

Case No. SP-05052 and VD05052

Applicant: PIMB, Inc.

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

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 06-202, to approve with conditions a limited detailed site plan for 11 single-family detached dwelling units, and a variance for the 20-foot, rear-yard setback requirement, on property referred to as the Henderson Property, described as approximately 7.23 acres of land in the R-R Zone, in the southwest quadrant of the intersection of MD 450 and MD 193, Bowie, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

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

1. Prior to signature approval of DSP-05052, the applicant shall:
  - a. Provide total square yardage of the asphalt trail, in order to facilitate establishment of a bonding amount for the recreational facility.
  - b. Provide a detail sheet for the noise wall that illustrates a color compatible with the existing SHA noise wall.
  - c. Provide the following note on the plan: "No two units located next to or immediately across the street from each other may have identical front elevations."
  - d. Remove any rear or side options for the "Atlanta" model template.
  - e. Provide the following note on the plan: "A homeowners' association (HOA) with appropriate covenants will be established for maintenance of the vinyl noise wall. The wall shall be of a type substantially similar to Cambium Vinyl Fencing,

manufactured by Crane Fencing Solutions, with a similar transferable limited lifetime warranty. Prior to final transfer of the wall, for HOA maintenance, the Department of Environmental Resources shall conduct a full inspection. All deficiencies found by DER shall be corrected or repaired, before maintenance of the wall is assumed by the HOA."

- f. Provide a landscape plan schedule in compliance with Section 4.1 of the Landscape Manual.
  - g. Submit a Phase I archeological survey for review by the Archeological staff.
2. Prior to approval of final plats, a Recreational Facility Agreement (RFA) shall be completed and recorded in the Land Records of Prince George's County.
  3. Prior to issuance of any permit, a copy of the approved Technical Stormwater Management Plans shall be submitted. If revisions to the site's stormwater management facilities impact the TCP II in the proposed woodland conservation areas, the plan shall be reconciled to eliminate any differences.
  4. Prior to certificate approval of DSP-05052, TCP II/160/05 shall be revised as follows:
    - a. Show the 15 specimen trees to be removed with an "X" on the plan, and a corresponding symbol in the legend to represent specimen trees to be removed.
    - b. Remove the specimen tree sign symbols on Lots 1 and 4, to provide one sign symbol on each lot in relation to these specimen trees, so the signs are at the edge of the woodland treatment area.
    - c. Provide standard TCP II note 5 regarding off-site mitigation.
    - d. Provide optional TCP II notes 1 and 4 regarding required tree protection devices, and remove notes 6 and 7 as these are not relevant to this site.
    - e. Show the location of required woodland conservation signage at the appropriate spacing, in relation to woodland conservation areas, with a corresponding symbol in the legend.
    - f. On sheet 3, provide the three current notes below the woodland conservation signage detail.
    - g. In the legend, change the reference to a symbol identified as "Tree Preservation I" to refer to "Tree Preservation Device."

- h. Label the proposed treatment on Lot 11 for its intended purpose (i.e., Woodland Preserved, Not Counted), and show the area to the closest 1/100th of an acre and adjust the worksheet accordingly.
  - i. Add a corresponding symbol to the legend for the noise wall.
  - j. After all these revisions have been made, have the qualified professional who prepared the plan sign and date it.
5. Prior to certificate approval of DSP-05052, TCP II/160/05 shall be further revised as follows:
- a. Provide a note on each sheet of the TCP II to stipulate: "No future substitution to house footprints is allowed for Lots 4, 5, 7, and 8, which increases the lot coverage or which locates any part of a structure any closer to a property line than is shown on the approved detailed site plan."
6. The asphalt trail connecting with Holmehurst West neighborhood park shall be completed prior to issuance of the sixth building permit.
7. Prior to certificate approval of DSP-05052, the plans shall be revised, to show the following:
- a. A six-foot board-on-board vinyl fence along the entire length of the rear yard of Lots 10 and 11. This fence shall be located on homeowner's property adjacent to the existing parkland.
  - b. A split rail fence on homeowner's property along the west side of Lot 11, where the lots meets the land to be dedicated to M-NCPPC.
  - c. A split rail fence along the east side of Lot 47, Block A, of the Holmehurst West subdivision, on land to be dedicated to M-NCPPC.
  - d. Additional shade trees in the rear yard of Lot 11.

Ordered this 14th day of May, 2007, by the following vote:

In Favor: Council Members Exum, Bland, Campos, Dean, Dernoga, Harrington, Knotts, Olson and Turner

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: \_\_\_\_\_  
Camille A. Exum, Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council