

Case No.: SDP-0412/02

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. 10-89, approving with conditions a specific design plan for revisions to the main community building, including bathhouse architecture and size, reducing total square footage by 4,091 square feet, and revisions to the pool area layout, and re-grading and removal of a tennis court observation tower, for a project referred to as Beech Tree Community Recreation Center, in the Beech Tree community, located on the west side of Robert Crain Highway (US 301), just south of the intersection of Leeland Road and US 301, and south of Beech Tree Parkway, 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 signature approval of the specific design plan, the applicant shall:
 - a. Revise the site plan and landscape plan as follows:
 - (1) Revise the property lines to accurately reflect the current record plat for Parcel AA.
 - (2) Provide documentation of the landscape covenant for the landscape buffer recorded at Liber 29859, Folio 584, and revise the plan to indicate its location and any additional requirements.
 - (3) Provide documentation that a revision to SDP-9803 for Parcel B-4, reflecting the landscaping and bufferyard within that parcel for this development, has been approved.

- (4) Revise the cover sheet to clearly label and delineate on the overall plan of the Beech Tree project all approved or submitted specific design plan numbers and all approved or submitted tree conservation plan numbers.
 - (5) Revise the cover sheet to remove the listing of TCP II revisions.
- b. Revise the community building architectural elevations as follows:
 - (1) Specify the proposed lap siding as “Hardi-plank” siding.
 - (2) Show stone veneer facing in all locations where a concrete/masonry wall finish is currently shown.
 - (3) Show the entire center lower level on the rear elevation as stone veneer finish.
 - (4) Add four dormer windows to the roof on either side of the central feature on the rear elevation.
 - (5) Add two cupola style features to the roofs over the two breezeway wings at either end of the building.
 - (6) Add two additional cupola features along the roof line of the central portion of the building.
- c. Revise the bathhouse building architectural elevations as follows:
 - (1) Specify the proposed lap siding as “Hardi-plank” siding.
 - (2) Add a minimum of two features, such as, but not limited to, cupolas, dormer windows, and balustrades to the roofline.
- d. Prepare an existing woodland delineation plan to demonstrate where woodlands have been retained on-site and for 100 feet outside the limits of SDP-0412/02. The existing woodland delineation plan shall be used in preparation of TCP II/018/10 for SDP-0412. If woodland preservation areas have been cleared or are found to retain insufficient trees to be classified as woodland, reforestation or supplemental planting may be appropriate methodologies to consider in fulfillment of this requirement. Type II Tree Conservation Plan TCP II/049/98 shall continue to reflect the provision of all requirements on-site as required by previous conditions of approval.
- e. Revise Type II Tree Conservation Plan TCP II/49/98-10 as follows:

- (1) Revise the cover sheet to include all revisions and approvals made to date on the Beech Tree Tracking Table;
 - (2) Update and revise the phased woodland conservation worksheet on Sheet 46 with a worksheet that accurately reflects the calculations for each SDP, and accurately reflects all approved SDPs and associated revisions to the SDPs;
 - (3) Add a new approval block for TCP II/049/98 labeled, "Revisions approved after January 01, 2010" to all sheets of the mylar set;
 - (4) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- f. Prepare TCP II/018/10 for the limits of SDP-0412/02 and 100 feet outside the limits of the SDP based on the required existing woodland delineation plan. Type II Tree Conservation Plan TCP II/018/10 shall consist of:
- (1) An up-to-date key sheet for TCP II/049/98, which includes a complete and up-to-date Beech Tree Tracking Table;
 - (2) A TCP II plan sheet based on Sheet 3 of 9 of the SDP which includes a TCP II worksheet for a project with a previous TCP II, that graphically identifies the woodland conservation areas of the site, and labels them by area and woodland conservation methodology;
 - (3) The landscape plan for the site shall demonstrate consistency with the TCP II with regards to delineated woodland conservation areas and limits of disturbance;
 - (4) If 1.55 acres of woodland no longer exists within the limits of SDP-0412/02, this acreage must be accounted for within the overall Beech Tree TCP II;
 - (5) Sheet 46 of TCP II/049/98 must be revised to include an up-to-date overall woodland conservation summary sheet, including all of the revisions to this TCP II and the overall woodland conservation on-site since June 2009; technical corrections related to miscalculations; elimination of the use of fee-in-lieu or off-site mitigation for the subject project; and all woodland conservation met on-site;
 - (6) The afforestation/reforestation stocking rate for the site shall be correctly identified as 1,000 seedlings per acre;

- (7) All sheets on the separate TCP II shall have a new TCP II approval block for TCP II/018/10 and the following note shall be added to each plan sheet by the approval block:

“NOTE: TCP II/018/10 was separated from TCP II/049/98 for the overall Beech Tree development with the approval of SDP-0412/02 for Community Recreation Facilities for Beech Tree, East Village. Any future revisions to this TCP II will require revisions to the overall TCP II/049/98 to maintain conformance.”

- g. Provide evidence from DPW&T that the revised specific design plan is in conformance with the approved stormwater management concept plan.
2. Prior to the issuance of grading permits, each grading permit shall show the required on-site wetland mitigation areas.
 3. Prior to the approval of building or grading permits, the M-NCPPC Environmental Planning Section shall review all technical stormwater management plans approved by the Prince George’s County 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 storm drain outfalls. If revisions to the Type II tree conservation plan are required due to changes to the technical stormwater management plans, the revisions shall be handled at staff level if the changes result in less than 20,000 square feet of additional woodland cleared.
 4. Prior to the issuance of any building permit, a soils report addressing specific remedies and their locations in all areas within the limits of SDP-0412/02 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 areas where Marlboro Clay poses a problem.
 5. Prior to the issuance of a building permit for the community recreation center or the 750th building permit for the Beech Tree project, whichever comes first, the applicant and the applicant’s 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.
 6. Prior to the issuance of the 1,250th building permit for the Beech Tree project, the construction of all buildings and amenities included in SDP-0412/02, Beech Tree Community Recreation Center shall be completed.

7. 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 (Americans with Disabilities Act) compatible.
8. All play areas shall comply with the requirements of the Americans with Disabilities Act (ADA), the American Society for Testing and Materials (ASTM), and with the Prince George's County *Park and Recreation Facilities Guidelines*.
9. No grading or cutting of trees or tree removal on the site (covered by SDP-0412/02) shall occur until after approval of the specific design plan by the District Council.
10. 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.
11. The community building and the swimming pool adjacent to the main community building shall be bonded by the applicant on or before December 31, 2011, or the date of DER issuance of the 750th building permit, whichever first occurs. The construction of the Swim & Racquet Club facilities shall be completed by the date of DER issuance of the 1,000th building permit. It shall be the obligation of the applicant to confirm to the M-NCPPC Permit Section the total number of building permits issued by DER, at any given time.
12. The exhibits submitted by the applicant to the Clerk of the Council on or about October 19, 2010, after the Council reviewed SDP-0412/02, renderings depicting the community recreational facilities proposed by the applicant, are hereby incorporated in the record. The applicant shall place and construct the proposed facilities substantially as depicted in these exhibits, unless the District Council modifies this condition.

Ordered this 19th day of October, 2010, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Harrison

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: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council