

Case No.: SDP-0416/02 Beech Tree
South Village Sections 4 & 5

Applicant: V.O.B. Limited Partnership

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. 12-104, to approve with conditions to increase the number of single-family detached lots from 84 to 105, more particularly, the request in this case is to increase the number of single-family detached lots in South Village, Section 4, from 42 to 52 and the number of single-family detached lots in South Village, Section 5, from 42 to 53, for a total of 105 lots, located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6, is:

AFFIRMED, as the basis for this action, the District Council adopts the findings and conclusions stated by the Planning Board in its Resolution, PGCPB No. 12-104, as its findings and conclusions in this case.

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

1. Prior to certificate approval of this specific design plan (SDP), the applicant shall revise the plans as follows and/or submit additional documentation as specified:
 - a. Revise the plans consistent with Applicant's Exhibit 3 to show the proposed Pentland Hills Drive (from Presidential Golf Drive) within a 60-foot right-of-way (36-foot width of pavement) and the remainder transitioning to a 50-foot right-of-way (26-foot width of pavement) unless modified by DPW&T.
 - b. Revise the plans to provide standard sidewalks along both sides of Pentland Hills Drive, unless modified by the Department of Public Works and Transportation (DPW&T).

- c. Revise the plans to indicate 480, not 479, as the maximum number of townhouse units to be included in the Beech Tree development.
- d. The Type II tree conservation plan (TCPII) shall be revised as follows:
 - (1) The corrected separation note shall be provided on all plan sheets referencing TCPII-026-12.
 - (2) Natural regeneration shall not be included as an afforestation/reforestation methodology on the plans and shall be removed from the legend and the tree table. If natural regeneration occurs before planting occurs on the site, the applicant may submit appropriate sampling information and photographs with a request to revise the afforestation/reforestation areas to natural regeneration areas.
 - (3) The correct TCPII number shall be shown on all plan sheets.
 - (4) The “Tree Table” located on each plan sheet shall be revised to provide an area for primary management area (PMA) impacts inside and outside the 100-year floodplain, and PMA restoration activity .
 - (5) A legend shall be provided on all plan sheets. Elements shall be removed from the legend which are not applicable to the plan sheets, such as landscaping elements, plat lines, soil boundaries, and soil classifications.
 - (6) Retaining walls shall have a ten-foot-wide zone clear of woodland conservation for maintenance purposes at the top of the wall and the bottom of the wall. These areas shall not be credited as woodland conservation and shall be assumed cleared.
 - (7) All proposed retaining walls shall be clearly identified and the top and bottom elevations shall be provided.
 - (8) Reforestation and preservation areas shall not be shown in storm drain or utility easements, and these areas shall be assumed to be cleared.
 - (9) Woodland conservation areas on individual plan sheets shall be labeled by woodland conservation methodology and area in acres.
 - (10) The location of woodland conservation signage shall be shown on the plans.
 - (11) Areas of woodland conservation which are less than 35 feet in width shall be eliminated from the plan.

- (12) Add a note to indicate that the overall woodland conservation summary sheet includes a proposed revision to the golf course tree conservation plan, which has not been approved.
 - (13) Revise the name in the signature block to reflect TCPII-026-12.
 - (14) A revised stormwater management concept approval number for the current application shall be included in the notes.
 - (15) Have the revised plan signed by the qualified professional who prepared it.
- e. Impacts to the primary management area (PMA) on the site shall be addressed as follows:
- (1) The overall woodland conservation summary worksheet and the individual woodland conservation worksheets associated with this specific design plan shall be revised to differentiate the quantity of afforestation/reforestation provided inside and outside the PMA.
 - (2) An exhibit shall be prepared and submitted that illustrates the area of previously approved PMA impacts and currently proposed impacts to South Village, Sections 4 and 5, with the acreage of each impact provided. Areas of PMA mitigation shall also be shown and labeled with appropriate acreages. This exhibit should demonstrate that the Planning Board's approvals of variances with preliminary plan approval have not been exceeded on the current application, and that the amount of PMA mitigation that is being provided towards fulfilling the overall requirements for the Beech Tree development has been maximized to the extent feasible.
 - (3) If the acreage of PMA impacts approved with the preliminary plan approval is less than the acreage shown on the current application, a mitigation plan shall be prepared for the current application which identifies potential mitigation sites and the quantity that will be required to be addressed in other areas of the Beech Tree development.
- f. The most current stormwater management concept plans and associated letters shall be submitted, so conformance to the current application can be confirmed. All stormwater management facilities should be shown on the specific design and Type II tree conservation plans.
- g. The technical stormwater management plans for the current specific design plan, if available, shall be submitted and specific information shall be provided about how water quality benefits are being provided at all storm drain outfalls associated with this section of the Beech Tree development. If the technical plans

are not available prior to certification, the plans shall be submitted prior to issuance of grading permits.

- h. The applicant shall revise the plans to remove any conflicts between the public utility easement and improvements or other easements. In the event that any such conflict cannot be reasonably eliminated, it must be resolved to the satisfaction of the involved public utilities.
2. Prior to issuance of the first residential building permit associated with Specific Design Plan SDP-0416-02, Beech Tree, South Village, Sections 4 and 5, the applicant shall complete the replication of the Pentland Hills foundation (Historic Site 79-038) and install the associated interpretive signage within the historic site's environmental setting through a historic area work permit (HAWP) application approved by the Historic Preservation Commission.
 3. Prior to approval of a final plat, the applicant shall consult with the Historic Preservation Section, as designee of the Planning Board, to develop traditional names for the three culs-de-sac included in the subject application, rather than the proposed names, which do not appear to have a historic relationship to the property.
 4. Prior to issuance of the 1,001st building permit for any residential unit of the development (for Phase IV of the Residential Development, Building Permits 1,001–1,500), the following improvements shall be completed by the applicant:
 - a. Widen southbound Robert Crain Highway (US 301) to provide three exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.
 - b. Widen northbound Robert Crain Highway (US 301) to provide three exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road.
 - c. Widen Leeland Road to provide two exclusive left turn lanes and one free-flowing right turn lane.
 5. Prior to issuance of the 1,501st building permit for any residential unit of the development (for Phase V of the Residential Development, Building Permits 1,501–1,992), the following improvement shall be completed by the applicant:
 - a. Widen southbound Robert Crain Highway (US 301) to provide three exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road. This improvement will augment an improvement from a previous phase.
 6. Prior to issuance of the 1,993rd building permit for any residential unit of development (for Phase VI of the Residential Development, Building Permits 1,993–2,400), the following improvements shall be completed by the applicant:

- a. The applicant shall provide to the Planning Board or its designee a schedule from the Maryland State Highway Administration (SHA) or the Department of Public Works and Transportation (DPW&T) for construction of either (a) the improvements in CIP Project FD669161 or (b) the upgrading of US 301 to a fully controlled access highway between MD 214 and MD 725.
7. Any changes to the sequencing of transportation improvements and/or changes to the development thresholds identified in Conditions 4 through 6 above shall require the filing of a revision to SDP-9907, and a new staging plan reflecting said changes shall be included with the application.
8. If after the golf course is completed and in use and the adjacent residential areas are completed and occupied, it becomes apparent that errant golf balls are creating an unexpected hazard to persons or property off the golf course by repeatedly leaving the golf course property, the developer and/or golf course operator shall be required to retrofit the golf course with landscape screens or nets, as determined by the Planning Director and in heights and locations specified by the Planning Director, sufficient to prevent the travel of golf balls beyond the lot lines of the site on which the golf facility is located. Such screens or nets shall be continuously maintained so as not to fall into disrepair.

Ordered this 11th day of February, 2013, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, and Toles.

Opposed:

Abstained:

Absent: Council Member Turner

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-ASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council