

Case No.: SDP-0415

Applicant: VOB Limited Partnership

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 administrative record, that the Planning Board's decision in Resolution PGCPB No. 05-217, approving with conditions a specific design plan for construction of 83 single-family, detached residential dwellings, and 57 townhouses, on property described as approximately 1,212.06 acres in the R-S Zone, located on the west side of Robert Crain Highway (US 301), and south of the intersection of Leeland Road and US 301, 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 certificate approval of this specific design plan, the applicant shall:
 - a. Revise the site plan and landscape plan as follows:
 - (1) Provide the total number of units previously approved and the total number of units proposed in the subject SDP.
 - (2) Provide all approved or submitted specific design plan numbers and all approved or submitted tree conservation plan numbers for Beech Tree on the coversheet.
 - (3) Revise the landscape schedule to specifically refer to the Section 4.1 schedule and break down tree calculation pursuant to Section 4.1 (c), (d) and (f).

- (4) The tot lot shown on the plan shall remain an open recreational area, and child play equipment shall be added to the recreation facilities for SDP 0412.
 - (5) Provide a minimum 10-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 180-186, Block E.
 - (6) Label all abutting HOA parcels consistent with Preliminary Plan of Subdivision 4-00010.
 - (7) Provide lot standards for corner lots.
 - (8) Show building setbacks (front, sides, and rear) graphically on the site plan.
 - (9) Provide standard sidewalks along both sides of all internal roadways within the subject application.
 - (10) 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 for review and approval prior to issuance of the 2,000th building permit.
 - (11) Provide a parking calculation table for the townhouse section and identify the required parking spaces for the physically handicapped on the site plan.
 - (12) Show the location of the proposed streetlights on the site plans in the townhouse section and provide lighting fixture details on the detail sheet.
 - (13) Prior to issuance of the 100th townhouse building permit, 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.
- b. Revise Type II Tree Conservation Plan, TCP II/49/98-09, as follows:

- (1) Revise the phased worksheet to include the acreage of each phase.
- (2) Have the revised plan signed and dated by the qualified professional who prepared the plan.

c. Add a site plan note as follows:

1. 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; or
 - (b) Three dwelling units, in any building group containing four units; or
 - (c) Two dwelling units, in any building groups containing three units.
2. 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.
2. Prior to approval of each building permit for a dwelling unit, 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+
3. 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."

4. At the time of issuance of each building permit, 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.
5. Prior to approval of building or grading permits, the 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 features are provided at all stormdrain outfalls. If revisions to the TCP II 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 any permits for Beech Tree, the applicant shall demonstrate to the Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.
7. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.
8. Prior to issuance of any building permit, the applicant shall provide a soils report addressing specific remedies and their locations in all areas where Marlboro clay presents development problems that shall be reviewed and approved by the Environmental Planning Section and the Prince George's County Department of Environmental Resources. The report shall include a map showing all borehole locations and logs of all of the boreholes, and identify individual lots where Marlboro clay poses a problem.
9. Prior to issuance of the 132nd building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - a. Widen southbound US 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 an 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 US 301.
- 10. At the time of issuance of building permit, exact building footprints shall be shown on the site plan and elevations for each house that shall be provided.
- 11. 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.
- 12. 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.
- 13. No two units located next to or across the street from each other may have identical front elevations.
- 14. 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.
- 15. At least 90% of the single-family, detached 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. Any side elevation which directly faces the public street shall be designed with materials and details in a manner consistent with the front elevation. 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. A side elevation which is highly visible from the public street as a result of being angled on a corner lot, or projecting forward from the neighboring house more than 20 feet, shall display significant architectural features which contribute to the aesthetic of the unit. Significant architectural features include, but are not limited to, bay projections, wraparound porches, sunrooms, conservatories, pergolas, and other architectural embellishments consistent with the architecture defined in the front elevation of the unit.

Ordered this 27th day of March, 2006, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Harrington

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