

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on May 21, 2009 regarding Detailed Site Plan DSP-03001/02 for Virginia Landing, the Planning Board finds:

1. **Request:** This application proposes to add 20 two-family attached dwelling units to the 64 units already approved.
2. **Location:** The Virginia Landing development is located to the northwest of Saint Barnabas Road (MD 414), east of Virginia Lane. The property is in Council District 8, Planning Area 76A, and is within the Developed Tier.
3. **Development Data Summary:**

	PREVIOUSLY APPROVED	APPROVED
Zone(s)	R-T	R-T
Use(s)	Two-family dwellings	Two-family dwellings
Acreage	10.5	10.5
Townhouses	64	84

Minimum Parking Required:
172 parking spaces total

Parking Provided:
172 parking spaces total
84 garage parking spaces
84 driveway parking spaces
3 parallel parking spaces
1 perpendicular van-accessible handicapped parking spaces

Finished Floor Area

Unit type	Base finished floor area
Matisse (approved)	1,642 square feet
Picasso (approved)	1,699 square feet
Matisse (proposed)	1,642 square feet
Rubens (proposed)	1,442 square feet

4. **Surrounding Uses:** To the west, the subject property borders the Oxon Hill Village multifamily development in the Multifamily Medium Density Residential (R-18) Zone. To the northeast, the subject property borders the Rosecroft Village townhouse development in the Residential Medium Development (R-M) Zone.
5. **Prior Approvals:** On November 10, 2003, the District Council approved Detailed Site Plan DSP-03001 for 63 three-family dwellings on the site. On December 9, 2004, the Planning Board approved Preliminary Plan of Subdivision 4-04118 allowing an increase in density to 93 three-family dwelling units on the site. On March 30, 2006, the Planning Board approved DSP-03001/01 for 64 two-family dwelling units on the site. The type of dwelling unit was altered, but both DSPs approved stacked townhouse designs in a condominium ownership, and the approved density remained within the density established by the preliminary plan.

As part of Preliminary Plan of Subdivision 4-01098, a parcel of land along Saint Barnabas Road known as Parcel B was put into reservation for the possible location of a fire station. This reservation expired in 2007 and was not extended. Accordingly, the applicant has recorded a new record plat consolidating Parcel B into the rest of the Virginia Landing subdivision. The additional 20 dwelling units proposed in this DSP are located within the former reservation area.

6. **Design Features:** The Virginia Landing subdivision is accessed from a single curb cut on Virginia Lane that provides access to the private internal streets. The internal street system is a continuous network providing access to all sides of the attached dwelling unit sticks. Sixty-four stacked two-family dwellings, as approved under DSP-03001/01 are grouped in four sticks of ten units and three sticks of eight units. The dwellings are rear-loaded units and each unit includes both a one-car garage and a driveway parking pad for another car. The units are arranged so that the fronts face each other across the internal streets, while the rears of the units are oriented outwards. A band of tree preservation areas and reforestation areas extends around most of the perimeter of the site.

The 20 proposed units are located in the former reservation area on the eastern side of the side adjacent to Saint Barnabas Road. They are grouped into a stick of eight units and a stick of 12 units facing each other across a central street. This arrangement extends the layout of the previously approved portion of the development.

There is a stormwater management pond located on the western portion of the site alongside a common recreational area that includes two play areas, three benches, four picnic tables, and two grills.

The approved detailed site plan utilizes NVR Homes' Matisse-Picasso model for two-family dwellings. These buildings are four stories tall with the Matisse unit occupying the first two floors and the Picasso unit occupying the upper two floors. The two garages are located side by side in the rear of the ground floor.

The applicant proposes to use a new model for the 20 units proposed with this plan as well as unconstructed portions of the 64 previously approved units. The proposed Matisse-Rubens buildings are three stories tall with the Matisse unit occupying the first two floors and the smaller Rubens unit occupying the third floor.

The two buildings closest to the subdivision entrance, consisting of 18 dwelling units, have been constructed as of the writing of this report, using the Matisse-Picasso design. The units in two additional buildings have been sold and the applicant therefore intends to construct those buildings as Matisse-Picasso buildings. The applicant requests as part of this site plan to be allowed to construct the remaining three approved buildings, in addition to the two proposed buildings in the former reservation parcel, as Matisse-Rubens buildings as they believe the Rubens design will be a more marketable unit.

The proposed architecture of the Matisse-Rubens buildings is similar in design to the Matisse-Picasso buildings and the main noticeable difference between the two is the one story difference in height. Although the height difference will be noticeable, introducing some variety within the subdivision may be positive.

7. **Gateway Signage:** Gateway signage is proposed at the site's entrance from Virginia Lane. The proposed gateway signage is a required feature per Section 27-624(a) of the Zoning Ordinance.
- (a) **A permanent gateway sign identifying a residential subdivision is permitted in any Residential Zone, and is required in any subdivision in the R-T Zone with more than twenty-five (25) dwelling units for which a Detailed Site Plan is approved after December 30, 1996, provided that maintenance is the responsibility of a Homeowners' Association, or other entity or person designated in a maintenance arrangement approved by the Department of Environmental Resources, subject to the following design standards:**
 - (1) **Maximum lettering area per sign - twelve (12) square feet;**
 - (2) **Maximum height - six (6) feet above established grade;**
 - (3) **Location-at the entrance to a residential subdivision, set back from the roadway to maintain unobstructed lines of vision for five hundred (500) feet in all directions of travel;**
 - (4) **Materials - low maintenance, durable, and in keeping with the character of the community. Plastic signs with internal illumination are prohibited; and**
 - (5) **Landscaping which is attractive year-round shall be provided at the base of a gateway sign.**

The plan shows two gateway signs, one on either side of the subdivision entrance. The two signs are designed as brick-faced walls with piers on either side, ten feet in length, with a central precast concrete panel showing the name of the subdivision, Virginia Landing. General Note 17 on the plans states that the signage will be consistent with the requirements of Section 27-624, but the sign detail shown on the plans shows a sign that is six feet, four inches in height, which exceeds the six-foot maximum height. The sign detail shall be revised to show signs that are no more than six feet in height, in accordance with Condition No. 1(c) of this approval.

The signs shown on the plans are located along Virginia Lane at the entrance to the development. However, they are also shown located within a ten-foot-wide strip of land that is to be dedicated to public use as part of the 60-foot-wide right-of-way of Virginia Lane. As this will not be part of the subject property, the signs are not permitted in that location and shall be moved back onto the property itself, as called for in Condition No. 1. They shall be located at least ten feet behind the ultimate right-of-way line in order not to obstruct sight lines and outside of the public utilities easement. Finally, the landscape plan shall be revised to show plantings around the signs in accordance with Section 27-624(a)(5), as set forth in Condition No. 1 below.

8. **Regulations of the R-T Zone:** Section 27-433(d) of the Zoning Ordinance establishes requirements for townhouse development in the R-T Zone. The following regulations warrant discussion at this time.

(d) Dwellings.

- (1) All dwellings shall be located on record lots shown on a record plat.**
- (2) There shall be not more than six (6) nor less than three (3) dwelling units (four (4) dwelling units for one-family attached metropolitan dwellings) in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.**

Each attached building group contains between eight and twelve dwelling units total, but as the units are stacked, there are no more than six dwelling units in each horizontal row which meets this requirement.

- (4) **The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet for townhouses, and two thousand two hundred (2,200) square feet for one-family attached metropolitan dwellings.**

The Matisse units have a living space of 1,642 square feet and the Rubens units have a living space of 1,441 square feet.

- (5) **Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.**

The proposed architecture of the endwalls meets this requirement. All endwalls feature seven standard windows. The elevations submitted by the applicant show a small band of brick at the bottom of the left side endwall and a larger band of brick on the right side endwall extending up to the level of the second-story windows. The brick on the left endwall should be extended up to the second-story windows to match the right side. Further, the optional shutters on the endwall elevations should be made standard. These requirements have been included in Condition 2 of this approval.

The approved site plan designates the southwestern endwalls of the two units facing the entrance to the development as high-visibility endwalls, requiring a full brick treatment.

- (6) **Above-grade foundation walls shall either be clad with finish materials compatible with the primary façade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.**

The proposed architecture does not show any exposed foundation walls.

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

The proposed units are two-family dwelling units which are not strictly subject to this requirement as they are technically not townhouses. However, the intent of the requirement for brick treatments on the dwelling units is appropriate for this type of dwelling, which has the exterior appearance of tall townhouses. The original approval of DSP-03001 required that two of the attached unit stacks (i.e., at least four units) in each of the buildings would have full brick fronts, while the remainder of the units would include brick treatments on the first floor fronts. The full brick façades were required to alternate with the partial-brick façades along the building front. As buildings up to five units wide were approved, this condition required that at least 40 percent of the units in a building would have full brick fronts, while at least one-quarter of the remaining front façade area (the first floor of the four-story stacks) would be faced with brick, resulting in a minimum of 55 percent brick facing on the front elevation of each building.

A similar requirement will be applied to the buildings in this DSP. Condition No. 2(c) of this approval requires that each building front include at least two stacks (four units) with full brick fronts. For longer buildings, additional brick is warranted. As one of the proposed buildings is six units wide, at least three of the stacks (six units) in this building should have full brick façades, while all buildings should have brick on the first floor fronts. The applicant's site plan shows full brick façades to be applied to three of the stacks in the six-unit-wide building in accordance with this recommendation. This requirement has been included as Condition 2(b) and 2(c).

(e) Streets.

(1) The following requirements shall apply only to the development of townhouses, one-family semidetached dwellings, two-family dwellings, three-family dwellings, and one-family attached metropolitan dwellings:

- (A) The tract of land used for the project involving these dwellings shall have frontage on, and direct vehicular access to, a public street having a right-of-way width of at least sixty (60) feet;**

Virginia Lane is a public street with a 60-foot-wide right-of-way, as expanded by the dedication associated with the preliminary plan of subdivision.

- (B) Private streets which are interior to the project (and are not dedicated to public use) shall be improved to not less than the current standards set forth in Subtitle 23 of this Code which apply to a public, twenty-six (26) foot wide secondary**

residential street, except that roadside trees are not required (within the street right-of-way). In a mixed-use activity center designated as a "Transit Village" the width of the private streets may be reduced to a minimum width of twenty-four (24) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system. Sidewalks may be omitted when it is determined that there is no need for them. Sidewalks cast monolithically with the curb and gutter shall be permitted;

The proposed internal street network includes 30-foot-wide streets providing access to the fronts of all of the units, while the streets providing access to the rear garages are 22 feet wide. Sidewalks are provided along the front roads and provide for pedestrian access to all of the fronts of the units and to the recreational area.

- (C) **Private streets shall be common areas conveyed to a home's association, and provisions for maintenance charges shall be made in accordance with Subsection (i). (For the purpose of this Section, "private streets" are internal vehicular access roadways serving the development by means of private streets approved pursuant to Subtitle 24 of this Code, except driveways which dead-end within a parking lot); and**

The private streets will be conveyed to the homeowners association (HOA).

- (D) **Points of access to public streets shall be approved by the County Department of Public Works and Transportation, State Highway Administration, or other appropriate highway authority, as applicable.**

The proposed access arrangements have been reviewed by the Department of Public Works and Transportation (DPW&T) and given preliminary approval. DPW&T access permits will be required prior to construction.

9. **Preliminary Plan of Subdivision 4-04118:** The preliminary plan of subdivision was approved on January 6, 2005 with 18 conditions of approval. The following condition warrants discussion at this time.

3. **The applicant, his heirs, successors and/or assignees shall file a revision to the approved detailed site plan (DSP-03001) to reflect the increase in density from 63 to 93 three-family dwelling units. That revision shall evaluate the**

possible increase in the amount of on-site recreational facilities due to the increase in density and a revision to the existing recreational facilities agreement for this property (Liber 19385, Folio 142), if appropriate.

The proposed DSP has been filed in accordance with this condition. The applicant has submitted a calculation of the estimated value of the on-site private recreational facilities which exceeds the required amount for the proposed 84 dwelling units, demonstrating that an increase in the amount of on-site facilities is not necessary.

10. **Requirements of DSP-03001 and DSP-03001/01:** The two previous approvals of this site plan included a number of conditions of approval. A number of these conditions have already been satisfied prior to the certification of those plans or prior to the issuance of the approved building permits. Other conditions warrant consideration at this time.

The following conditions of approval of DSP-03001 warrant discussion at this time:

2. **The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit will reduce interior noise levels from Saint Barnabas Road to 45 dBA Ldn or less.”**

This condition addresses the noise levels within the dwelling units which may require special construction in order to mitigate noise from Saint Barnabas Road. The condition is carried forward as part of this DSP to ensure that all new units will be required to reduce internal noise levels to 45 dBA Ldn or less.

7. **Where a side entry unit is adjacent to a parking area, green area shall substitute for the parking spaces. This occurs in two locations on the plans and shall be revised prior to signature approval to provide a sidewalk from the nearest parking area to the unit. Landscaping shall be designed to treat the side entry similar to the front entrance. A clear view from the parking area to the side entry shall be provided for all side entry units.**

Under the current layout, none of the units are proposed as side entry units.

8. **The developer, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, site plan, and landscape plan.**

This condition is carried forward as part of this approval to ensure that all prospective buyers in the community will have the opportunity to examine the plans and understand the extent of the development.

9. **Prior to the issuance of any building permit, the applicant shall contribute \$63,000.00 to a public school(s) or a recognized non-profit organization(s) for the purpose of providing educational supplies, assistance and/or tutoring to children in the Prince George's County school system in the vicinity of the subject property. Such contribution shall be evidenced by a receipt, which may be in the form of a letter, from the school(s) or organization(s) which received the contribution.**

The required contribution was made prior to the building permits which have already been approved. At the Planning Board hearing of May 21, 2009, the applicant submitted documentation that the condition had been satisfied in 2008.

The above conditions 2 and 8 were repeated in the resolution for DSP-03001/01 and are repeated in the Planning Board's approval for DSP-03001/02.

11. ***Prince George's County Landscape Manual:*** The development is subject to Sections 4.1, 4.6, and 4.7 of the *Prince George's Landscape Manual*.
 - a. Section 4.1 requires that the development provide plantings equal to at least 1.5 shade trees and one ornamental or evergreen tree per dwelling unit. For 84 dwelling units, this equates to 126 shade trees and 84 ornamental or evergreen trees.

The two previous approvals of this site plan have allowed for ornamental or evergreen trees to be substituted for some of the required shade trees. The landscape plan as submitted for DSP-03001/02 shows total plantings of 77 shade trees, 48 ornamental trees, and 101 evergreen trees. If the ornamental and evergreen trees above the required 84 are counted towards the shade tree requirement, an additional 17 shade trees or equivalent will be required. The plans should be revised to add additional trees to meet the planting requirements.
 - b. Section 4.6 requires buffering along Saint Barnabas Road where the rears of dwelling units are oriented towards the arterial road. The correct bufferyard has been shown on the plans.
 - c. Section 4.7 provides for buffering of incompatible uses. The proposed two-family dwellings are compatible with the attached dwellings north of the subject property. A Type "A" bufferyard is required adjacent to the multifamily development to the west of the subject site and has been correctly shown on the plans.
12. **Transportation Planning:** The proposed density will not exceed the amount approved by Preliminary Plan of Subdivision 4-04118 and the site plan is acceptable from the standpoint of transportation, access, and circulation.

13. **Subdivision:** This property has been the subject of two preliminary plans. Preliminary Plan of Subdivision 4-01098 was adopted by PGCPB Resolution No. 02-106 on June 6, 2002. The application was approved for a total of 63 dwelling units on two parcels. Condition 15 of the approved resolution required the applicant to reserve up to three acres of the property with frontage along Saint Barnabas Road for the construction of a fire station; therefore, two plats were recorded. Plat 5-04164 covering the entire property (Parcels A and B) was approved by the Planning Board on May 27, 2004 and recorded at Plat Book 200, Page 69 on June 11, 2004. Plat 5-04165, a reservation plat for the fire station (Parcel B), was approved by the Planning Board on June 6, 2004 and recorded at Plat Book 201, Page 18 on June 22, 2004. The reservation expired on June 10, 2007 and was not extended.

Preliminary Plan of Subdivision 4-04118 was approved and PGCPB Resolution No. 04-285 was adopted on January 6, 2005, increasing the total allowable development on the property to 93 units. That plan expired on January 6, 2007. No record plats or extensions were filed for that plan. Per a discussion with the applicant's attorney on November 4, 2008 and documented in a memo of November 21, 2008, it was determined that there would not be a need for a new preliminary plan. No substantive changes to the property boundary, accesses, or number of lots are being proposed. The applicant will have to file a final plat.

14. **Community Planning Division:** This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier.

This application generally conforms to the residential medium-density land use recommendation in the November 2008 *Approved Branch Avenue Corridor Sector Plan and Sectional Map Amendment*.

15. **Department of Public Works and Transportation (DPW&T):** In a memorandum dated October 10, 2008 (Abraham to Lindsay), the Department of Public Works and Transportation (DPW&T) offered the following comments:

- a. The property is located at the northeast quadrant of the intersection of Alice Avenue and Virginia Lane and is located on the west side of Saint Barnabas Road (MD 414). MD 414 is a State-maintained roadway; therefore, coordination with the Maryland State Highway Administration is required.
- b. Right-of-way (ROW) dedication and frontage improvements in accordance with DPW&T urban primary road standards are required for Virginia Lane and Alice Avenue.
- c. Street construction permits are required for improvements within private roadway right-of-way serving townhouse developments. Maintenance of private streets is not the responsibility of DPW&T.
- d. Full-width, two-inch mill and overlay for all County roadway frontages is required.

- e. Conformance with DPW&T street tree and street lighting standards is required.
- f. Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- g. All sidewalks should be ramped and comply with the Americans with Disabilities Act (ADA).
- h. All storm drainage systems and facilities are to be in accordance with DPW&T.
- i. The detailed site plan is consistent with the Stormwater Management Approval Letter, 34050-2001-04.
- j. A soils investigation report which illustrates subsurface exploration and geotechnical engineering evaluation for public streets is required.

It should be noted that DPW&T usually enforces its conditions through its own permitting process.

16. **Trails:** Saint Barnabas Road includes a standard sidewalk along the frontage of the subject site. Alice Avenue extension also has an existing sidewalk. Condition 13 of approved Preliminary Plan of Subdivision 4-04118 required standard sidewalks along the following roads:

- 13. The applicant shall provide standard sidewalks along Virginia Lane, Alice Avenue, and Saint Barnabas Road (MD 414), with the concurrence of the Department of Public Works and Transportation and the State Highway Administration.**

Due to the presence of existing sidewalks along Saint Barnabas Road and Alice Avenue, only the construction of sidewalks along Virginia Lane is required.

Condition 3(1) of approved Detailed Site Plan DSP-03001 (PGCPB Resolution No. 03-140) requires a six-foot width for internal sidewalks:

- 1. Provide six-foot-wide sidewalks in all areas except lead-walks.**

This condition has been included as Condition 1(a) of this approval.

The November 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76)* includes no master plan trails issues that impact the subject property. The master plan recommends that “sidewalks should be constructed wherever they are lacking to provide continuous and safe pedestrian circulation” (page 127), which further supports the provision of internal sidewalks and sidewalks along the site’s road frontages.

17. **Environmental:** The subject property was previously reviewed in 2002 under the name Marjorie Perkins Property, as Preliminary Plan of Subdivision 4-01098 and TCPI/37/01, which were approved with conditions. The subject site was further reviewed as Detailed Site Plan DSP-03001 with TCPII/25/03, and was approved with conditions also. The site was again reviewed in 2004, as Preliminary Plan of Subdivision 4-04118 with TCPI/37/01-01, under the name Virginia Landing. This plan showed the entire site to be developed with two-family dwellings, a concept quite different from the previous submittals. Detailed Site Plan DSP-03001/1 with TCPII/25/03-01, based on the new layout, was reviewed and approved with conditions. The current submittal proposes additional two-family dwellings.

This 10.60-acre R-T zoned site is located adjacent to Saint Barnabas Road and Virginia Lane and is primarily wooded. A site visit and review of the information available indicates that streams and wetlands are found to occur on this property. Severe slopes are located on this site, adjacent to the stream. The site is located in the Oxon Run watershed, which is a tributary to the Potomac River. The soils found to occur on this property according to the *Prince George's County Soil Survey* include the Sassafras and Beltsville series. The Beltsville soils have a K factor of 0.43 and are considered highly erodible. The Sassafras soils pose no special problems for development. There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources–Natural Heritage Program. Saint Barnabas Road is a significant noise generator. No designated scenic or historic road is located along the frontage of this property. The subject property is located in the developed Tier as reflected in the 2002 General Plan.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject applications. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides the findings on the plan's conformance with the conditions.

PGCPB Resolution No. 04-285, Preliminary Plan of Subdivision 4-04118

9. **A Phase II noise study shall be submitted with the Detailed Site Plan and shall be certified by a professional engineer with competency in acoustical analysis shall be submitted. The Phase II noise study shall show that noise corridor mitigation measures have been incorporated to attenuate interior noise levels to 45 dBA (Ldn) and exterior (active rear yard) noise levels to 65 dBA (Ldn) or less.**

This condition has been addressed.

10. **The approved variation impact to sensitive environmental features for the placement of a stormwater management pond/outfall within the wetland buffer adjacent to Virginia Lane shall be limited and further evaluated at the time of review of the Detailed Site Plan.**

This condition was previously addressed on DSP-03001/01 and the impact to the wetland was limited to the minimum amount of area needed for the outfall.

PGCPB Resolution No. 06-75, Detailed Site Plan DSP/03001/01

1. **Prior to signature approval of the tree conservation plan (and the detailed site plan as appropriate), the following shall be revised:**
 - a. **Eliminate areas of less than 35 feet in width from being credited toward meeting the requirement.**
 - b. **Revise the worksheet to reflect correctly all amounts of existing woodlands and the amounts of woodlands that will be cleared.**
 - c. **Have the revised plan signed and dated by the qualified professional who prepared the plan.**
 - d. **Revise the site plan to reflect the correct conceptual grading for the construction of the noise berm as shown on the detailed site plan.**

This condition has been addressed.

2. **The following certification shall be placed on all building permits and shall be signed and dated by an engineer with expertise in acoustical engineering: “The construction shown on this building permit will reduce interior noise levels from Saint Barnabas Road to 45 dBA Ldn or less.”**

This condition will be addressed in the review of building permits.

Environmental Review

1. This site is subject to the provisions of the Woodland Conservation Ordinance because the site is larger than 40,000 square feet in size and contains more than 10,000 square feet of woodlands, and is subject to an approved Tree Conservation Plan. A revised Type II Tree Conservation Plan (TCPII/025/03-02) was submitted with the application.

The woodland conservation requirement is 3.77 acres based on the amount of proposed clearing. The TCPII proposes to meet the requirement with 2.26 acres of on-site preservation, and 1.52 acres of on-site reforestation.

No additional information is required with regard to woodland conservation.

2. A proposed Stormwater Management Concept Approval Letter and Plan, CSD 9924-2008-00 dated April 21, 2008, were submitted with the application. The DSP and TCPII are consistent with the approved plan

No additional information is required with regard to stormwater management concept plan for review with the proposed development.

18. **Archeology:** A Phase I archeological survey was completed on the subject property in March and April of 2005 under preliminary plan 4-04118. No archeological sites were identified. Four copies of the final report, *Phase I Archeological Investigation of the Virginia Landing Property, Prince George's County, Preliminary Plan of Subdivision 4-04118*, were submitted to the Planning Department on July 8, 2005, and were approved by the staff archeologist on July 18, 2005. No further archeological work is required on the subject property by the Planning Department.
19. The detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/25/03-02) and further APPROVED Detailed Site Plan DSP-03001/02 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the detailed site plan, the applicant shall revise the plans as follows:
 - a. Revise the submitted detailed site plan revision to include six-foot-wide sidewalks along the internal streets.
 - b. Correct General Note 7 to reflect 172 parking spaces required and provided.
 - c. Revise the sign detail to reduce the height of the sign to no more than six feet.
 - d. Correct General Note 18 to refer to two-family dwellings rather than three-family dwellings.
 - e. Add an additional 17 shade trees (or equivalent evergreen or ornamental trees) to the landscape plan to meet the planting requirements of Section 4.1 of the Landscape Manual.
 - f. Move the two proposed gateway signs onto the common HOA land, set back at least ten feet from the ultimate right-of-way of Virginia Lane.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Cavitt, seconded by Commissioner Clark, with Commissioners Cavitt, Clark, Vaughns and Parker voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, May 21, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of June 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:CL:bjs

