

Case No.: SDP-0617

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. 07-175, approving with conditions a specific design plan for construction of 113 single-family detached, and 43 single-family attached 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 the approved number of dwelling units for each type of dwelling along with the development caps for the entire Beech Tree Project.
 - (b) Remove the retaining wall from Lots 22, 23 and 24, Block C.
 - (c) Provide standard sidewalks along one side of all internal roads within the subject application.
 - (d) Label the master plan trail on Sheet 8.
 - (e) Provide all approved or submitted Tree Conservation Plan numbers (including revisions) on the coversheet.

- (f) Provide a revised Landscape Schedule pursuant to Section 4.1 of the *Landscape Manual*.
 - (g) Provide a parking schedule for the proposed development.
 - (h) Revise the plans to show a fifty-foot-wide easement along the master plan trail from the north to the south of this SDP project area.
 - (i) Extend the limit of disturbance to include the master plan trail and easement.
 - (j) Provide the following revisions to be reviewed and approved by the Department of Parks and Recreation:
 - (1) Show two trail connectors from the community included in this SDP to the master planned trail. These connectors shall be provided at the eastern portion of Littleton Place and the T-intersection of Wellingborough Court and Kettlebaston Place. These trails shall be included as part of the Master Planned trail easements and detailed construction drawings shall also be provided.
 - (2) Relocate and reconfigure the stormwater management pond (WV-05) located east of the intersection of Wellingborough Court and Kettlebaston Place.
 - (3) Relocate the outfall south of the stormwater management pond (WV-05) to avoid the impact on the fifty-foot wide master planned trail easement.
 - (4) Provide adequate landscaping along the master planned trail easement.
 - (k) Provide evidence that the subject SDP is consistent with the approved stormwater management concept plan for this site;
2. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than \$225,000 for a single-family detached house and not lower than \$150,000 for a single-family attached house (in 1989 dollars).
 3. Prior to 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. At the time of building permit, exact building footprints shall be shown on the site plan and height information for each townhouse model also shall be provided on the building elevations.
5. At time of issuance of building permit, the applicant shall pay \$201.65 per unit for ambulance service for 156 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.
6. Prior to issuance of grading permit, each grading permit shall show required on-site wetland mitigation areas.
7. 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 1,001st 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 1,501st 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 1,993rd 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.
- 8. The applicant and the applicant's heirs, successors and/or assignees shall provide the following trails related improvements:
 - (a) Prior to issuance of the 2,000th building permit the applicant shall submit detailed construction plans and details for construction of the balance of the master plan trail through the stream valley park to DPR for review and approval.
 - (b) Prior to issuance of the 2,200th building permit, the applicant shall have finished construction on the balance of the said master plan trail through the stream valley park.
- 9. Prior to the final plat for any portion covered in this SDP, the applicant shall enter into maintenance and public use agreements with the Department of Parks and Recreation for the perpetual maintenance of the master planned trail and easement areas.
- 10. No grading or cutting of trees or tree removal on the site (covered by SDP-0617) shall occur until after the final approval of this specific design plan by the District Council.
- 11. Prior to issuance of any permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.
- 12. At least 90 percent 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 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.

13. No two units located next to or across the street from each other may have identical front elevations.
14. 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 Comprehensive Sketch Plan and Subdivision Plan.

Ordered this 10th day of March, 2008, by the following vote:

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

Opposed:

Abstained:

Absent:

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: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council