

Case No. SP-03046/01

Applicant: Maryland Homes KC, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER MODIFYING AND AFFIRMING PLANNING BOARD DECISION,

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 05-24, to approve a detailed site plan for a property called Rose Creek Estates (formerly Rosewood Estates), a plan showing 77 single-family residential lots, on approximately 61.46 acres of land in the R-R Zone, located on the north side of McKendree Road, approximately 1,000 feet west of US 301, Brandywine, is hereby:

MODIFIED, AND AS MODIFIED, AFFIRMED, for the reasons stated by the Planning Board, whose findings and conclusions are hereby adopted as the findings of fact and conclusions of law of the District Council, except that, as to conditions 15 and 16, the District Council approves the modifications given below, after additional review of the record and reargument by the parties.

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

1. Prior to certificate approval of this detailed site plan, the applicant shall:
 - a. Provide a chart listing the size of each lot and the percentage of lot coverage on the detailed site plan.
 - b. Provide the height of each model and dimensions of all options for each model on the house template sheet.
 - c. Provide all building setbacks – front, side and rear – on all lots.
 - d. Provide Block number on each sheet of both detailed site plan and landscape plan.
 - e. Provide additional landscaping to fill the gaps between the existing wooded areas on Lot 11, Block B, for review and approval by the Urban Design Section as the designee of the Planning Board.

- f. Provide Section 4.6 bufferyard and landscape schedule for Lot 1, Block A, and Lots 1 and 10, Block B, for review and approval by the Urban Design Section as the designee of the Planning Board.
 - g. Provide a note on the detailed site plan and architectural elevation sheets as follows:

“The side elevations of houses on Lot 1, Block A, and Lots 1 and 10, Block B, which are facing the right-of-way of McKendree Road, and the side elevations of houses on Lots 1, 8, 11, 12, 16 and 23, which are facing the hiker-biker trail, shall have a minimum of three architectural features in a balanced composition.”
 - h. Revise the detailed site plans to clearly designate parkland dedication for the master-planned trail, as agreed by the applicant and DPR staff and shown on the attached Exhibit “A.”
 - i. Revise the detailed site plans to show the proposed steel bridge and bridge abutments. Plans shall include the bridge manufacturer’s name, address and telephone number and manufacturer details and specifications.
2. The applicant and the applicant’s heirs, successors, and/or assignees shall:
 - a. Construct the master plan trail in land dedicated to M-NCPPC (within the designated AT&T right-of-way).
 - b. Provide standard sidewalks along both sides of all internal roads.
 - c. Provide the trail connection across the stream valley (north of the 35-foot WSSC sewer right-of-way).
 - d. Provide the ten-foot-wide walkway easement.
 3. At the time of final plat, maintenance easements shall be recorded for the portion of the entrance signs that are located on the individual lot, at the entrances to Blocks A and B, to ensure the perpetual maintenance of the signs.
 4. No two units located next to or across the street from each other may have identical front elevations.
 5. 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, the landscape plan, and plans for recreational facilities.
 6. Prior to application for building permit for the bridge construction, the applicant shall submit to DPR for final approval the manufacturer’s shop drawings for an eight-foot-wide prefabricated self-weathering, steel pedestrian

bridge to cross the existing stream. The shop drawings shall incorporate the following DPR standards:

- a. Ten-foot minimum length approach failings, to match the bridge on all sides.
 - b. Prefabricated steel picket fencing with a maximum opening of four inches between pickets, on both sides of the bridge.
 - c. Bridge railings and approach rails four feet, six inches in heights.
 - d. Bridge decking at least three inches thick, made of pressure-treated pine.
7. All bridge design plans must meet all local, state, and federal codes, as applicable.
 8. The boardwalk shall be used in the areas designated as wetlands if necessary to assure dry passage along the master-planned trail. The applicant shall obtain all required permits for any construction in wetlands and wetlands buffers.
 9. An eight-foot-wide asphalt trail shall be constructed of a three-inch bituminous concrete surface course and a minimum of four-inch compacted CR-6 base.
 10. The developer shall coordinate the design and construction of the trail and the bridge in the AT&T right-of-way with the AT&T Corporation.
 11. The recreational facilities on dedicated parkland shall be completed prior to issuance of the 40th building permit.
 12. Prior to application for building permits, construction drawings for the bridge on parkland shall be prepared by a registered professional engineer, bearing his or her stamp and signature, on all plans and specifications, and shall be submitted to DPR for review and approval.
 13. Before final inspection and release of permits for Lot 11, Block B, the Urban Design section must approve all landscaping.
 14. Before final inspection and release of permits for Lot 1, Block A, and Lots 1 and 10, Block B, the Urban Design section must approve all bufferyards and landscaping.
 15. All units shall have brick fronts. Units with walls visible from (not perpendicular to) a public street shall have brick side facades from grade to top of wall, where the structure permits. In this case, the visible lots include lots A1, A43, A36, A35, A28, A26, A20, B1, B10, C1, C11, C23, and C12.

Ordered this 9th day of May, 2005, by the following vote:

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

Opposed:

Abstained:

Absent:

Vote: 9-0

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