

Case No.: SDP-0609

Applicant: MI Homes

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. 08-177, approving with conditions a specific design plan for construction of 160 single-family detached homes, for a project referred to as Balmoral, Phase 2, described as 194.77 acres in the R-S Zone, located on the west side of U.S. 301, approximately 900 feet south of its intersection with Village Lane, Upper Marlboro, is hereby:

APPROVED, as stated by the Planning Board whose decision and conditions are hereby adopted by the District Council, except that the following is added to the findings and conclusions of the Planning Board, in the exercise of the Council's original jurisdiction in reviewing Planning Board decisions, after a full review of the administrative record:

A. The District Council concludes that conditions concerning dwelling facades, chimneys, siding, and lots adjoining the Beechtree development should be modified or added to the Planning Board's approval resolution.

B. The Planning Board conditions do not sufficiently recognize the proximity of the subject property to Beechtree, a planned golf course community under construction after many years of District Council review. The Balmoral project, in the appearance and design of its green areas, recreational facilities, open space,

and housing units, should be commensurate in quality to the appearance and design of the Beechtree properties.

C. The front facades of all dwelling units must match the quality of units at Beechtree. Chimneys may not be of metal, and any vinyl siding that is used – only on facades not highly visible from public streets – must be of highest quality, and exhibited to Urban Design before certification of the specific design plan.

D. Among the models shown in the SDP-0609 application, the Bell Aire and Montana models are incompatible in appearance with Beechtree units to the north.

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

1. Prior to certificate approval of this specific design plan, the following revisions shall be made or additional information submitted:
 - (a) Revise the building templates to show the base finished square footage for each proposed model.
 - (b) Provide cut sheets of the recreational facilities within the sitting area to be constructed in Neighborhood F on the detail sheet.
 - (c) Provide Sections 4.1 (c) and (d) landscape schedules on the Landscape Plan.
 - (d) Demonstrate that the rear lot lines of lots adjoining the proposed golf course north of the site shall be set back from the centerline of the golf hole a minimum of 175 feet.
 - (e) Include the design standards from CDP-0302, condition 31, that are applicable to this development's site plan notes.
 - (f) Employ a minimum of three standard architectural features on those elevations, such as windows, doors, and fireplace chimneys, so that these features shall form a reasonably balanced composition on the most visible side elevations of dwelling units on corner lots, or other lots whose side and rear elevations are highly visible to public rights-of-way.

2. Prior to issuance of each building permit, the applicant and the applicant's heirs, successors or assignees, shall pay to Prince George's County a fee contribution to be applied to improvements along U.S. 301 as follows:
 - (a) A fee calculated as \$497.84 per residential DU X (the most recent FHWA Highway Construction Cost Composite Index four-quarter average available at time of building permit application)/(the FHWA Annual Highway Construction Cost Composite Index for 2nd quarter, 1989).
3. Prior to the issuance of any permits which impacts wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
4. Prior to issuance of the 274th building permit, the following recreational facilities as identified in the approval of CDP-0302 shall be completed:
 - (a) Two sitting areas in Neighborhoods D and F.
 - (b) One neighborhood park in Neighborhood D.
5. All recreational facilities shall be incorporated in recreational facilities agreements (as specified in the Park and Recreation Facilities Guidelines) prior to final plat of subdivision. Bonding of recreational facilities shall occur prior to issuance of permits for the development pod where the facility is located.
6. In order to alleviate the negative impact on fire and rescue services due to the inadequate service, an automatic fire suppression system shall be provided in all new buildings proposed in this development unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
7. The following shall be added as site plan notes:
 - (a) All dwelling units shall have a full front façade (excluding gables, windows, trim and doors) constructed of brick, stone or stucco or shall be treated with a full width front porch.
 - (b) All chimneys shall be constructed of brick, stone or stucco material.

- (c) The Bell Aire and Montana models shall not be constructed on any lot adjoining the Beechtree development.
 - (d) Dwellings on Lot J-1 and Lots D-3 through D-19, adjacent to the South Village section of the Beechtree development must be architecturally compatible and of comparable quality to Beechtree, with square footage of no less than 3,200 square feet, excluding basements.
8. Prior to certification approval of SDP-0609, the applicant shall identify high visibility side elevations, which directly face the public street on corner lots or other lots whose side and rear elevations are highly visible to public rights-of-way. The high visibility elevations shall be designed with materials and details in a manner consistent with the front elevation and employ significant architectural features which contribute to the aesthetics of the unit. Significant architectural features include, but are not limited to, bay windows, box windows, wrap-around porches, sunrooms, conservatories, pergolas and other architectural embellishments consistent with the architecture defined on the front elevation of the unit to form a reasonably balanced composition. At time of building permit, in the event the opposite side of such dwelling unit is not highly visible from the public street and, as a result, the homeowner chooses not to display such treatment, the side yard of such unit shall be planted with an evergreen buffer.
 9. Prior to certification approval of SDP-0609, the applicant shall provide a material board to show that all vinyl sidings specified as construction materials are high-quality vinyl or better and installed utilizing building techniques that prevent shifting, distortion, buckling , or detaching of the panel. A note shall also be provided on the site plan.

Ordered this 23rd day of March, 2009, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Exum.

Vote: 8-0

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: _____
Marilynn M. Bland, Chairperson

ATTEST:

Redis C. Floyd
Clerk of the Council