

Case No.: SDP-0308

Applicant: Oak Creek Club Corp.

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. 03-205, approving with conditions a Specific Design Plan for 219 townhouses and 412 single-family dwellings on property described as approximately 263.36 acres of land in the R-L and L-A-C Zones, located on both sides of Church Road, north of Oak Grove Road, 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 signature approval of the plans for the project the applicant shall:

a. Show on the plans a concrete sidewalk on at least one side for:

Dornamsville Boulevard, south and east of Coffren Place, in
Land Bay B

Himalia Circle, in Land Bay B

Coffren Place, in Land Bay B

Ansonia Court, in Land Bay B

Stanwich Terrace, in Land Bay C

Rifton Court, in Land Bay I

Modena Circle, in Land Bay I

Elara Court, in Land Bay I

Bloomfield Lane, in Land Bay J
Panora, in Land Bay J

- b. Provide staff with a financial guarantee and accompanying executed agreement with the Department of Public works and Transportation for operation of a private bus service, including a timetable for bonding and initiating the service. Such financial guarantee and agreement shall be approved by staff as designee for the Planning Board.
- c. The applicant shall provide concrete walkways (colored or stained, if desired by the applicant, to any shade or color agreed upon by staff and applicant) for pedestrian facilities in accordance with the section in the streetscape approval of SDP-0303 for both open and closed section roadways.
- d. Show trail or sidewalk connections from the end of Landess (Esmond) Place to the park/school site.
- e. The master plan trail along the rear of Lots 1-6 and 8-33, Block A, shall be a minimum of 25 feet from buildings and 20 feet from the rear property lines. The Department of Parks and Recreation may agree that the trail may be closer to the rear property lines based on a field visit prior to construction of the dwelling units on these lots.
- f. Provide the Park Planning and Development Division of the Department of Parks and Recreation with conceptual details for the master-planned trail construction including conceptual details showing typical trail sections and surface materials and concept plans for bridges and boardwalk construction, together with plans for any Department of Parks and Recreation approved structures to assure dry passage for trails.
- g. Submit a Phase I and/or Phase II Noise Study for Lots 1 and 2, Block "A," Land Bay "C," that demonstrates that no adverse impacts will affect the above-mentioned lots. If adverse impacts are found to impact either of the lots, the lot(s) so impacted shall be identified as Outlot(s) until such time as a Specific Design Plan addressing noise attenuation is approved by the Planning Board.
- h. The Type II Tree Conservation Plan, TCP/II/109/03, shall be revised as follows:

- (1) Each sheet of the plan shall be signed and dated by the licensed landscape architect, licensed forester or other qualified professional who prepared the plan.
 - (2) Correct the information on the Phase I-Site Information table and/or the TCP worksheet to be consistent with respect to the correct acreage of land included in this application. As currently shown, there is a 32.47-acre difference between these two tables with respect to the area included in the application.
 - (3) Correct the Planting Schedule and the Reforestation Calculations tables to reflect the same acreages for each category of plantings.
 - (4) Additional Notes item #2 on sheet 30 of 30 shall be corrected to indicate the Site Development Inspector and the correct phone number (301-731-8790).
 - (5) Add specific notes indicating the sequence of the planting within the scope of this phase of the project.
 - (6) Revise the worksheet to correctly account for the woodland remaining in later phases so that a negative number is not reflected in the shortage row of the worksheet.
 - (7) Revise the worksheet as necessary after addressing each of the above items.
- i. The plans shall be amended to show how the master-planned trail will cross Church Road. Plans for the crossing shall be approved by the Department of Public Works and Transportation and the Department of Parks and Recreation.
2. When building permits are applied for, the applicant shall pay a per-dwelling unit fee (in the amount in effect when building permits are applied for) to relieve overcrowding in the local elementary schools.
 3. The Belvedere model proposed by Ryan Homes may be used only if options chosen cause the base finished area to meet or exceed 2,200 square feet minimum for above-ground finished floor area.
 4. All exterior fireplace chimneys shall be brick or stone, except gas units.

5. Units across the street from or next to each other shall not have the same front elevation. A variety of different colors, materials, and special features should also be used to ensure that units appear unique, even if adjacent to units with similar front elevations.
6. Vehicular access to corner lots shall be provided from the street of lower classification, wherever possible. Corner lots should be generally larger and wider to accommodate the siting of dwelling units in a manner that preserves the greatest amount of functional rear yard as possible.
7. Units shall be sited on lots to provide the greatest functional rear yard possible. To accomplish this, dwelling units shall be sited at or close to the front building restriction line so as to provide for the greatest amount of functional rear yard.
8. Developers and builders shall consider landscaping techniques and materials to shade dwelling units and reduce energy consumption.
9. On highly visible townhouse units and detached lots, the front façade and (visible) endwall shall be constructed of the same material. Prior to certificate approval, the lots affected by this condition shall be agreed upon by the applicant and staff and shown graphically on the SDP.
10. The landscape plan shall be revised to demonstrate that at least 50 % of the trees and plants are native plants, with an additional 30% to be hybrids of native plants.
11. The landscape plan shall be revised to substitute the Winged Burning Bush (except in the L-A-C portion of the site and within the clubhouse parking area) with a native plant alternative such as red chokeberry, silky dogwood, Virginia sweetspire, mapleleaf viburnum and highbush blueberry.
12. Prior to the issuance of the building permit for units to be built on Lots 1-6 and 8-33, Block A, signs shall be posted on the alignment of the Master Plan Trail behind all the above-mentioned lots.
13. All play areas shall comply with the requirements of the Americans with Disabilities Act and with the Parks and Recreation Facilities Guidelines.
14. On-street parking shall be prohibited throughout the proposed development.

15. The applicant shall not utilize a diesel bus for purposes of providing private bus service.
16. At least a 50-foot building setback shall be provided from the street line and property line along Church Road. Units built on these lots shall have side entrance garages and may have dualized driveways.
17. The plan shall be modified to show turnarounds acceptable to the Transportation Planning Section at the following locations:

 The north end of Landess (Esmond) Place
 The west end of Argos Place
 The west end of Briarly Place
 The north end of Canaan Street
18. Prior to final plat approval, a geotechnical report shall be prepared by a geotechnical engineer, submitted to and approved by the Environmental Planning Section addressing the proposed grading and home construction on Lots 34-52, Block "A"; and Lots 13-14, Block "B," Land Bay "C," with respect to the required 1.5 safety factor as required by the Department of Environmental Resources. If the geotechnical report does not adequately address the 1.5 safety factor for the above-referenced lots, the subject lots shall be removed from the plan and may not be platted.
19. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Design of any needed structures shall be reviewed and approved by DPR.
20. Prior to the issuance of the first building permit for the project, the applicant shall provide the Washington Suburban Sanitary Commission with the required amended revision for Land Bays F, D, and J.
21. Applicant shall reduce the number of townhouse sticks with more than 6 units to no more than 20% of the total number of sticks.
22. The total number of lots for the entire development shall not exceed 1,148, the number of lots approved by Preliminary Plan 4-01032.

23. Prior to grading or construction of golf course paths or facilities on property to be dedicated to the Department of Parks and Recreation, the construction drawings for such golf course paths or facilities on property to be dedicated to the Department of Parks and Recreation shall be reviewed and approved by that Department.

Ordered this 10th day of November, 2003, by the following vote:

In Favor: Council Members Shapiro, Bland, Dean, Dernoga, Exum, Harrington, Hendershot, Knotts and Peters

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: _____
Peter A. Shapiro, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council