

Case No. SP-05116

Applicant: Washington Management  
& Development Co., Inc.

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 decision of the Planning Board in PGCPB No. 06-289, to approve with conditions a detailed site plan for the construction of 83 single-family dwelling units in a cluster subdivision, for a project referred to as Grasslyn, on property described as approximately 60.24 acres of land in the R-R Zone, northeast of the intersection of Brown Road and Ritchie-Marlboro Road, Upper Marlboro, is:

AFFIRMED, for the reasons stated by the Planning Board, whose decision is hereby adopted as the findings of fact and conclusions of law of the District Council in this case.

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

1. Prior to certification of the plans for SP-05116, the following revisions shall be made or additional information submitted:
  - a. The applicant shall have a revised recreational facilities plan and detailed construction drawings for park construction and grading approved by the Department of Parks and Recreation. The revisions to the plan shall show an increase in the size of the soccer field so that it conforms to the standards outlined in the Park and Recreation Facilities Guidelines.
  - b. A note shall be added to the plans stating that the recreational facilities for the project, including those located on park property shall be designed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.
  - c. The plan showing grading of existing parkland shall be revised in accordance with the park concept plan to be provided by Department of Parks and Recreation staff.
  - d. A fence and/or landscaping shall be shown on the plans to delineate park property from private property along the southern side of Lot 84. This shall be incorporated into the recreational facilities and landscape plans to be approved by the Department of Parks and Recreation.

- e. Tree conservation plans on park property shall be reviewed and approved by the Department of Parks and Recreation. The area required for the trail construction (including the area required for grading) shall be subtracted from the TCP II preservation area and should be shown as a tree clearance area. Notes shall be added to the plans stating that the trail corridor shall be treated as follows:
  - (1) When trails are constructed through wooded areas, all trees shall be removed that are within two feet of the edge of the trail. Within 20 feet of the trail: (i) all trees shall be limbed to 12 feet in height; and (ii) other vegetation obstructing the view from the trail shall be removed, (shrubs, fallen trees).
  - (2) When possible, the trail shall be aligned to preserve trees of 12-inch or greater caliper.
  - (3) Shallow-rooted species, i.e., maples, shall be a minimum of ten feet from the edge of pavement.
  - (4) The location of the trails shall be staked in the field and approved by the Department of Parks and Recreation and the Environmental Planning Section prior to construction.
- f. The 60-space parking lot to be located on land to be dedicated to M-NCPPC shall be connected to the adjacent trail by an asphalt path. Handicapped parking shall be located in close proximity to this trail connector to provide accessibility to park amenities.
- g. The applicant shall construct the eight-foot-wide master planned Chesapeake Beach Railroad Trail from the southern property line north to the trail connector between Lots 52 and 53. The applicant shall make a payment to M-NCPPC, Department of Parks and Recreation, in the amount of \$13,000 for future construction of the master planned trail from Lot 53 to the northern property line. The payment shall be made prior to issuance of the 42nd building permit for the project. The payment shall be placed in the CIP account for Chesapeake Railroad Trail. The applicant shall construct a self-weathering steel pedestrian bridge connecting the trail to the adjacent Winshire community. The bridge shall be designed in accordance with Park and Recreation Facilities Guidelines.
- h. Applicant shall include on the plans an eight-foot-wide trail connector from the planned Chesapeake Beach Railroad Trail to the proposed recreational facilities in the park.
- i. Applicant shall include on the plans an eight-foot-wide asphalt trail along the entry road connecting south and north portions of the park.

- j. Applicant shall revise the landscaping plans along the entry road to indicate trees between road pavement and trail.
- k. The applicant shall provide standard sidewalks along both sides of all internal roads unless modified by the Department of Public Works and Transportation.
- l. A note shall be added to the plans stating that all trails shall be constructed to ensure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by Department of Parks and Recreation prior to construction.
- m. A note shall be added to the detailed site plan, stating that building permits shall not be approved for lots adjoining the master planned Chesapeake Beach Railroad Trail (Lots 55-67 and 83-85) until the trail adjacent to such lot is under construction. Installation of base material will be considered evidence of construction.
- n. A note shall be added to the detailed site plan, template sheet, and first sheet of the architectural elevations for each model stating that 100 percent of the units in the subdivision shall have brick fronts, and that no two units located next to or across the street from each other may have identical front elevations.
- o. A note shall be added to the detailed site plan, template sheet, and the first sheet of the architectural elevations for each model stating that the developer, its heirs, successors, and/or assignees shall ensure 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 the approved detailed site plan, landscape plan, and plans for recreational facilities appropriate for the project.
- p. The applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie-Marlboro Road and Westphalia Road.
- q. The applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Ritchie-Marlboro Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.

- r. The applicant shall submit an acceptable traffic signal warrant study to DPW&T for a signal at the intersection of Brown Station Road and Brown Road. The applicant shall utilize a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by DPW&T that adequate recent studies regarding signal warrants have been done by the applicant or any other party.
- s. The plans shall be revised to indicate that the entire property shall be enclosed by a board-on-board fence made of aluminum, natural tone vinyl, or other appropriate material. The board-on-board fence shall not be made of wood. Final design of said fence shall be approved by the Urban Design Section as designee of the Planning Board.
- t. All fireplace units shall have brick or stone chimneys.
- u. The applicant shall begin discussions with the utility companies, including but not limited to Verizon, as soon as possible, so that utilities and services can be provided to the site and the utility companies, including Verizon, can provide services to the site and to adjacent property owners and communities. The applicant shall use best efforts to ensure that utilities and services are provided to those communities as soon as possible.
- v. One hundred percent (100%) 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. If the opposite side of the dwelling unit is not highly visible from the public street and, as a result, the homeowner chooses not to display the architectural treatment, the side yard of the unit shall be planted with an evergreen buffer. A side elevation that is highly visible from the public street, because it is on a corner lot or projects forward from the neighboring house more than 20 feet, shall display significant architectural features that contribute to the aesthetics 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.

- w. An entrance feature, a monument structure of brick or stone, shall be added to the plans, if feasible, and if the feature may be placed on M-NCPPC property.
2. Prior to certification of the detailed site plan, the TCP II and DSP shall be revised as follows:
- a. Revise the proposed trail along the east boundary of the site so that it connects with the adjacent trail outside of the PMA.
  - b. Eliminate the impact to the PMA associated with the proposed soccer field on Parcel A.
  - c. The plans shall be revised to show Parcel C in conformance with the approved preliminary plan. The TCP II shall be revised to show that parcel, and the associated woodland conservation in conformance with the approved Type I Tree Conservation Plan.
  - d. Show the same sheet sections for both the DSP and the TCP II.
  - e. Show the legend on each sheet of the DSP and the TCP II.
  - f. Show one overall limit of disturbance (LOD) for the subject site using the same LOD symbol on both the DSP and the TCP II. The LOD shown on the TCP II and detailed site plan must be consistent with each other.
  - g. Show the LOD for the proposed trail along the eastern boundary of the site. The plans must show and note the width of the trail and the proposed clearing must be reflected on the TCP worksheet.
  - h. Revise the overall site view on the cover sheet of both the DSP and the TCP II to scale of 1=100 feet.
3. Prior to certification of the detailed site plan, the TCP II shall be revised as follows:
- a. Identify all woodland conservation areas on the plan and provide a chart showing the acreage of each treatment area on the TCP II.
  - b. Eliminate the site details on the bottom portion of Sheet 8 for Lots 10 and 11, and show it on a separate sheet with reference to the appropriate matchlines.
  - c. Revise the symbol for the 100-year floodplain to add "FP."

- d. Add the following note: "Reforestation and afforestation areas shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device that is aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP."
  - e. Eliminate the use of a proposed tree line and only use a limit of disturbance.
  - f. Revise the worksheet as necessary.
  - g. Have the plans signed and dated by the qualified professional who prepared the plans.
4. Prior to approval of final plat(s) for the project, applicant shall place a note on the final plat stating that prior to the issuance of the first building permit, applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for a Class III bikeway.
5. Prior to the issuance of the first building permit:
- a. All afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
  - b. The applicant shall place a note on the final plat stating that prior to the issuance of the first building permit, applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of appropriate signage for a Class III bikeway.
6. The applicant shall complete the construction of the recreation facilities on dedicated parkland prior to issuance of the 42nd building permit for the project.

Ordered this 23rd day of April, 2007, by the following vote:

In Favor: Council Members Dean, Dernoga, Harrington, Knotts, Olson and Turner

Opposed:

Abstained:

Absent: Council Members Exum, Bland and Campos

Vote: 6-0

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: \_\_\_\_\_  
Camille A. Exum, Chair

ATTEST:

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