

Case No.: SDP-0415/03

Applicant: VOB L.P.

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 Planning Board's decision in Resolution PGCPB No. 10-84, approving with conditions a specific design plan to increase the number of single-family attached residential units by 15, and single-family detached residential units by 2, for property in the Beech Tree, North Village community, located south of Leeland Road, west of Robert Crain Highway (US 301), Upper Marlboro, is:

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.

1. Prior to certificate approval of this specific design plan, the applicant shall:
 - a. Revise the site plan and landscape plan as follows or provide the specified information:
 - (1) Revise the site plan cover sheet to provide the most recent information regarding all approved and submitted specific design plans for Beech Tree. All phase or section numbers shall also be labeled on the overall plan on the cover sheet.
 - (2) Revise the Section 4.1 landscape schedule to reflect the correct number of units.
 - (3) Provide standard sidewalks along both sides of all internal roadways within the subject application, unless modified by DPW&T.
 - (4) Show the master plan trail on the site plan and provide at least one connector trail from the North Village to the master plan trail along Collington Branch. This connector trail shall be included in the detailed construction plans for the master plan trail that are to be submitted to the

Department of Parks and Recreation (DPR) for review and approval prior to issuance of the 2,000th building permit.

- (5) Show the location of the proposed streetlights on the site plans in the townhouse section and provide lighting fixture details on the detail sheet.
- (6) Either identify two or more dwelling units which have the potential to be made accessible through barrier-free construction within this SDP or at different locations within the rest of the townhouse sections prior to issuance of the 100th townhouse building permit.
- (7) Reflect a minimum ten-foot public utility easement (PUE) adjacent to the streets as required pursuant to Section 24-128(b)(12) and 24-122 of the Subdivision Regulations.
- (8) Label streets as public or private and indicate all street widths on all sheets.
- (9) Demonstrate on the site plan or the template sheet the size of the garages located in the townhouse units.
- (10) Demonstrate on the site plans the sizes of the parking spaces, regular, handicap and van accessible.
- (11) Provide the dimensions and material of the driveways on the lots.
- (12) Provide a detail of standard handicap parking demarcation and signage.
- (13) On the template sheet, provide the dimensions of all options, including but not limited to fireplaces, bay windows, front stoops. Indicate if the front stoops will be covered or not.
- (14) Show boundaries and acreage of land to be conveyed to the Maryland-National Capital Park and Planning Commission (M-NCPPC).
- (15) The applicant shall submit to DPR the detailed construction drawings for the trails located on dedicated parkland to be reviewed and approved by DPR.
- (16) Notes on the SDP plans stating that the master plan trail is not part of this application shall be removed.
- (17) The site plans shall demonstrate the dedication of approximately 9.9 acres to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit "A." The final acreage and boundaries of the dedicated parkland shall be established at the time of final plat of subdivision.

- (18) The applicant shall revise the elevations to demonstrate that the first story of the front and side elevations will be brick or masonry on all single-family attached units.
- (19) The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a roof feature containing either a reverse gable or dormer window(s):
 - (a) Four dwelling units in any building group containing five or six units; or
 - (b) Three dwelling units in any building group containing four units; or
 - (c) Two dwelling units in any building group containing three units.
- (20) At a minimum, the following lots shall be considered high-visibility and shall have side entry units: 1, 18, 69, 34.
- (21) Building sticks shall be submitted for the Lismore unit.
- (22) Each stick of townhouse elevations shall be revised to include a minimum of three different window trim styles such as shutters, pilasters, Juliet balconies, brick rowlock, or utilize bay or specialty windows to be reviewed and approved by the Urban Design Section as a designee of the Planning Board.
- (23) Front entrances shall be defined with pilasters or brick rowlock with a variety of decorative headers or transom lights.
- (24) High-visibility side elevations shall be revised to include shutters on all non-specialty windows. All other side elevations shall be revised to include enhanced trim or shutters on all windows.
- (25) A materials palette shall be provided to the Urban design Section as a designee of the Planning Board. These materials shall be clearly labeled on all elevations.
- (26) The window in the stairwell on the side elevations of the Lismore model, which interrupts the brick soldier course, shall be replaced with a specialty window that is appropriate in size.

- (27) All garage doors shall have a carriage style appearance.
 - (28) Provide a minimum ten-foot-wide landscape buffer consisting of primarily evergreen trees and shrubs with 40 plant units per 100 linear feet along the rear property lines of the townhouse units 1-6 and 65-69, Block J.
 - (29) At least the following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco.
 - (a) Four dwelling units in any building group containing five or six units. (66.6-80%)
 - (b) Three dwelling units in any building group containing four units. (75%)
 - (c) Two dwelling units in any building group containing three units. (66.6%)
 - (30) Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:
 - (a) Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features; or
 - (b) Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side entry door.
- b. Revise the TCP II as follows:
- (1) Revise the woodland conservation worksheet to correctly calculate the requirement for the site, and indicate how the woodland conservation requirement for the site will be provided.
 - (2) Add an up-to-date overall woodland conservation summary sheet for the entire project, which indicates how the woodland conservation requirement is being provided for the entire site.
 - (3) Add previous approval information to the approval blocks on all plan sheets.

- (4) Delineate the additional parcels proposed to be transferred to the Department of Parks and Recreation to allow for the construction of the hiker/biker trail, and label by area and amount of woodland conservation provided on each site.
- (5) Revise the note underneath the “Reforestation Plant Schedule” to state that the required afforestation stocking rate is 1,000 seedling equivalents per acre, and that a whip is the equivalent of two seedlings, so that 500 whips per acre satisfies the requirement.
- (6) Have the revised plan signed by the qualified professional who prepared it.

2. Prior to approval of grading permits for SDP-0415/03:

- a. A comparison of the PMA disturbance previously approved in SDP-0415 to the disturbances proposed under the current application shall be submitted. If the disturbance area and purpose are not in conformance with previous approvals, a revision to the SDP shall be submitted and approved by the Planning Board prior to grading permit issuance.
- b. The Environmental Planning Section shall review the approved technical stormwater management plans to ensure that the plan is consistent with the Habitat Management Program and that water quality features are provided at all storm drain outfalls. Any additional clearing to the TCP II required due to changes to the technical stormwater management plans shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared, and all woodland conservation requirements continue to be met on-site.
- c. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.

3. Prior to approval of each building permit:

- a. The applicant shall demonstrate, to the satisfaction of the Urban Design Section, that prices of proposed dwelling units will not be lower than the following range (in 1989 dollars):

Single-Family Detached: \$225,000-500,000+

Single-Family Attached: \$150,000-200,000+

- b. The applicant shall pay to the treasury of Prince George's County the fair share of \$201.65 per unit toward the provision of the Leeland Road Fire Station and ambulance services to alleviate the existing inadequacy.
 - c. The exact building footprints, elevations for each house, and building setbacks from the dwellings to each property line shall be provided.
- 4. Prior to the approval of final plats:
 - a. Land to be conveyed to the Department of Parks and Recreation shall be subject to conditions 1 through 9 of Exhibit "B."
 - b. The applicant shall draft a deed along with metes and bounds description of the parkland to be conveyed to homeowners association (HOA) for a storm water management pond and submit to DPR for review and approval at least four weeks prior to submission of the final plat of subdivision for the land in Specific Design Plan SDP-0415-03 boundaries. DPR staff will take necessary actions to convey approximately 0.18 acres of parkland to the applicant.
 - c. Prior to submission of the final plat for residential lots in the SDP-0415-03, the applicant shall amend the public recreational facilities agreement (RFA) to include trail connectors on dedicated parkland. The applicant shall submit an amended RFA to DPR for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the amended RFA shall be recorded among the land records of Prince George's County.
 - d. The final plat shall show all 1.5 safety factor lines and a 25-foot building restriction line (BRL) from the 1.5 safety factor line. The location of the 1.5 safety factor lines shall be reviewed and approved by M-NCPPC, Environmental Planning Section, and the Prince George's County Department of Environmental Resources. The final plat shall contain the following note:

"No part of a principal structure may be permitted to encroach beyond the 25-foot building restriction line established adjacent to the 1.5 safety factor line. Accessory structures may be positioned beyond the BRL, subject to prior written approval of the Planning Director, M-NCPPC, and DER."
- 5. Prior to the issuance of the 2,200th building permit, a ten-foot-wide asphalt hiker/biker trail along the Collington Branch shall be constructed. Six-foot-wide feeder trails shall be constructed in phase with development. No building permits shall be issued for the

lots directly adjacent to the master plan trail until the trail is under construction. Grubbing, clearing, and installation of signage every 100 feet announcing “the future trail” shall constitute evidence of construction.

6. Trails shall be designed and constructed in accordance to the following standards:
 - a. A trail shall be designed to provide a maximum 8.3 percent grade, cross slope grade maximum of two percent.
 - b. An asphalt trail shall be constructed with a minimum of three-inch bituminous concrete surface course and a minimum of four-inch compacted CR-6 base.
 - c. Any structures along the trail shall be designed in accordance with DPR Facilities Guidelines. Plans shall be prepared by a registered professional engineer and bear his/her stamp and signature on all plans and specifications.
 - d. All trails shall be constructed to ensure dry passage.
 - e. The applicant shall be responsible for obtaining all permits that may be required by federal, state and/or local authorities needed to accomplish its purpose.
7. No grading or cutting of trees or tree removal on the site (covered by SDP-0415) shall occur until after approval of the specific design plan by the District Council.
8. All structures 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.
9. No two units located next to or across the street from each other may have identical front elevations.
10. The tot lot previously shown on the plans shall remain an open recreational area, and child play equipment shall be added to the recreational faculties for SDP-0412.
11. 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, the detailed site plan, landscape plan, and plans for recreational facilities.
12. Prior to the issuance of the 1,001st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - a. Widen southbound Robert Crain Highway (US 301) to provide three exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.

- b. Widen northbound Robert Crain Highway (US 301) to provide three exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road.
- c. Widen Leeland Road to provide two exclusive left-turn lanes and one free flowing right-turn lane.

Phase V: residential development-building permits 1,501-1,992

- 13. Prior to the issuance of the 1,501st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - a. Widen southbound Robert Crain Highway (US 301) to provide three exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road. This improvement will augment an improvement from a previous phase.

Phase VI: residential development-building permits 1,993-2,400

- 14. Prior to the issuance of the 1,993rd building permit for any residential unit of the development, a schedule for construction of either (a) the improvements in CIP Project FD669161 or (b) the upgrading of Robert Crain Highway (US 301) to a fully controlled access highway between Central Avenue (MD 214) and Old Marlboro Pike (MD 725) shall be provided by the State Highway Administration (SHA) or by the Department of Public Works and Transportation (DPW&T) to the Maryland-National Capital Park and Planning Commission (M-NCPPC) Prince George' s County Planning Department.
- 15. Any changes to the sequencing of transportation improvements and/or changes to the development thresholds identified above will require the filing of a specific design plan (SDP) application, and a new staging plan reflecting said changes must be included with application.

Ordered this 27th day of September, 2010, by the following vote:

In Favor: Council Members Bland, Dean, Dernoga, Exum, Harrison, Knotts and Olson.

Opposed:

Abstained:

Absent: Council Members Campos and Turner.

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