

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Revision of Site Plan Application No. ROSP-4785-01, Traditions at Beechfield, requesting approval in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on July 15, 2021, the Prince George’s County Planning Board finds:

**A. Location:** The subject property is located on Tax Map 53 in Grids E2 and F2, and Tax Map 54 in Grid A-2, and consists of 133 lots and 25 parcels, totaling 83.66 acres in the Residential-Estate (R-E) Zone. The site is in Planning Area 71A and Council District 6. More specifically, the subject property is located in the northeast quadrant of MD 193 (Enterprise Road) and US 50 (John Hanson Highway).

**B. Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	R-E	R-E
Use(s)	Planned Retirement Community	Planned Retirement Community
Acreage	83.66	83.66
Parcels/Lots	25 parcels/133 lots	17 parcels/118 lots
Dwelling Units	491	491

**C. History:** The Prince George’s County Planning Board previously approved Special Exception SE-4529 (Zoning Ordinance No. 8-2008) for the Enclave at Beechfield, which included approval of 400 independent living units comprised of 250 multifamily and 150 townhouse dwelling units, in a condominium regime. A subsequent Preliminary Plan of Subdivision, PPS 4-08043, was also approved by the Planning Board with 37 conditions (PGCPB Resolution No. 08-193). Special Exception SE-4785 was submitted as a major revision to the previously approved SE-4529 because of the substantial changes proposed by the applicant. The changes included: more diversity in the dwelling unit mix, the addition of an assisted living facility, the division of land into lots and parcels with a change in the configuration previously approved, and to internally shift dwelling unit types on the site from that which was previously approved. The Prince George’s County District Council approved SE-4785, subject to 23 conditions, on July 16, 2018 (Zoning Ordinance No. 11-2018). PPS 4-17018 was submitted to supersede 4-08043, which subdivided the planned retirement community into fee-simple lots, subject to 20 conditions (PGCPB Resolution No. 18-07).

**D. Master Plan and General Plan Recommendations:** The *Plan Prince George’s 2035 Approved General Plan* (General Plan) designates the area of the site in the Established Growth Policy area.

The vision for the Established Communities area is a context-sensitive infill and low- to medium-density development. The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* (Bowie and Vicinity Master Plan and SMA) describes the project as within the Pointer Ridge Mixed-Use Activity Center. The master plan states that this area is in need of senior housing and identifies several criteria for the provision of senior housing (Policy 4: Develop High Quality Senior Housing, page 11), which this project complies with under the previous approval of SE-4785.

**Aviation Policy Area 6**

Part of the subject property is located in Aviation Policy Area 6 (APA 6), within the proximity of Freeway Airport. The APA regulations contain height requirements and purchaser notification requirements for property sales in Sections 27-548.42 and 27-548.43 of the Prince George's County Zoning Ordinance, respectively, that are relevant to this application. No building permit may be approved for a structure higher than 50 feet in APA 6, unless the applicant demonstrates compliance with Federal Aviation Regulations Part 77. The proposed revisions remain in conformance with the prior findings of SE-4785.

- E. Request:** The proposal is for the revision of a special exception site plan to reduce the development by 15 lots and the addition of new architecture, including necessary engineering adjustments.
- F. Neighborhood and Surrounding Uses:** The neighborhood is predominately developed with single-family dwellings in the communities of Marleigh, Holmehurst, Fairwood, and Enterprise Estates, with woodlands and Maryland-National Capital Park and Planning Commission (M-NCPPC) park land nearby. The general neighborhood boundaries are:

- North:** Open space owned by the Marleigh Community Association, Inc.; land owned by M-NCPPC; and three single-family homes
- East:** An open space parcel owned by the Fairwood Community Association, Inc.
- South:** US 50 (John Hanson Highway)
- West:** MD 193 (Enterprise Road)

The property is surrounded by the following uses:

- North:** Single-family detached residences in the R-E Zone and open space in the Residential Low Development (R-L) Zone
- East:** Single-family detached residences and open space in the Mixed-Use Community (M-X-C) Zone
- South:** Single-family detached residences in the Residential-Agricultural (R-A) Zone

**West:** Single-family detached residences in the Rural Residential (R-R) Zone

**G. Zone Standards:** The proposal is within the applicable development requirements and regulations of Section 27-427 for the R-E Zone requirements of the Zoning Ordinance. Section 27-441(b), Uses Permitted in Residential Zones, of the Zoning Ordinance, indicates that a planned retirement community is a permitted use by special exception in the R-E Zone.

**H. Design Requirements:**

**Signage**—The applicant proposed the addition of community identification signs to be located at the entrance of the project on MD 193 and a neighborhood sign on Traditions Boulevard where the single-family attached villas and single-family detached homes are located.

**Parking Regulations**—The proposed site plan shows the required number of parking spaces for the site with the new layout.

**Prince George’s County Landscape Manual Requirements**—The subject application remains in conformance with the prior findings of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual).

**Tree Canopy Coverage Ordinance**—This application remains in conformance with the prior findings of the Prince George’s County Tree Canopy Coverage Ordinance.

**I. Required Findings:** The applicant provided responses through a statement of justification (SOJ) dated January 27, 2021, incorporated herein by reference. Section 27-325(a), (b), and (n) of the Zoning Ordinance states that:

**Subdivision 10 – Amendments of Approved Special Exceptions**

**Section 27-325 – Minor changes.**

**(a) Minor changes, in general.**

**(1) The Planning Board and Planning Director are authorized to approve minor changes to site plans for approved Special Exceptions, as provided in this Section. The Director may authorize staff to take any action the Director may take under this Section.**

**(2) The Planning Board is authorized to grant the minor changes listed in this Section, and any variance requested in conjunction with the minor change. The minor change request shall be in the form of an application filed with the Planning Board. The contents of the application shall be determined by the Planning Board. Along with filing the application, the applicant shall submit a revised site plan, and shall pay the required fee. The Planning Board shall hold a hearing on the request in accordance with the Rules of**

**Procedure established by the Planning Board. The Planning Board's decision shall be in the form of a resolution. A copy of the resolution shall be sent to all persons of record and the Clerk of the Council.**

- (3) If the change is approved, the revised site plan shall be made a part of the record of the original application.**
  - (4) The revised site plan shall comply with all applicable requirements of this Subtitle, and with any conditions, relating to the use, imposed in the approval of the Special Exception or of any applicable Zoning Map Amendment, subdivision plat, or variance.**
- (b) Minor changes, Planning Board.**
- (1) The Planning Board is authorized to approve the following minor changes:**
    - (A) An increase of no more than fifteen percent (15%) in the gross floor area of a building;**
    - (B) An increase of no more than fifteen percent (15%) in the land area covered by a structure other than a building;**
    - (C) The redesign of parking or loading areas; or**
    - (D) The redesign of a landscape plan.**
  - (2) The Planning Board is further authorized to approve the minor changes described in (d) and later subsections below.**
  - (3) In reviewing proposed minor changes, the Board shall follow the procedures in (a) above.**

This application is subject to subsection (n), addressed below.

- (n) Changes of Planned Retirement Community site plans.**
- (1) The Planning Board may approve the following modifications, following the procedures in (a) above:**
    - (A) Changes required as the result of an approval of a Preliminary Plan of Subdivision;**
    - (B) Changes required by engineering necessity to grading, utilities, stormwater management, or related plan elements;**

- (C) **New or alternative architectural plans that are equal or superior to those originally approved, in terms of the quality of exterior building materials and architectural detail; or**
  - (D) **Changes to any other plan element determined to be consistent with the overall design, layout, quality, or intent of the approved special exception site plan.**
- (2) **The Planning Board's decision shall be sent to all persons of record in the hearing before the Planning Board, and to the District Council. This decision may be appealed to the District Council upon petition by any person of record. The petition shall be filed with the Clerk of the Council within thirty (30) days after the date of the notice of the Planning Board's decision. The District Council may vote to review the Planning Board's decision on its own motion within thirty (30) days after the date of the notice. The Clerk of the Council shall notify the Planning Board of any appeal or review decision. Within seven (7) calendar days after receiving this notice, the Planning Board shall transmit to the District Council a copy of all written evidence and materials submitted for consideration by the Planning Board and a transcript of the public hearing on the revised plan. The District Council shall schedule a public hearing on the appeal or review. Testimony at the hearing shall be limited to the facts and information contained within the record made at the hearing before the Planning Board. Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or return the revised plan to the Planning Board to take further testimony or reconsider its decision. Where the Council approves a revised site plan, it shall make the same findings which are required to be made by the Planning Board. If the Council fails to act within the specified time, the Planning Board's decision is automatically affirmed. The Council shall give its decision, in writing, stating the reasons for its action. Copies of the decision shall be sent to all persons of record and the Planning Board.**

The approval of SE-4785 contained two conditions (15 and 16) requiring that a Phase III archeological investigation be conducted and reported. This investigation found a previously unknown cemetery within archeological Site 18PR955. After consultation with the Historic Preservation Section, it was determined that the cemetery should be preserved in place. The area in which the cemetery is located was previously approved for construction of single-family attached dwellings (villas) and a roadway (American Chestnut Road) to serve them. In order to preserve the cemetery, American Chestnut Road was reconfigured and a total of 7 attached lots were removed.

Furthermore, there are 12 single-family attached lots, located on the southern side of Beechfield Drive, that have been proposed for replacement by 4 single-family detached lots. The applicant submits, in the SOJ, that this is to reduce the impact on the adjacent primary management area (PMA) and wetlands. Therefore, the revision proposed a net reduction of 15 lots.

In addition, as set forth by Condition 22 of SE-4785, the applicant has included new architectural treatments with this application from the builder (Lennar Homes) for the villas, the detached homes, the clubhouse, and the recreational amenities. It should be noted that Condition 16 of the PPS required a limited detailed site plan (DSP) for the recreational amenities. Since the special exception site plan is the regulatory document governing this use, the recreational amenities have been included with this revision, and a limited DSP will be filed after evaluation of this application.

The Planning Board finds that the proposed revisions are consistent with the standards, as set forth by Section 27-325(n).

The following are requirements for approval of a special exception, with the County Code cited in **bold** followed by The Planning Board comments:

**Section 27-317 – Required findings.**

**(a) A special exception may be approved if:**

**(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**

The purpose of this subtitle includes 15 requirements from Section 27-102 of the Zoning Ordinance. An analysis was provided for each of the 15 requirements with SE-4785. The proposed revisions to the planned retirement community remain in conformance with the requirements of this subtitle.

**(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

The subject application has been reviewed for conformance with the Landscape Manual, the Tree Canopy Coverage Ordinance, parking regulations, sign regulations, and APA regulations. The proposed revisions remain in conformance with the requirements and regulations with this Subtitle.

**(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

The proposed project implements the vision and strategies of the General Plan and the Bowie and Vicinity Master Plan and SMA, which call for

context-sensitive infill, low- to medium-density development, and high-quality senior citizen housing. The proposed revisions remain consistent with the master plan and applicable functional master plans.

- (4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.**

Based on the review contained within this report and the applicant's SOJ, including an analysis of the studies filed and set forth in the referral documents in the record, there are no adverse impacts identified with this application.

- (5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

The planned retirement community is within an area of the County designated for growth and characterized by residential development. The neighborhood will be well served by the proposed use, which will serve the needs of the retirement-age community through rental and ownership options. The development has been designed to conform to all applicable regulations, with conditions in place to offset any detrimental effects. The proposed revisions remain in conformance with this requirement.

- (6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan.**

This site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because there is an approved Type I Tree Conservation Plan, TCPI-07-99, associated with the site. As required for special exception applications, a Type 2 Tree Conservation Plan (TCP2-014-2017) was submitted with the original special exception and approved on July 9, 2018.

The Environmental Planning Section has reviewed the revised site plan and TCP2-014-2017, and finds that the site plan is in conformance with the TCP2, with conditions.

- (7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

A Natural Resources Inventory (NRI-041-08-01) was approved on December 4, 2020. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. A forest stand delineation was updated with the -01 revision to the NRI and indicates the presence of three forest stands labeled as Stands A, B, and C and 100 specimen trees identified on the site.

The development includes a major forest enhancement project to address the significant invasive population of Bradford Pear. This project will include removal of this and other invasive species in all accessible areas. These areas will be replanted with native species and serve as an educational attraction for residents and visitors. The NRI shall be revised to reflect the limits of the newly discovered cemetery.

The following are the requirements for approval of a special exception for a planned retirement community in the R-E Zone, with the County Code cited in **bold** followed by The Planning Board comments.

**Section 27-395 – Planned retirement community**

**(a) A planned retirement community may be permitted, subject to the following criteria:**

**(1) Findings for approval.**

**(A) The District Council shall find that:**

**(i) The proposed use will serve the needs of the retirement-aged community**

The previously approved planned retirement community was found to provide a variety of senior housing including single-family detached, single-family attached, independent multifamily, assisted living, and memory care. The wide variety of residential uses will serve the needs of the retirement-age community through rental and ownership options. The proposed revisions remain in conformance with this finding.

**(ii) The proposed use will not adversely affect the character of the surrounding residential community; and**

Traditions at Beechfield has been laid out to blend amicably with the highway use and residential character of the surrounding community, as it incorporates a transitional land use format (i.e., from the highway to the south to detached single-family and open space to the north). The proposed revisions do not affect this finding.

**(iii) In the R-A Zone, there shall be a demonstrated need for the facility and an existing medical facility within the defined market area of the subject property.**



This is not applicable, as the subject property is located in the R-E Zone.

**(2) Site plan.**

- (A) In addition to the requirements of Section 27-296(c), the site plan shall set forth the proposed traffic circulation patterns.**

The application proposed to shift the alignment of American Chestnut Road and Beechfield Drive to avoid disturbance of a burial site and to limit PMA impacts. Three secondary roads were also removed, as a result of the archaeological investigations which reconfigured lot quantities. The proposed revisions do not impair the previously approved traffic circulation patterns.

**(3) Regulations.**

- (A) Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception.**

The proposed revisions do not affect the findings of the previously approved special exception. The application remains in conformance with this part.

- (B) The subject property shall contain at least twelve (12) contiguous acres.**

The property is approximately 83.66 contiguous acres.

- (C) The average number of dwelling units per acre shall not exceed eight (8) for the gross tract area.**

The gross tract area is approximately 83.68 acres and, when multiplied by 8, equals 669 dwelling units. A total of 583 dwelling units are proposed, which is less than the 669 units allowed. The proposed revisions remain in conformance with this finding.

- (D) In the R-A Zone, buildings shall not exceed three (3) stories.**

This is not applicable, as the subject property is located in the R-E Zone.

**(E) In the I-3 Zone, the following shall apply:**

- (i) The gross tract area shall be a minimum of ninety (90) acres with at least twenty-five percent (25%) of its boundary adjoining residentially-zoned land or land used for residential purposes;**
- (ii) The property shall have at least one hundred fifty (150) feet of frontage on, and direct vehicular access to, a public street;**
- (iii) All buildings shall be set back a minimum of seventy-five (75) feet from all nonresidentially-zoned boundary lines or satisfy the requirements of the Landscape Manual, whichever is greater; and**
- (iv) The property shall be located within two (2) miles of mass transit, regional shopping, and a hospital.**
- (v) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).**

These requirements do not apply, as the property is located in the R-E Zone.

**(F) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).**

This requirement does not apply, as the property is located in the R-E Zone.

**(4) Uses.**

- (A) The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the**

**residential units, or in accordance with a schedule approved by the District Council;**

The proposed revisions do not affect the findings of the previously approved special exception. The application remains in conformance with this part.

**(B) Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.**

The proposed revisions do not affect the findings of the previously approved special exception. The application remains in conformance with this part.

**(5) Residents' age.**

**(A) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council, and filed in the land records at the time the final subdivision plat is recorded.**

The proposed revisions do not affect the findings of the previously approved special exception. The application remains in conformance with this part.

**(6) Recreational facilities.**

**(A) Covenants guaranteeing the perpetual maintenance of recreational facilities, and the community's right to use the facilities, shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. If the recreational facilities are to be part of a condominium development, a proposed condominium declaration showing the recreational facilities as general common elements shall be approved by the District Council, and shall be recorded (pursuant to Title II of the Real Property Article of the Annotated Code of Maryland) at the time the subplat is recorded.**

The proposed revisions do not affect the findings of the previously approved special exception. The application remains in conformance with this part.

**J. Referrals:** The following is a summary of comments generated from referrals by internal divisions and external agencies. Said referrals are incorporated by reference herein. Any outstanding plan revisions that remain are included as conditions of approval.

1. **Community Planning**—The Planning Board adopted, herein by reference, a memorandum dated June 9, 2021 (McCray to Sievers), which stated that there are no general plan or master plan issues raised by this application.
2. **Subdivision**—The Planning Board adopted, herein by reference, a memorandum dated June 14, 2021 (Campbell-Diaz to Sievers), which stated that the submission included a document containing revised Phase I and Phase II noise analyses. The analyses determined that the proposed revisions would require fewer noise mitigation measures, than were originally approved with SE-4785. A noise fence will remain around the pool near the clubhouse. The noise fences near the only group of townhomes south of Beechfield Drive will be removed, along with the townhouses. The single-family detached dwellings replacing that group of townhomes do not require any noise mitigation measures.

New final plats of subdivision will be required to change the lotting pattern of the site, in accordance with the changes proposed with this ROSP. The applicant submitted an exhibit showing the proposed boundaries of the new lots and parcels.

3. **Historic Preservation**—The Planning Board adopted, herein by reference, a memorandum dated June 10, 2021 (Stabler to Sievers), which stated that the application was submitted for further preservation of a cemetery discovered through a Phase III archeological investigation. No additional archeological investigations are required; however, the applicant should curate the Phase I and Phase II artifacts at the Maryland Archaeological Conservation Laboratory in Calvert County, Maryland. Furthermore, as per Condition 1(a) of previous approval SE-4875, prior to issuance of any building permits, the applicant shall provide interpretive signage for the property that summarizes the results of the archeological investigations. The location and wording shall be subject to approval by the staff archeologist of the Historic Preservation Section and shown on the revised special exception site plan.
4. **Parks**—The Planning Board adopted, herein by reference, an email dated May 14, 2021 (Holley to Sievers), which stated that there are no impacts on existing parklands.
5. **Transportation**—The Planning Board adopted, herein by reference, a memorandum dated June 14, 2021 (Smith to Braden), which stated that within the development, the applicant proposed to shift the alignment of American Chestnut Road and Beechfield Drive, to avoid disturbance of a burial site and to limit PMA impacts. Three secondary roads were also removed, as a result of the archaeological investigations which reconfigured lot quantities. The Planning Board finds that these changes are acceptable and do not impair the overall layout of the site. Staff does not object to the proposed modifications and concludes that the site access and circulation of this plan is acceptable,

meets the findings required by Subtitle 27 of the Prince George's County Code for a revision of site plan for transportation purposes, and conforms to the Bowie and Vicinity Master Plan and SMA.

6. **Environmental**—The Planning Board adopted, herein by reference, a memorandum dated June 14, 2021 (Rea to Sievers), which stated that based on the submitted information and, if the applicant meets the approved conditions contained within this report, the environmental-related findings of a special exception will be met. A variance from Section 25-119(d) of the WCO was approved with SE-4785 for the granting of forest/habitat enhancement credit at a 1:1 ratio. The required findings of Section 25-119(d) have been adequately addressed. A variance for removal of Specimen Trees (ST) 1–6, 11–12, 50–56, 61–66, 68–70, 76–80, 83–98, and 101 was approved with SE-4785. A variance for removal of ST 57 was approved with PPS 4-17018. No specimen trees are proposed for removal with this application. Based on the level of design information available at the present time, the regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible, based on the limits of disturbance shown on the TCP2. The impacts for installation of road and utility crossing, water line loop connection, stormdrain outfalls, sewer connection, forest enhancement, removal of berms from existing farm ponds, staging areas, wetland mitigation, stream mitigation, landscaping, and minimal site grading were approved with SE-4785. No new impacts are proposed with this application.
7. **Urban Design**—The Planning Board adopted, herein by reference, a memorandum dated June 16, 2021 (Guinn to Sievers), which stated that the subject application is in conformance with the requirements of the Zoning Ordinance. It is also in conformance with the conditions of the previously approved special exception. Conformance with the requirements of the Landscape Manual were previously determined with prior approvals. The overall project remains in conformance with the requirements of the Landscape Manual.

The proposed site plan revision identified highly visible end units, which include Lots 40, 41, 49, and 72 in Block B; Lots 9, 52, 57, and 58 in Block C; and Lots 13 and 18 in Block E. Some of the proposed new models also include highly visible side elevations articulated with a combination of brick and standard siding or cementitious panels and multiple windows, that are acceptable. However, there are highly visible lots, especially in close proximity of the historic site, that are not properly identified. In addition, not all models, such as Lafayette 2164, have highly visible elevations. Lot 71 of the proposed site plan is recommended to include highly visible units. Conditions contained in this report require the applicant to identify the additional highly visible lots and elevations, to be articulated with a combination of masonry (for the first floor) and siding or cementitious panels and a minimum of four architectural features, in a balance composition.

- K. Determinations:** The criteria for granting revisions to a special exception site plan are met. The subject property will serve the area as a planned retirement community, and the proposed revisions are compatible with all of the adjacent uses. Therefore, the use will not adversely affect the health, safety, or welfare of residents or workers in the area, or be detrimental to the use or development of adjacent properties or the general neighborhood, as the proposed revisions have reduced the number of lots and parcels to preserve a cemetery.
- L. Planning Board Hearing—**At the Planning Board hearing on July 15, 2021, the applicant’s attorney, Tom Haller, entered two exhibits into the record. An opponent also entered one exhibit. The first exhibit of the applicant contained revisions to the findings and three conditions of the technical staff report, and the second contained a brick tracking exhibit. The opponents exhibit contained arguments in the form of observations and questions of concern.

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 above-noted application, subject to the following conditions:

1. Prior to certificate approval of Revision of Site Plan ROSP-4785-01, the applicant shall:
  - a. Include the following additional highly visible lots:
    - (1) Attached units (in five buildings) around the historic site – Lots 38, 40, and 41 in Block C and Lots 45, 48, 49, and 71 in Block B.
  - b. Revise the site plan to include the Brick Tracking Exhibit provided by the Applicant.
2. Prior to approval of a final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall submit draft amended covenants for the condo/homeowners association to the Subdivision Section of the Development Review Division, in order to ensure that the rights of the Maryland-National Capital Park and Planning Commission (M-NCPPC) are included. The liber/folio of the amended declaration of covenants shall be noted on the final plat prior to recordation.
3. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the condo/homeowners association (COA/HOA) land, as identified on the approved revision of site plan. Land to be conveyed shall be subject to the following:
  - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division, Upper Marlboro.
  - b. All waste matter of any kind shall be removed from the property prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.

- c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
  - d. Any disturbance of land to be conveyed to a COA/HOA shall be in accordance with an approved site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.
  - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a COA/HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, Environmental Review Section, in accordance with the approved detailed site plan.
  - f. The Prince George's County Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
4. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit a draft covenant or access easement document, which will ensure access extending from the cemetery on Parcel T to Traditions Boulevard. The easement is intended to protect the visitation rights of relatives of the deceased. The covenant or easement document shall be recorded, and the liber/folio reflected on the final plat prior recordation.
  5. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit draft amended covenants for the condo/homeowners association to the Subdivision Section of the Development Review Division. The declaration of covenants shall include a provision requiring that the association perpetually maintain the cemetery located on Parcel T, in accordance with Section 24-135.02 of the Subdivision Regulations. An exhibit shall be included in the declaration which delineates the location of the cemetery parcel.
  6. At the time of final plat, the plats shall reflect revised locations for public utility easements, consistent with the approved revision of site plan.
  7. Prior to certification of the revision of site plan (ROSP), a detail for the fence surrounding the cemetery on Parcel T shall be added to the ROSP plan set.
  8. Prior to certification of the Type 2 tree conservation plan, the natural resources inventory shall be revised to reflect the limits of the newly discovered cemetery.
  9. Prior to certification of the Type 2 tree conservation plan, a note shall be placed below the Specimen Tree Table stating which trees have received an approved variance for removal.

10. Prior to certification of the revision of site plan (ROSP), obtain approval of Alternative Compliance AC-21017 or revise the plan to show conformance with the 2010 Landscape Manual requirements.
11. Prior to issuance of any permits which impact wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
12. Prior to signature approval of the Type 2 tree conservation plan, an approved stormwater concept shall be submitted. The limits of disturbance shall be consistent between the plans.
13. Prior to issuance of the first permit relying on ROSP-4785-01, the final erosion and sediment control plan shall be submitted. The limits of disturbance shall be consistent between the plans.


BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of 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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 15, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of July 2021.

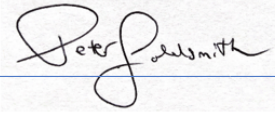
Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator



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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, appearing to read "Peter J. Smith", is written over a light gray rectangular background. The signature is cursive and fluid.

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M-NCPPC Legal Department  
Date: July 21, 2021