

Case No.: SDP-0615

Applicant: VOB Ltd. 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. 07-201, approving with conditions a specific design plan for construction of 22 single-family semi-detached, and two single-family detached residential dwelling units in the Beech Tree community, located on the west side of US 301, 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 revise the site plan and landscape plan as follows:
  - (a) Provide all approved or submitted Tree Conservation Plan and Specific Design Plan numbers (including revisions) on the coversheet.
  - (b) Provide a detail of the safety fence/railing required on top of the retaining walls.
  - (c) Reduce the height of the retaining wall on lot 17 to 6 feet or less or relocate the retaining wall so that it meets the required building setback.
  - (d) Provide the equivalent of a Type B bufferyard between the golf course and lots 1-12 to the extent practical.

- (e) Revise the Landscape Plan and associated schedules to accurately reflect the requirements of Section 4.1(d) and 4.1(f).
  - (f) Provide written evidence from the adjacent property owner that the off-site grading and landscaping are permissible.
  - (g) Provide evidence from DPW&T that the subject SDP is consistent with the approved stormwater concept plan.
  - (h) Indicate color choice for the proposed retaining walls on the plans.
2. The applicant and the applicant's heirs, successors and/or assignees shall provide the following transportation related improvements:

**Phase IV: residential development - building permits # 1,001- 1,500**

- (a) Prior to the issuance of the 1,001<sup>st</sup> building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
  - (1) Widen southbound US 301 to provide three exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.
  - (2) Widen northbound US 301 to provide three exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road.
  - (3) Widen Leeland Road to provide two exclusive left turn lanes and one free flowing right turn lane.

**Phase V: residential development - building permits # 1,501 - 1,992**

- (b) Prior to the issuance of the 1,501<sup>st</sup> building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
  - (1) Widen southbound 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.

**Phase VI: residential development - building permits # 1,993 - 2,400**

- (c) Prior to the issuance of the 1,993<sup>rd</sup> building permit for any residential unit of the development, a schedule 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 shall be provided by the SHA or by DPW&T to the Planning Department.

- (d) Any changes to the sequencing of transportation improvements and/or changes to the development thresholds identified in Conditions a through d above will require the filing of an SDP application, and a new Staging Plan reflecting said changes must be included with the application.
- 3. Prior to the issuance of building or grading permits, the M-NCPPC Environmental Planning Section shall review all Technical Stormwater Management Plans approved by the Department of Public Works and Transportation (DPW&T). The Environmental Planning Section shall work with DPW&T and the applicant to ensure that the plan is consistent with the Habitat Management Program and that water quality is provided at all stormdrain 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.
- 4. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.
- 5. The following architectural standards shall apply to the proposed development:
  - (a) All 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.
  - (b) Any side elevation which 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 a 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, wrap-around porches, sunrooms, conservatories, pergolas and other architectural embellishments consistent with the architecture defined on the front elevation of the unit.

6. At time of issuance of building permit, the applicant shall pay \$201.65 per unit for ambulance service for 24 units in this SDP to the Treasury of Prince George's County toward the provision of the Leeland Road Fire Station and ambulance services to alleviate the existing inadequacy of services.
7. Prior to the final plat, a landscape covenant shall be recorded among the land records of Prince George's County for the landscaped bufferyard between lots 1-12 and the golf course.
8. No two units located next to, attached to, or directly across the street from each other may have identical front elevations.
9. The developer, its heirs, successors, and/or assigns shall insure that each builder maintains in the appropriate sales office(s) copies of its currently approved architecture (including all exterior elevations of all approved models), copies of currently approved Site Plans, Landscape Plans and plans for recreational facilities appropriate for that portion of the property being developed, as well as the corresponding approved Subdivision Plan.

Ordered this 25th day of February, 2008, by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Knotts

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: \_\_\_\_\_  
Samuel H. Dean, Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council