

Case No.: SDP-0412

Applicant: VOB Limited Partnership

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 Planning Board's decision in Resolution PGCPB No. 05-274, approving with conditions a specific design plan for construction of a 16,635 square-foot community recreation center in the R-S Zone, located on the west side of Robert Crain Highway (US 301), and south of the intersection of Leeland Road and US 301, Upper Marlboro, is hereby:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which 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 certificate approval of this specific design plan, the applicant shall:

a. Revise the site plan and landscape plan as follows:

- (1) Show that the subject property is the subject of Preliminary Plan 4-00010 and provide bearings, distances, and the parcel letter and number on the site plan.
- (2) Provide all approved or submitted specific design plan numbers and all approved or submitted tree conservation plan numbers for Beech Tree on the coversheet.
- (3) Increase the width of the proposed internal trails and pedestrian trail system to six feet.

- (4) Revise the parking calculation table to show a minimum of two handicapped parking spaces to be van accessible.
  - (5) Provide a standard sidewalk along the subject site's entire frontage of the Beech Tree Parkway/Moore's Plain Boulevard traffic circle, including the standard pedestrian crossings on the two roadways around the traffic circle, unless modified by the Department of Public Works and Transportation.
  - (6) Revise Table A on the landscape plan and change the schedule to Section 4.3 (a).
  - (7) Expand the play area for children (2-12), by adding a new section of about 2,000 square feet at its base. A play structure for children (2-6) shall be placed in the upper, triangular part of the play area, and a play structure for pre-teens (6-12) shall be placed in the lower, rectangular, 2,000-square foot part of the play area.
- b. Revise Type II Tree Conservation Plan, TCP II/49/98-10, as follows:
- (1) Replace the worksheet on Sheet 46 with a TCP II phased worksheet that lists the acreages for each phase.
  - (2) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- 2. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.
  - 3. Prior to approval of building or grading permits, the Environmental Planning Section shall review all technical stormwater management plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the habitat management program and that water quality features are provided at all stormdrain outfalls. If revisions to the TCP II are required due to changes to the technical stormwater management plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.
  - 4. Prior to issuance of any building permit, a soils report addressing specific remedies and their locations in all areas where Marlboro Clay presents development problems shall be reviewed and approved by the

Environmental Planning Section and DER. The report shall include a map showing all borehole locations, logs of all of the boreholes, and shall identify individual lots where Marlboro Clay poses a problem.

5. Prior to the submission of final plats, the applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to Development Review Division (DRD) for construction of the recreational facilities included in SDP-0412, Beech Tree community recreation center, for review and approval. Upon approval by DRD, the RFA shall be recorded among the Land Records of Prince George's County.
6. Prior to issuance of a building permit for the community recreation center or the 600<sup>th</sup> building permit for the Beech Tree project, whichever comes first, the applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities included in this SDP.
7. Prior to issuance of the 1,000<sup>th</sup> building permit for the Beech Tree project, the construction of all buildings and amenities included in SDP-0412, Beech Tree community recreation center, shall be completed.
8. All play areas shall comply with the requirements of the American with Disabilities Act (ADA), the American Society for Testing and Materials (ASTM), and with the Park and Recreation Facilities Guidelines.
9. All trails shall be assured dry passage. If wet areas must be traversed, suitable structures shall be constructed. All trails and sidewalks shall include any necessary curb cuts and be ADA compatible.
10. No grading or cutting of trees or tree removal on the site (covered by SDP 0412) shall occur until after approval of the specific design plan by the District Council.
11. The community building shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA) Standard 13D, and all applicable County laws and regulations.

Ordered this 27th day of March, 2006, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Hendershot and Knotts

Opposed:

Abstained:

Absent: Council Members Harrington and Peters

Vote: 7-0

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: \_\_\_\_\_  
Thomas E. Dernoga, Chairman

ATTEST:

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