

Case No. SDP-0111

Applicant: VOB Ltd. Pshp.

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 entire record, that the Planning Board's decision in Resolution PGCPB No. 02-65(C), to approve a Specific Design Plan on property described as approximately 126.76 acres of land in the R-S Zone, located generally on the west side of U.S. 301, south of Leeland Road, described as Phase 2, Section 1, of the East Village of the Beech Tree golf course community, is hereby:

AFFIRMED, for the reasons given by the Planning Board in the Resolution. The District Council hereby adopts as its own the findings and conclusions of the Planning Board in this case.

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

1. Prior to certification of the Specific Design Plan,
 - a. The site/grading and landscape plans shall be revised to show the following:
 - (1) elevations for all the retaining walls shown on the lots
 - (2) landscaped schedules for all landscape bufferyards
 - (3) all house sites located within the building envelopes
 - (4) all public utility easements labeled
 - (5) location, size and details of all proposed signage
 - (6) front, side and rear setbacks for each lot

- (7) a landscape buffer along the rear yards to provide buffering and filtered views into the rear yards:

SDP-0111

Lots 1-8, Block L
Lots 17-25, Block L

- (8) the environmental setting for the Pentland Hills site
 - (9) ten-foot-wide raised cart crossings for all at-grade golf cart crossings with a pavement width reduced to 24 feet on all 36-foot wide pavement sections.
- b. The applicant shall submit cross-sections of the internal streets that are approved by the Department of Public Works & Transportation. The cross-sections shall show adequate right-of-way widths to accommodate bike lanes, sidewalks and/or trails as required by the Transportation Planning Section and DPW&T.
 - c. The applicant shall submit copies of easements for all retaining walls crossing multiple property lines.
 - d. The Type II Tree Conservation Plan, TCPII/49/98-02, shall be revised to:
 - (1) include all of the TCP II sheets for the entire project
 - (2) label the acreage of woodland cleared, preserved, or planted on each sheet
 - (3) revise the worksheet to correctly indicate the gross tract area
 - (4) revise the worksheet to fill in all missing information
 - (5) provide a table on each sheet indicating all woodland calculations on that sheet, including calculations of the PMA areas cleared, reforested, or afforested
 - (6) show all wetlands and wetland buffers
 - (7) show a reasonable area of clearing for installation of all proposed trails within existing woodlands and correct the worksheet accordingly

- (8) indicate, with a specific pattern or marking, the woodland areas retained on lots which are not counted as part of the required woodland conservation area and calculate the area on each sheet
- (9) revise the woodland conservation worksheet to calculate the total area determined as cleared
- (10) show all areas, including the acreage, of proposed clearing within the Patuxent River PMAPA
- (11) show all areas, including the acreage, of proposed afforestation/reforestation within the Patuxent River PMAPA
- (12) add a table to each sheet showing the area of 10 and 11
- (13) use a specific line pattern on each sheet, where appropriate, to indicate the boundary of each Specific Design Plan and the corresponding woodland conservation areas
- (14) show all tree protection devices on each sheet and indicate the location of conservation area signs
- (15) add a detail for reforestation area signs and revise the plan to indicate proposed locations
- (16) add details to show attractive protective fencing along the outer edge of all highly visible reforestation/afforestation areas adjacent to lots and appropriate protective fencing along the outer edge of reforestation/afforestation areas. Show the locations on the plans. Fences to remain in place no less than five years.
- (17) for reforestation/afforestation areas adjacent to lots, show a border row of not less than 1.5 inch caliper, mixed native hardwood shade trees, appropriately spaced for 25 feet inside the fencing; coordinate with the Landscape Plan to prevent conflicts; and provide a plant schedule for each area of larger stock to be planted
- (18) provide a legend on each sheet
- (19) revise the line types to distinguish existing tree line, proposed preserved tree line, and proposed reforestation/afforestation areas and add to the legend

- (20) remove all preservation/reforestation/afforestation areas which are less than 35 feet wide from contributing to the woodland conservation requirements
- (21) remove all reforestation/afforestation areas which are less than 50 feet wide between rear lot lines
- (22) provide a single sheet at 1 inch=30 feet that shows the entire area of the TCP
- (23) use larger stock, of not less than 1.5 inch caliper, mixed native hardwood shade trees, appropriately spaced along the periphery of reforestation/afforestation areas which are in high visibility areas of the project and show the areas on each sheet where appropriate; coordinate with the Landscape Plan to prevent conflicts; and provide a plant schedule for each area of larger stock to be planted
- (24) clearly show all areas where any special treatments, such as selective clearing, are to be used that change the existing woodland character and add notes describing the treatment
- (25) revise the key map on the cover sheet to indicate each Specific Design Plan for Beech Tree
- (26) add a note to the key map on each sheet to indicate that the sheet numbers used are those of the SDPs and not the TCPII
- (27) show all areas of PMA disturbed or not forested as being afforested or reforested or provide a note for each area indicating why the area is not being planted
- (28) revise the legend to include all patterns and lines used on the TCPII and include the legend on every TCPII sheet
- (29) revise the worksheet to provide for all calculations for each phase
- (30) revise the worksheet to reflect the changes noted above
- (31) add a table to the page with the worksheet that keeps a running total of the acreage of the PMA total on the site, the acreage in each phase, and the amount disturbed in each phase. Provide a note that states "The maximum disturbance to the PMA is 23.22 acres."

- (32) revise the notes on the cover sheet to eliminate the reference to the “Forest Resources Unit of the Department of Environmental Resources.”
 - (33) document all revisions with appropriate notes in the revision block on each sheet
 - (34) have the plan signed and dated by a qualified preparer
 - (35) add the following note: “No disturbance of woodland on the site shall occur until it is affirmed that such removal is consistent with the Habitat Management Plan for the Stripeback Darter approved by the Wildlife and Heritage Division of DNR.”
 - (36) add the following note: “Prior to the issuance of any grading permit for the site, the Type II TCP shall be revised to incorporate the recommendations of the approved Habitat Management Plan for the Stripeback Darter.”
 - (37) add the following note: “There shall be no grading, cutting of trees or tree removal from the site until such time as the recommendations of the Habitat Management Plan have been incorporated into the Type II TCP.”
 - (38) add the following note to each sheet of the TCPII that shows reforestation/ afforestation areas: All reforestation/afforestation areas adjacent to lots and required fencing along the outer edge of all reforestation/afforestation areas shall be installed prior to the Use and Occupancy Permit for the adjacent lots.”
- e. The architectural drawings approved as part of SDP-0001 shall be revised to show more detail on the rear elevations. In terms of articulation, fenestration and design details (but not materials), the rear elevations of the following lots shall be as attractive as the front elevations:

SDP-0111

Lots 1-8, Block L
Lots 17-25, Block L

- 2. The building permit drawings shall show lot coverage for each individual lot and the house type for the individual lots.
- 3. Each grading permit shall show required on-site wetland mitigation areas.

4. Prior to the issuance of any building permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC, Environmental Planning Section, that all applicable conditions of the state wetland permit have been honored.
5. Prior to approval of building or grading permits, the M-NCPPC, 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 is provided at all storm drain outfalls. If revisions to the TCPII 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.
6. Prior to issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay a fee to Prince George's County of \$201.65 per dwelling unit toward the provision of a fire station and an ambulance.
7. Prior to issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$4,240 per dwelling unit for the elementary, middle and high schools, unless fully offset by a school facility surcharge payment. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at the Patuxent Elementary School, James Madison Middle School and Frederick Douglass High School.
8. No building permits shall be issued for the subject Specific Design Plans until the projected percentage of capacity at all affected schools is less than or equal to 130 percent or four years have elapsed since the date of the adoption of the resolution of approval of the preliminary plan of subdivision for 4-00010.
9. If in the future, the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

Otherwise, with each subsequent SDP, the applicant shall provide evidence, in the form of a letter to the Planning Department, of (1) the aggregate number of building permit issuances for residential units, (2) the phase within which the number of units for the proposed SDP would fall, and (3) the status of the associated transportation improvements. This letter shall be compared to the Staging Plan for transportation improvements in effect at that time in order to evaluate the adequacy of transportation facilities for report to the Planning Board.

10. Prior to the issuance of the one hundred and thirty second (132nd) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - a. Widen southbound U.S. 301 to provide three exclusive through lanes from 1,000 feet north of Trade Zone Avenue to 2,000 feet south of Trade Zone Avenue.
 - b. Construct internal site connection from Beech Tree Parkway to Leeland Road.
 - c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound U.S. 301.

11. Prior to approval of each building permit for a dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than the ranges below (in 1989 dollars):

Single-Family Detached:	\$225,000-500,000+
Single-Family Attached:	\$150,000-200,000+
Multifamily Dwellings:	\$125,000-150,000+

12. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NAPA) Standard 13D and all applicable county laws and regulations.

Ordered this 10th day of June, 2002, by the following vote:

In Favor: Council Members Shapiro, Bailey, Knotts, Hendershot, Russell, Scott, and Wilson

Opposed:

Abstained:

Absent: Council Members Dernoga and Estepp

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: _____
Peter A. Shapiro, Chair

ATTEST:

Redis C. Floyd, Acting Clerk