lot. This layout is consistent with the layout which was approved by the Planning Board under 4-06055.

(2) The flag stem shall have a minimum width of twenty-five (25) feet at the street line. This minimum width shall be maintained from the street line to the lot area. Driveways located within flag lot stems serving single lots shall be set back a minimum of five (5) feet from the parallel lot lines, unless modified to address unique site characteristics.

Each flag stem is at least 25-feet in width at the street line, and the driveways are set back a minimum of 5-feet from the parallel lot lines, though these widths and setbacks are not dimensioned on the DSP.

(3) The minimum net lot area required in the respective zone shall be provided exclusive of the flag stem connection to the street.

The minimum net lot area in the R-R Zone is 20,000 square feet. The proposed lots provide this minimum area outside of the flag stem area, however, the plans do not clearly label this area as the net lot area.

(4) Building envelopes shall be established at the time of preliminary plan approval.

(A) Flexibility in determining the front building line should be based on an evaluation of yards and their relationship to adjoining properties. The front building line is not necessarily parallel to the street line.

- (B) *Building restriction lines shall be determined in the following manner:*
- (i) *The front of the building restriction line shall be a minimum of twenty-five (25) feet from the front street line. The minimum width shall be that which is permitted by Section 27-442(d) of the Zoning Ordinance.*
 - (ii) *The minimum side and rear yard shall be that which are permitted by Section 27-442(e) of the Zoning Ordinance.*

The front building lines for the flag lots are located where the lot width allows them to meet the minimum 100-foot front building line width in the R-R Zone, but has not been labeled on the DSP. The required minimum side and rear yards have been provided, but again, have not been clearly labeled or dimensioned.

- (5) *Shared driveways shall not be permitted unless the lot is located within the Chesapeake Bay Critical Area or the M-X-C Zone. When shared driveways are provided, they shall be in accordance with the following:*
- (A) *Shared driveways shall only be permitted for a maximum of two (2) lots when the applicant can demonstrate that their use will minimize disturbance of existing vegetation, will be a benefit to public safety by minimizing the number of access points to the public street, and will enhance the appearance of the subdivision. Where two (2) lots are proposed to be served by a shared driveway, the driveway shall have a width of eighteen (18) feet. Parking spaces shall not be provided within the driveways.*
 - (B) *Easement locations for shared driveways must be shown on the preliminary plan and the final plat.*
 - (C) *Shared driveways must be designed such that at least some portion of the width of the driveway falls within each flag lot stem for its entire length from the street line to the dwelling.*

The site is not located in the Chesapeake Bay Critical Area or the M-X-C Zone, and the applicant does not propose shared driveways.

- (6) *Where a rear yard is oriented towards a driveway that accesses other lots, or towards a front or side of another lot, the rear yard shall be screened by an "A Bufferyard" as defined by the Landscape Manual, unless Alternative Compliance is approved at the time of preliminary plan. The location of the bufferyard shall be shown on the preliminary and final plat. (See Figures 1 and 2.)*

The rear yard of Lot 399 is oriented towards the driveway and side of Lot 400, and the rear yard of Lot 400 is oriented towards the side yard of Lot 401 and the front of Lot 358 (abutting Lot). Type "A" bufferyards are therefore required along the rear yard of Lot 399 and along the northern and eastern sides of Lot 400. The landscape plan shows a type "A" bufferyard located to screen the rear yard of Lot 399, and the rear yard of Lot 400 towards Lot 401 as required by this criterion. However, the required bufferyard to screen rear yard of Lot 400 which is oriented towards the front of abutting Lot 358, which has an existing dwelling, is not shown. Staff recommends that a Type "A" Bufferyard be provided along rear lot line of Lot 400.

- (7) *Where a front yard is oriented towards a rear yard, a "C Bufferyard" as defined by the Landscape Manual shall be provided, unless Alternative Compliance is approved at the time of preliminary plan. The location of the bufferyard shall be shown on the preliminary and final plat. (See Figure 1.)*

The proposed houses have been oriented on the lots to avoid a front yard oriented towards a rear yard.

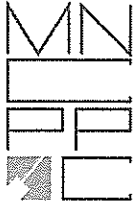
Plan Comments

1. Preliminary plan of subdivision 4-06055 and Type 1 tree conservation plan TCP1-49-06 do not have signature-approval. Both plans should be signature-approved before certification of the DSP.

Recommended Conditions

1. Prior to signature-approval of the detailed site plan, the applicant shall obtain signature-approval of the preliminary plan of subdivision.
2. Prior to signature approval of the detailed site plan, the following corrections shall be made:
 - a. Dimension the width of each flag stem to be at least 25-feet in width at the street line.
 - b. Dimension the setback from each driveway to the parallel lot lines to be a minimum of 5-feet.
 - c. Clearly label the net lot area for each flag lot exclusive of the flag stem.
 - d. Label the front building line width, side yard and rear yard widths.
 - e. Provide a Type "A" bufferyard along the rear lot line of Lot 400.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals on the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the preliminary plan of subdivision with recommended conditions. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION


Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: November 22, 2019

TO: Jonathan Bush, Senior Planner
Urban Design Section
Development Review Division
Planning Department

FROM: Helen Asan, Land Acquisition Development Review Supervisor
Park Planning and Development Division
Department of Parks and Recreation 

SUBJECT: **DSP-16004, Oaklawn**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Detailed Site Plan for conformance with the requirements of the previously approved Preliminary Plan of Subdivision 4-06055.

The payment of a fee-in-lieu of parkland dedication for Lots 400 and 401 at the time of final plat of subdivision was deemed appropriate, per Condition 3 of Preliminary Plan of Subdivision 4-06055.



**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



M E M O R A N D U M

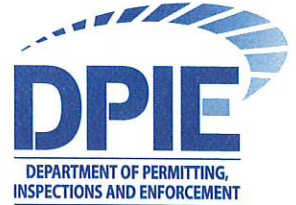
DATE: December 6, 2019
TO: Planning Coordinator, Urban Design Application Section
Development Review Division
FROM: Major Steve Yuen, Planning/Research Division
Prince George's County Police
SUBJECT: DSP-16004 Oaklawn Subdivision

Upon review of these site plans, I have no comments.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

January 3, 2020

TO: Jonathan Bush, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E. Associate Director
Site/Road Plan Review Division, DPIE

RE: Oaklawn
Detailed Site Plan No. DSP-16004

CR: Allentown Road

neg 1/3/20

In response to Detailed Site Plan No. DSP-16004 referral to subdivide a single parcel into three single-family detached dwelling unit flag lots, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located on the east side of Allentown Road, approximately 400 feet south of the intersection of Allentown Road and Tucker Road.
- Right-of-way dedication and frontage improvements along Allentown Road are required to comply with Urban 4-Lane Collector Road standard of the Department of Public Works and Transportation (DPW&T).
- Conformance with DPW&T street tree and street lighting standards is required.
- Full-width 2-inch mill and overlay along the said roadway frontage limits is required.
- Compliance with DPW&T's utility policy is required. Based upon the plans submitted, proper temporary and final patching and the related mill and overlay in accordance with "DPW&T Policy and Specifications for Utility Installation and Maintenance Permits" is required.
- Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required by the applicant.

9400 Peppercorn Place, Suite 230, Largo, Maryland 20774
Phone: 301.636.2060 ♦ <http://dpi.e.mypgc.us> ♦ FAX: 301.925.8510

Jonathan Bush
January 3, 2020
Page 2

- Sidewalk is required along Allentown Road within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance. Any new sidewalk installation is to match existing sidewalks in the area. In addition, sidewalks must always be kept open for pedestrians.
- Street construction permits and or site development fine grading permits are required for improvements within public roadway rights-of-way.
- The site development Concept Plan No. 53170-2018-0 is under review.
- All stormwater management facilities/drainage systems, including recreation features, visual amenities and facilities are to be constructed in accordance with DPW&T's Specifications and Standards. Approval of all facilities is required, prior to permit issuance.
- A soil investigation report, which includes subsurface exploration and a geotechnical engineering evaluation is required. The soils investigation report shall be signed and sealed by a registered professional engineer, licensed to practice engineering in the State of Maryland.

If you have any questions or need additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2060.

MA:SJ:dar

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
Selam Jena, Engineer, S/RPRD, DPIE
Packard & Associates, 16220 Frederick Road, Suite 300,
Gaithersburg, MD, 20877
Mwavua Daniel, 8314 Allentown Road, Fort Washington,
Maryland 20744

Additional Back-up

For

Detailed Site Plan DSP-16004

Oaklawn

8.5X11_Landscape



M-NCPPG, Prince George's Park Department, MNCPPG, M-NCPPG

Data provided by Prince George's County Planning Department

Application Number DSP 16004
Name DakLawn
Resident Daniel Ayala 3312 Allentown Rd. Ft. Washington
My House - red color on roof
Pure clay 4ft. under surface
Neighbor at 3310 Allentown Rd is in violation of Easement & has blocked normal passage of water through his property & causing flooding on my property & the surrounding properties
DSP-16004_Additional Backup 2 of 2