

Case No. SP-03001

Applicant: Cherrywood Development, LLC.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 03-140, to approve a detailed site plan for 63 three-family dwellings, in 21 buildings, on property described as approximately 10.60 acres of land in the R-T Zone, at the northeast quadrant of St. Barnabas Road and Virginia Lane, Oxon Hill, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, whose findings and conclusions are hereby adopted as the findings of fact and conclusions of law of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to signature approval of the tree conservation plan (and the detailed site plan as appropriate), the following shall be revised:
 - a. Revise the worksheet to include all the woodland that will be cleared for development on the subject parcels.
 - b. Eliminate areas of less than 35 feet in width from being credited toward meeting the requirement.
 - c. Add to the legend all symbols used on the plan, including woodland preserved as not part of any requirement.
 - d. Show on the plan required notes on woodland management.
 - e. Revise the plan to show the necessary clearing for the outfall for the stormwater management pond.
 - f. Revise the plan to show tree protection signs no less than 50 feet apart along the proposed tree line.
 - g. Have the revised plan signed and dated by the qualified professional that prepared the plan.

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.”
3. Prior to certificate approval, the following modifications or revisions shall be made to the detailed site plan, or the following information shall be provided:
 - a. Provide the typical house template and identify all architectural options, including dimensions.
 - b. Add a preteen playground in addition to the tot lot and picnic area. Provide the location of all proposed recreational equipment with the required fall zones. Provide specifications, model numbers, manufacturer, and details for all proposed recreational equipment.
 - c. Indicate on the site plan which units shall have brick front facades and side elevations.
 - d. Identify on the site plan a minimum of two potentially carrier-free accessible units.
 - e. Provide details and specifications and identify the location, type of fixture, and pole height of the proposed lighting. Pole height shall be appropriate to the residential character of the development while insuring that light fixtures will be protected from acts of vandalism. In addition, the applicant shall submit a photometric plan indicating a minimum illumination of 1.25 lumens per square foot, or as otherwise required by the Department of Environmental Resources, for all parking areas, all entrance areas into units, and all front and side yard areas of all structures. Additional side and rear yard illuminations shall be made possible by provision of floodlights attached at regular intervals to end walls and rear walls of all buildings.
 - f. Correct schedule 4.1 showing conformance to the Landscape Manual.
 - g. Provide details and specifications and identify the location of trash facilities and the associated screening.
 - h. Include a section 4.7 schedule demonstrating conformance to the Landscape Manual.
 - i. Provide a standard 10-foot deck on the rear of the upper units.
 - j. Submit a Phase II noise study addressing the high levels of noise from Saint Barnabas Road and provide recommendations for noise mitigation

- measures. The detailed site plan shall then be revised to ensure 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.
- k. Provide additional screening landscaping, shade and evergreen trees, at the rear of lots adjacent to the stormwater management pond and around the play area; final quantities, species, and location to be determined by the Urban Design Section as the Planning Board's designee.
 - l. Provide six-foot-wide sidewalks in all areas except lead-walks.
4. Prior to certificate of approval, the following modifications or revisions shall be made to the architectural elevations, or the following information shall be provided.
 - a. Revise the plans to show brick around the entire front and side first level of the three-family dwelling. Full brick facades shall be provided on the front elevations on a minimum of two of the upper-level front facades in any building group, provided in an alternative pattern. All of the endwalls shall be brick at the lower level with a band of soldier course running along the top of the brick.
 - b. The two units at the entrance to the subdivision, which are highly visible end units as viewed from the public right-of-way, shall be full brick side elevations.
 - c. The plans shall indicate that the building height does not exceed 40 feet.
 - d. The units that back up to Saint Barnabas Road shall provide two reverse gables per building and shutters on the two windows on the upper units.
 5. Prior to final plat approval, the planting along Saint Barnabas Road shall be shown in an easement.
 6. Provide additional screening landscaping, shade and evergreen trees, in proximity to the recreational facilities. Final quantities, species and location to be determined by the Urban Design Section as Planning Board designee.
 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 5-foot 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.

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.
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.

Ordered this 10th day of November, 2003, by the following vote:

In Favor: Council Members Shapiro, Bland, Dean, Dernoga, Exum, Harrington, Hendershot, Knotts and Peters

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

FOR THAT PART OF THE
MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE
GEORGE'S COUNTY, MARYLAND

By: _____
Peter A. Shapiro, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council