

## R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on October 30, 2003 regarding Detailed Site Plan DSP-03013 for Cross Creek, Phase VI, the Planning Board finds:

1. The subject detailed site plan is for Cross Creek Club, Phase VI, of the Cross Creek Club golf course and residential development. The overall Cross Creek Club development, consisting of approximately 304 acres of land in the R-R Zone, is located north of Briggs Chaney Road, directly east of the Montgomery County line, south of the Fairland Regional Park and west of Old Gunpowder Road.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	R-R	R-R
Use(s)	Residential	Residential
Acreage	22.94	22.94
Lots	51	51
Parcels	N/A	N/A
Square Footage/GFA	N/A	N/A
Dwelling Units: Detached	0	51

3. A conceptual site plan, CSP-96021, was approved by the Planning Board on July 25, 1996 (PGCPB No. 96-250), for the Cross Creek Club 18-hole golf course and residential development consisting of 466 lots to be developed in six phases. Preliminary Plan 4-96048 was approved by the Planning Board on July 25, 1996 (PGCPB No. 96-254), for 474 lots and 18 parcels. The following detailed site plans have been approved for the golf course and the residential phases as of this date:

- a. DSP-96024 and subsequent revisions for Phase I
- b. DSP-96076 and subsequent revisions for Phase III
- c. DSP-99029 for Phase II

- d. DSP-00048 for Phase V
- e. DSP-02043 for Phase IV
- f. DSP-96056 and subsequent revisions for the golf course
- g. DSP-97042 and subsequent revisions for the overall architecture for the residential development.

As of this date, 77 units in Phase I and 71 units in Phase III have been built.

- 4. The subject detailed site plan includes site, landscape and tree conservation plans for Phase VI of the Cross Creek Club development consisting of 51 lots. The subject site for Phase VI consists of 22.94 acres and is located on the west side of Old Gunpowder Road, east side of Phase V, south side of Phase IV and north side of Phase III. Access to the Phase VI site is from the proposed relocated Old Gunpowder Road.
- 5. Architecture for all phases of the subject development has previously been approved by the Planning Board under a separate detailed site plan, DSP-97042. This umbrella approval of the proposed architecture alleviated the necessity of having separate architectural approvals for each phase of development. Thus, the architecture approved in DSP-97042 will serve as the architecture for the subject application.
- 6. Several conditions of Conceptual Site Plan CSP-96021 are applicable to detailed site plans.

Compliance with all applicable conditions has been addressed in the previous detailed site plans, except for Condition 6.b., which is addressed below by the Environmental Planning Section in Finding 14. With the proposed conditions, the subject detailed site plan will be consistent with Conceptual Site Plan CSP-96021 and Preliminary Plan 4-96048.

Conceptual Site Plan CSP-96021 drawings show a 175-foot golf safety corridor along the tees to the east of the proposed Phase VI development. As proposed, the lots do not encroach into the 175-foot golf safety corridor. A condition of approval has been added to indicate the golf safety corridor on the detailed site plan drawings. The location and numbering of the tees on the subject site plan must be consistent with the numbering of the tees on the conceptual site plan and preliminary plan. A condition of approval has been added to require the same.

- 7. The proposal is subject to Section 4.1 (Residential Requirements) and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual*. The applicant has provided a 20-foot-wide landscape buffer on the golf course along the rear yards of the proposed lots in Phase VI. The proposed landscaping in the buffer and the landscape schedules have not been provided. A condition of approval has been added requiring the applicant to provide the proposed landscaping in the landscape buffers and the landscape schedules to show compliance with the requirements of the *Landscape Manual*. A "C" bufferyard is required along the rear of the lots along the St. Gregory's Church property to meet the requirements of Section 4.7 of the *Landscape Manual*. A condition of approval has been added to require the same.

## Referral Comments

8. The Permits Review Section (Windsor to Srinivas, March 21, 2003) has required minor changes to the site plan. Conditions of approval have been added to require the changes.
9. The Department of Environmental Resources (De Guzman to Srinivas, April 4, 2003) has stated that the proposal is consistent with the approved Stormwater Management Concept Plan #968006990.
10. The Washington Suburban Sanitary Commission (Thacker to Srinivas, April 4, 2003) has stated that there is an approved authorization within the limits of this site
11. The Department of Public Works and Transportation (Hijazi to Srinivas, April 14, 2003, and October 20, 2003) has stated that all improvements within the public rights-of-way must be according to DPW&T requirements. The department has no concerns regarding the width of the private roads because they will be maintained by the homeowners association.
12. The Subdivision Section (Del Balzo to Srinivas, meeting, June 19, 2003) has stated that the subject detailed site plan must conform to the Preliminary Plan, 4-03016, approved by the Planning Board on June 19, 2003. Conditions of approval of the preliminary plan require revisions to the lots along Old Gunpowder Road. A condition of approval has been added to require the same. The previous preliminary plan for Cross Creek Phase VI expired. The applicant filed an application for Preliminary Plan 4-03016 on March 21, 2003.
13. The Department of Parks and Recreation (DPR) (Asan to Srinivas, April 9, 2003) has stated that Condition 27 of Preliminary Plan 4-96048 requires that a 12-foot-wide hiker/biker trail and a ten-foot-wide equestrian trail be constructed with a right-of-way from the public parkland located south of Briggs Chaney Road north into Fairlands Regional Park. The subject detailed site plan includes the area of the hiker/biker right-of-way but does not include details for the construction of the trails. DPR has recommended conditions of approval for submitting detailed drawings of the hiker/biker and equestrian trails and the construction of the trail. Conditions of approval have been added to require the same.
14. The Transportation Planning Section (Shaffer to Srinivas, May 19, 2003) has stated that Condition 27 of Preliminary Plan 4-96048 requires that a 12-foot-wide hiker/biker trail and a ten-foot-wide equestrian trail be constructed with a right-of-way from the public parkland located south of Briggs Chaney Road north into Fairlands Regional Park. Condition 1.a. of SP-96076 further reinforces the condition. SP-96076 also recommends the provision of a sidewalk connection along Briggs Chaney Road to the master plan trail and provision of a crosswalk across Briggs Chaney Road. The section has recommended conditions of approval for the trail and for provision of sidewalks along both sides of the internal roads.
15. The Environmental Planning Section (Finch to Srinivas, September 24, 2003) has stated that the section previously reviewed the subject site as a part of the conceptual site plan and preliminary plan approvals. The proposal complies with the applicable conditions of the conceptual site plan and preliminary plan. The section has added conditions of approval regarding revising the tree

conservation worksheets and on-site woodland conservation and providing permanent tree protection device details.

The memorandum from the Environmental Planning Section states as follows:

“The Environmental Planning Section has reviewed the revised Detailed Site Plan, Landscape Plan and Type II Tree Conservation Plan, stamped as received by the Countywide Planning Division on September 9, 2003. The Environmental Planning Section recommends approval of DSP-03013 and TCPH/38/98-01 subject to conditions contained in this memorandum. This memorandum supercedes a previous memorandum dated July 7, 2003.

**“Background**

“Phase VI is part of a six-phase golf course community being developed under R-P-C requirements in the R-R Zone. This phase proposes 50 single-family lots on 22.94 acres. The Environmental Planning Section previously reviewed this site as part of a conceptual site plan (CSP-96021), a preliminary plan (4-96048), a Type I Tree Conservation Plan (TCPI/11/95), and a Type II Tree Conservation Plan (TCPH/38/98-01). During each of these approvals specific conditions were imposed, which are addressed below if applicable.

**“Compliance with Conceptual Site Plan (CSP-96021)**

“A detailed review of environmental concerns was carried out at the time of conceptual site plan approval. The following conditions are applicable to Phase VI:

“a. Condition 6.b. states:

““b. Sediment and Erosion Control Plans shall be submitted for review and approval by the Natural Resources Division. Minimization of sediment and erosion potential during and after construction is of special concern on this site, which may require the use of best management practices of a higher level than normally required, especially with regard to disturbance in the floodplain and wetland areas.””

“No Sediment and Erosion Control Plans were submitted as part of this application.

*“Recommended Condition: Prior to issuance of grading permits, a sediment and erosion control plan shall be submitted that shows conformance with the approved limits of disturbance on the detailed site plan and the revised TCPH.*

**“Compliance with Preliminary Plan 4-96048 and Tree Conservation Plan I/11/95**

“A detailed review of environmental concerns was carried out at the time of preliminary plan approval. Condition 10.b. of PGCPB No. 96-254 reiterates Condition 6.b. of the conceptual site plan approval, which was addressed above.

*“Comment: Compliance with this condition has been addressed above.*

**“Compliance with Preliminary Plan 4-03016**

“Preliminary Plan 4-03016 was approved on May 29, 2003, subject to conditions contained in PGCPB No. 03-119. Pertinent conditions are addressed below.

“b. Condition 1. Reads as follows:

“1. Prior to signature approval of the preliminary plan:

“b. The plan shall be revised so that all lots with direct access to Old Gunpowder Road are a minimum of 15,000 square feet.

“c. The plan shall be revised so that a strip of land to be conveyed to the homeowners association is located between lots and abutting property on the perimeter of Cross Creek.’

“All of the lots with direct access to Old Gunpowder Road and all perimeter lots have been revised to be a minimum of 15,000 square feet in size.

*“Comment: Required lot sizes have been addressed on all perimeter lots of the Cross Creek Subdivision.*

**“Environmental Review**

“Note: When plans are revised to address these and other comments, the revision boxes on each sheet shall be updated to reflect the revision made, when, and by whom.

“1. The net tract area for Phase VI is 22.94 acres, which contains 17.8 acres of existing woodlands. The TCPII proposes to clear 16.68 acres of woodland. Woodland retained on private lots has not been credited as woodland conservation areas. Woodland conservation requirements and ‘woodland conservation provided’ for this project are not determined by the individual phase, but are cumulative as shown in the summary woodland conservation worksheet.

“TCPII/38/98-01 has proposed to provide 1.20 acres of on-site preservation and 1.43 acres of on-site reforestation/afforestation, for a total for woodland conservation provided of 2.63 acres.

“The summary woodland conservation worksheet now included on the plans has been prepared by CPJ Associates based on the ‘official worksheet,’ which is maintained by the Environmental Planning Section.

*“Required Condition: Prior to certificate approval of the detailed site plan, the TCPII shall be revised to replace the summary woodland conservation worksheet with the most current ‘Cross Creek Woodland Conservation Summary Worksheet’ prepared by the Environmental Planning Section.*

- “2. In order to protect woodland conservation areas, two methods of tree protection devices (TPD) have been proposed: temporary tree protection devices during the construction process and a split rail fence to provide ‘permanent protection’ for proposed reforestation/afforestation areas. The plan shows the location of temporary TPDs, permanent TPDs and woodland conservation signage.

“Woodland conservation signage has been shown in plan view to be incorporated with the split rail fence to provide permanent protection for areas of replanting, but there is a conflict between the detail for the signage and the detail for the split rail fence. The afforestation/reforestation details state that the sign is to be placed above the fence. Additional detail or notes are needed to illustrate how the woodland conservation signage will be placed on the split rail fence. The signage should be placed on the upright posts of the fence, rather than the rails, and at a height that incorporates it into the overall fence.

*“Recommended Condition: Prior to signature approval of the detailed site plan, the TCPII shall be revised to include a permanent tree protection device detail to incorporate an afforestation/reforestation sign attached to the fence upright posts, and placed at a height within the vertical plane of the fence design; or other alternative sign location deemed acceptable by the Environmental Planning Section.*

- “3. At the time of approval of the TCPI for the entire Cross Creek Club development, the on-site woodland conservation requirement provided was required to be no less than the woodland conservation threshold for the subject property. The Environmental Planning Section has made a determination that all woodland conservation requirements for the Cross Creek Subdivision have been satisfied, based on TCPII/38/98-01, for the final phase of the Cross Creek Club project. Based on a revised total site area of 312.56 acres, minus the floodplain acreage of 59.28, the net tract area is 253.28. The resultant woodland conservation threshold is 50.66 acres, with an additional 59.97 acres due to clearing, for a total woodland conservation requirement of 110.63 acres.

“The current summary woodland conservation worksheet for the entire project, as of the date of this memorandum, indicates that this requirement has been met by the provision of 38.16 acres of on-site preservation, 13.12 acres on of on-site

afforestation/reforestation, 6.57 acres of on-site floodplain reforestation, 43.02 acres of off-site upland mitigation, and 18.97 acres of off-site 100-year floodplain mitigation for a total of 113.27 acres of woodland conservation provided. The total woodland conservation provided is 51.28 acres, which exceeds the on-site woodland conservation requirement, mandated at time of preliminary plan, by 0.62 acre. The woodland conservation provided on the total site exceeds the woodland conservation requirement by 2.64 acres.

“Comment: Minor revisions to the woodland conservation provided on-site may occur prior to certificate approval of Phase IV and Phase VI and due to future revisions anticipated for Phase IA.”

The Environmental Planning Section concluded by recommending approval of DSP-03013 subject to three conditions.

16. The Transportation Planning Section (Masog to Srinivas, October 16, 2003) has stated that the site plan is acceptable. However, the width of the private roads within the subdivision must be approved by the Department of Public Works and Transportation (DPW&T).

DPW&T has indicated that they have no concerns regarding the width of the private roads because they will be maintained by the homeowners association.

17. With the proposed conditions, Detailed Site Plan DSP-03013 represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/38/98-01) and further APPROVED Detailed Site Plan DSP-03013 for the above-described land, subject to the following conditions:

1. Prior to certification of the detailed site plan, the applicant shall:
  - a. Revise the TCPII:
    - (1) To replace the summary woodland conservation worksheet with the most current “Cross Creek Woodland Conservation Summary Worksheet” prepared by the Environmental Planning Section
    - (2) To include a permanent tree protection device detail to incorporate an afforestation/reforestation sign attached to the fence upright posts, and placed at a height within the vertical plane of the fence design; or other alternative sign location deemed acceptable by the Environmental Planning Section

- b. Revise the site and landscape drawings to show the following:
  - (1) The 175-foot golf safety corridor along the tees surrounding the subject Phase VI development.
  - (2) A “C” bufferyard (30-foot-wide landscape buffer planted with 120 planting units for every 100 linear feet) along the rear of the lots along the St. Gregory’s Church property and a 40-foot-wide rear yard setback for the houses along the St. Gregory’s Church property to comply with the requirements of the *Landscape Manual*.
  - (3) The location and numbering of tees identical to the location and numbering of tees on the conceptual site plan and preliminary plan.
  - (4) Proposed landscaping in the landscape buffers and on the lots.
  - (5) Landscape schedules that demonstrate compliance with the *Landscape Manual*.
  - (6) The total number of lots in Phase VI with the total number of lots for the entire development not exceeding 472 lots.
- c. Submit detailed construction drawings for trail construction to the Department of Parks and Recreation for review and approval. The construction plans shall show increased landscaping, the use of earth berms or mounds, and split rail fence.
- d. Revise the grading plan on the north of Bay Hill Drive to provide gentle slopes between the roadbed, hiker/biker and equestrian trails and adjacent ground. A metal safety railing of not less than 42 inches in height shall be installed along the steep slopes. The grading plan and railing details shall be submitted to the Department of Parks and Recreation for review and approval.
- e. Submit details for curb cuts and crosswalks at Bay Hill Drive, at both crossings, to the Department of Public Works and Transportation for review and approval. The details shall include traffic control signs for motor vehicles warning them of trail crossings.
- f. Submit location and details of warning signs to the Department of Parks and Recreation for review and approval. The hiker/biker and equestrian trail warning signs shall be placed at a suitable distance from Bay Hill Drive Road crossing on the hiker/biker and equestrian trails in both directions.
- g. The trail along Lot 95 shall be shown a minimum of five feet from the property line and a fence or landscaping shall be installed along the property line. The entrance feature shall be redesigned to reduced in size to provide sufficient room for the trail.



2. The trail shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines and the Accessibility Guidelines in the latest edition of the Americans with Disability Act for Outdoor Development Areas.
3. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by the Department of Parks and Recreation.
4. The area for the entrance feature in the trail right-of-way shall be platted as a separate parcel to be dedicated to the homeowners association. The configuration of the parcel shall be approved by the Department of Parks and Recreation prior to recordation.
5. Prior to issuance of grading permits, a sediment and erosion control plan shall be submitted that shows conformance with the approved limits of disturbance on the detailed site plan and the revised TCPII.
6. A building permit shall not be issued for Lot 95 until the trails adjacent to the lot are under construction.
7. Prior to issuance of building permits, building footprints and building setbacks shall be shown on all lots.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with the District Council of Prince George=s County within thirty (30) days following the final notice of the Planning Board=s decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 30, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20<sup>th</sup> day of November 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:LS:rmk