

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

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 25, 2003, regarding Specific Design Plan SDP-0306 for Oak Creek Club, Phase 1A, Golf Course, the Planning Board finds:

1. The site is located on both sides of Church Road between Oak Grove Road and Central Avenue.

2. **Development Data Summary**

	<b>Existing</b>	<b>Proposed</b>
Zone(s)	R-L and L-A-C	R-L and L-A-C
Use(s)	Vacant	Golf course
Acreage	Approximately 923 acres	Approximately 923 acres
Lots	0	0
Parcels	0	22–24
Square footage/GFA	0	12,340
Dwelling Units:	0	0

3. The proposed golf course is a central feature of the integrated golf course community to be known as Oak Creek Club. Zoned a combination of Residential-Low Density (R-L) and Local-Activity-Center (L-A-C), the project spans 923 acres. The land-use mix of the overall project will be comprised of 1,148 single-family homes with up to 26,000 square feet of retail neighborhood commercial space, an 18-hole golf course, a day care center, preservation of a historic site, recreational facilities, a school, parkland and open space. A combined clubhouse and bathhouse and a maintenance building have been included with the subject golf course phase. An existing pond and stream on the site have been integrated into the design.

4. Comprehensive Design Plan CDP-9902, covering the R-L portion of the site, including the entire golf course phase, received final approval from the District Council on May 13, 2002, subject to 56 conditions. The project is also subject to the conditions of approval of its basic plan and preliminary plan of subdivision.

5. **Referrals**

- a. **Historic**—The Historic Preservation and Public Facilities Planning Section has offered the following comments centering on the Bowieville Historic Site:

- (1) The Memorandum of Understanding required by Condition 1(b) of PGCPB No. 01-

181 has been duly executed.

- (2) The HPC issued the written statement required by Condition 12 of PGCPB No. 01-181 regarding the need for a Phase II and/or Phase III archeological study at its September 17 meeting.
  - (3) Plans for the golf club house and its setting must be submitted for HPC review and suggest that it best be handled in a separate specific design plan.
  - (4) Prior to the approval of Specific Design Plan SDP-0308, the applicants should indicate in writing their intention to restore the Bowieville mansion as a private residence and the expected restoration timeframe, clarifying the issue of parking at the residence.
  - (5) The plan for Landbay H1 provides protection for the buildings and landforms of the Historic Site and provides landscaped lakes for the entrance to the proposed clubhouse area.
  - (6) The applicant must submit a Historic Area Work Permit application for the proposed relocation of the windmill and for the grading and creation of the two lakes.
  - (7) Because of the impact of the construction of the golf club house on an archeological feature, a Phase II/III investigation shall be required in accordance with the section's guidance.
  - (8) A Phase II/III investigation will not be required on the grounds of the Bowieville mansion within the Environmental Setting as long as sensitive areas can be avoided in the development process.
- b. **Community Planning**—The Community Planning Section stated that SDP-0306 is consistent with the 1991 Bowie-Collington-Mitchellville & Vicinity Master Plan that rezoned the property from the R-A Zone to the R-L Zone, and that previously approved development plans have resolved all master plan issues. They also stated that there are no general plan issues related to the subject specific design plan application.
- c. **Transportation**—The Transportation Planning Section reviewed the conditions in CDP-9902 and CDP-9903 relating to transportation issues (Conditions 30, 31, 32, 33, 35 and 36) and Preliminary Plan of Subdivision 4-01031 (Conditions 10, 11, 12, 13, 14, 42 and 43) and found that for the purposes of SDP-0306 for the golf course, the subject property is in general conformance with the approved preliminary, comprehensive design

and basic plans. They noted, however, that the applicant is required to make roadway improvements in the area pursuant to a finding of adequate facilities made in 2001 for Preliminary Plan of Subdivision 4-01032. Lastly, they found that the subject application will be supported by adequate transportation facilities within a reasonable period of time, as required by Section 27-528(a)(2) of the Zoning Ordinance.

- d. **Subdivision**—The Subdivision Section noted that since the preliminary plan for the project approved more than 400 lots, final plats may be received by the Subdivision Section within six years of the approval date or December 20, 2007. Noting the conditions of the CDP approvals that relate to subdivision issues and the subject project (Conditions 12, 18, 19, 21, 26, 28, 29, 30 and 31), the Subdivision Section stated that the proposed specific design plan presents a golf course layout and road configuration in substantial conformance with the approved preliminary plan. Review of the submitted plans for the land bays included in Phase 1 of the project have shown that the application includes seven more lots than were originally contemplated. It should be noted that the total number of lots for all land bays for the project may not exceed 1,148, the number of lots approved in Preliminary Plan of Subdivision 4-01032.
- e. **Trails**—The senior trails planner for the Transportation Planning Section stated that there are no master plan trails issues for the subject specific design plan, but took the opportunity to note that all future applicable SDP submittals are subject to trails recommendations contained in Condition 44 of the approving resolution for CDP-9902.
- f. **Parks**—The Park Planning and Development Division of the Department of Parks and Recreation stated that they needed more details to determine the impact of the proposed eight-foot golf cart path and the two bridge/boardwalk stream crossings on parkland. In addition, they noted that an easement would be required for the use and maintenance of the golf course facilities on the public parkland. Lastly, they noted that the green for golf hole #9 is located too close to the park property line and the future master planned trail, and that the location of this green should be adjusted. These concerns have been addressed either by revisions to the plans or by the recommended conditions below.
- g. **Permits**—The Permits Section offered a number of comments that either have been addressed by revisions to the plans or by recommended conditions below.
- h. **Public Facilities**—The Historic Preservation and Public Facilities Planning Section of the Countywide Planning Division provided the following comments:

#### **Fire and Rescue**

The Historic Preservation and Public Facilities Planning Section reviewed this plan during its submission for a comprehensive design plan (CDP-9902 and CDP-9903) and preliminary plan of subdivision (4-01032) and found that a portion of the subject property was beyond

the response time requirements for ambulance service. The staff recommended that the applicant provide a fair-share fee toward the provision of the service and the proposed Leeland Road Fire Station. The fee was calculated to be \$206 per dwelling unit.

The following lots shown on this SDP are subject to the fee:

- (1) Landbay A—Section A, Lots 6-54; Section B, Lots 1-15
- (2) Landbay B—Section B, Lots 3-42 and 45-52
- (3) Landbay C—Section A, Lots 1-52; Section B, Lots 1-15; Section C, Lots 1-23

Condition 41 of the preliminary plat of subdivision states:

“Prior to approval of the first final plat for any area beyond response time requirements for ambulance service, the applicants, his heirs, successors and/or assignees shall pay a fee to Prince George’s County which shall serve as a fair share contribution toward the provision of a fire station and ambulance service. Proof of payment shall be submitted to the Planning Department, Subdivision Section, prior to approval of the final plat. A final determination of the fair share contribution to be paid by the applicant will be made by the Planning Department at the time of that final plat review. This determination will be based on all of and portions of residential and non-residential parcels/lots that are found to be beyond the recommended ambulance response times guidelines with an appropriate inflation factor.”

### **Public Schools**

The Planning Board condition during the preliminary plan of subdivision was the payment of a fee of \$2,160.00 per dwelling unit that would be placed in an account to relieve the overcrowding at the Perrywood and/or Woodmore Elementary and Largo High Schools. This property is subject to the surcharge fees that are in effect when they apply for a building permit.

### **Police**

The proposed development is within the service area for Police District II-Bowie. The current test for police adequacy is based on a standard for square footage is police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 6/30/2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 69 sworn personnel. This policy facility will adequately serve the population generated by the proposed development.

- i. **Environmental**—The Environmental Planning Section offered these comments:

The Environmental Planning Section has reviewed the specific design plan and Type II Tree

Conservation Plan date stamped as received on August 25, 2003. The plans as submitted have been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance and the environmental constraints for the site. Specific Design Plan SDP-0306 and Type II Tree Conservation Plan TCPII/97/95-01 are recommended for approval subject to the conditions found in this memorandum.

## **BACKGROUND**

This site was previously reviewed by the Environmental Planning Section in conjunction with the Basic Plans, A-8427, A-8578 and A-8579; the Comprehensive Design Plans, CDP-9902 and CDP-9903; the Preliminary Plan of Subdivision, 4-01032; the Type I Tree Conservation Plan, TCPI/91/92; and a Type II Tree Conservation Plan, TCPII/97/95; all of which were approved.

## **SITE DESCRIPTION**

The parcels in this application total 242.65 acres and are located in the R-L Zone on both sides of Church Road and north of Oak Grove Road. A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, areas of steep slopes with highly erodible soils, and the associated buffers for these features are found to occur within the limits of this application. No transportation-related noise impacts have been identified. The soils found on this property include Adelphia fine sandy loam, Collington fine sandy loam, Mixed alluvial land, Monmouth fine sandy loam, Shrewsbury fine sandy loam, and Westphalia fine sandy loam. Although some of the soils have limitations with respect to impeded drainage, slow permeability, and seasonally high water tables, most of the soils have no significant limitations with respect to the development of the property. According to available information, Marlboro clays are found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. Church Road, which bisects the parcels included in this application, is a designated scenic and historic road. This property is located in the Black Branch and Collington Branch watersheds of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.

## **SUMMARY OF PRIOR ENVIRONMENTAL CONDITIONS OF APPROVAL**

The approval of the Basic Plans, the Comprehensive Design Plans and the Preliminary Plan of Subdivision included numerous conditions, several of which dealt with environmental issues that were to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the specific design plan are addressed below. The respective conditions are in **bold** type face, the associated comments are in standard type face and additional information or plan revisions are italics.

**A-8427, A-8578 and A-8579 Conditions to be addressed at SDP**

- 11. The applicant shall dedicate the right-of-way for Church Road as a (90-foot maximum) four-lane collector with an open median of varying width as determined by DPW&T. The location of the road shall be finalized at the time of CDP and shall be based on an Inventory of Significant Visual Features prepared according to the ADesign Guidelines for Scenic and Historic Roads.@ Construction will be in accordance with DPW&T requirements and may utilize the existing roadbed when appropriate.**

An Inventory of Significant Visual Features for Church Road was submitted and reviewed with the CDP in accordance with the "Design Guidelines for Scenic and Historic Roads." That inventory was evaluated and was found to meet the minimum standard for a visual assessment for historic roads.

- 12. A woodland conservation requirement of 25 percent shall be established for the portion of the site zoned R-A, unless it can be shown that the existing woodland is less than that amount. If so, the conservation threshold may be reduced to the percentage of existing woodland down to 20 percent of the net tract area of R-A zoned land. A Woodland Conservation requirement of 15% shall be established for the portion of the site zoned L-A-C. In addition, the applicant will reforest as required under applicable State and County regulations. All Tree Conservation Plans shall demonstrate how the development will meet this criteria.**

The zoning for the property is actually R-L not R-A. It is assumed that an error occurred during the typing of this condition. TCPII/97/95-01 as submitted uses a 25 percent Woodland Conservation Threshold for the R-L portion of this property.

- 13. The limits of the existing 100-year floodplain shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to the approval of any Specific Design Plan.**

The SDP and Type I Tree Conservation Plans as submitted reflect the 100-year floodplain as approved by the Watershed Protection Branch of the Department of Environmental Resources. A copy of the February 2, 2002, approved 100-year floodplain delineation was date stamped as received by the Development Review Division and Environmental Planning Section on July 30, 2003.

- 14. The applicant shall provide proof that the U.S. Army Corps of Engineers or the appropriate State or local wetlands permitting authority agrees with the nontidal wetlands delineation along with submittal of the SDP.**

Prior applications included letters requesting a Jurisdictional Determination (JD) by

the U.S. Army Corps of Engineers and/or Maryland Department of Environment. A copy of the JD letter has been submitted for inclusion with this application

**15. All nontidal wetland mitigation areas shall be shown on the SDP.**

The plans as submitted reflect the location of the proposed wetland mitigation areas within the limits of this application.

**16. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to approval of any SDP.**

No information has been provided with respect to the approval of the Technical Stormwater Management Plan. It is critical that the limits of disturbance shown on the Stormwater Management Plan matches the limits on the TCPII.

*Recommended Condition: Prior to certification of the Specific Design Plan a copy of the approved Technical Stormwater Management Plan, that is consistent with the approved TCPII shall be submitted to the Environmental Planning Section and Urban Design Section for inclusion in the case file.*

**18. All nondisturbed nontidal wetlands shall have at least a 25-foot nondisturbance buffer around their perimeters.**

The plans as submitted show the 25-foot wetland buffer around all wetlands. Because some of the wetlands on the site are proposed to be disturbed, there are no nondisturbance buffers in the areas approved for disturbance.

**19. All streams and drainage courses shall comply with the buffer guidelines for the Patuxent River Primary Management Areas.**

Streams, wetlands, 100-year floodplains, and the associated buffers which comprise the Patuxent River Primary Management Area Preservation Area (PMA) have been found to occur on this property and appear to be accurately reflected on the plans. The condition of approval requires that the PMA be preserved in conformance with the Patuxent River Primary Management Area Preservation Area guidelines. A total of 12 PMA impacts are proposed by this application, six of which were not addressed by the Preliminary Plan of Subdivision. A detailed analysis of the PMA impacts is discussed in comment 3 of the Environmental Review section of this memorandum.

**CDP-9902 and CDP-9903 Comprehensive Design Plan Conditions to be addressed at SDP**

It should be noted that many of the conditions for CDP-9902 and CDP-9903 are the same. Therefore, only the condition numbers associated with CDP-9902 are shown below.

**9. Technical approval of the location and sizes of Stormwater Management Facilities is required prior to approval of the applicable SDP.**

A copy of the proposed/approved Stormwater Management Plan has not been submitted for review with this application. Because stormwater management plays a critical part of the overall design of this site it is necessary to evaluate all aspects of the application together.

*Recommended Condition: Prior to certification of the Specific Design Plan a copy of the approved Technical Stormwater Management Plan that is consistent with the approved TCPH shall be submitted to the Environmental Planning Section and Urban Design Section for inclusion in the case file.*

**11. Prior to approval of each Specific Design Plan the applicant shall submit an overall open space plan with calculations for areas of tree preservation, wetlands, and floodplain, to ensure preservation of areas approved as open space per CDP-9902 and CDP-9903.**

A copy of the proposed Open Space Plan was submitted for review. The Environmental Planning Section has not identified any issues with respect to the proposed Open Space Plan.

**17. Prior to Specific Design Plan approval and to the extent practicable, existing fence rows, isolated trees, or existing agricultural structures occurring in the setback shall be preserved and maintained unless removing such elements can be justified on the grounds of safety. The quality of these features shall be determined by the Planning Board and/or District Council at the time of Specific Design Plan review. In addition, groves, clusters, or rows of native trees, and shrubs typical of those indigenous to the vicinity of the proposed development shall be encouraged to be planted in the setback in order to enhance the rural character. Furthermore, the applicant shall provide a photographic and plan inventory of all agricultural structures within a proposed plan area for submission and review at the time of Specific Design Plan approval.**

This application includes a number of the features referenced by this condition, which have generally been addressed by the Type II Tree Conservation Plan, TCPH/109/03. The TCPH proposes preserving these features where practical and in some cases enhancing these features by proposing afforestation in and around these features.



- 18. Prior to approval of Specific Design Plans the handicapped accessibility of all trails shall be determined. Furthermore, all trails shall be field-located and staked by the applicant in consultation with M-NCPPC staff from the Environmental Planning Section, Transportation Planning Section, and the Department of Parks and Recreation, prior to construction.**

This condition does not apply to this specific design plan for the golf course because all the associated trails are being constructed for use by golf carts and these are not general use trails associated with a trail system. No further information is required with respect to trail locations and handicap accessibility with this application. Golf cart paths will be required to be field located to preserve sensitive environmental features.

- 40. Prior to the issuance of the Certificate of Occupancy for the golf course all reforestation/afforestation on the golf course parcels shall be completed, all other reforestation/afforestation shall be completed prior to the issuance of the 287<sup>th</sup> residential permit.**

This condition will be applicable at a later time but must be taken into consideration and planned for accordingly at this time.

- 42. As part of the SDP submittal that shows A-44 a Phase II Noise Study shall be provided for residential areas adjacent to A-44 with projected noise levels in excess of 65 dBA. The SDPs shall include detailed information on the noise attenuation measures that will be used to mitigate the adverse noise impacts associated with the A-44 Master Plan Roadway.**

Because there are no residential areas located on the golf course this condition does not apply to this application.

**4-01032 Preliminary Plan Conditions to be addressed at SDP**

- 16. All trails network shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed.**

This condition is generally intended to address the trail system not the golf cart paths that are included as part of this application. It should be noted that proposed stream and wetland crossings have been generally designed with boardwalks to ensure dry passage.

- 17. As part of the Specific Design Plan submittal that shows A-44, a Phase II Noise Study shall be provided for residential areas adjacent to A-44 with projected noise levels in excess of 65 dBA. The SDPs shall include detailed information**

**on the noise attenuation measures that will be used to mitigate the adverse noise impacts associated with the A-44 Master Plan Roadway.**

This condition does not apply to the SDP for the golf course where there are no proposed residential areas.

- 18. Prior to the approval of the Specific Design Plan (SDP) for any portion of the golf course, a detailed management plan shall be prepared to address integrated pest management, management and maintenance of the shrub/scrub areas, an analysis of the proposed tree cutting practices in the shrub/scrub areas, and a maintenance plan for the cart paths and bridges.**

An “Integrated Pest Management Plan” was submitted for review and was generally found to address the pest management aspects of this condition. In addition, there was some discussion for the management of the shrub/scrub areas, which could be expanded upon to provide further guidance. The final aspect of the plan addresses the maintenance plan for the cart paths and bridges which addresses the construction material and the general maintenance needed for the asphalt and concrete segments of the trail. One area that does not appear to have been specifically addressed by this plan is the types of chemicals to be used on the bridges and the asphalt segments of the paths. This information is important because large sections of the golf cart paths will be constructed across regulated streams and wetlands.

*Recommended Condition: Prior to certificate of approval for the Specific Design Plan, SDP-0306, information on the chemicals proposed for use with the bridges and the resealing of the asphalt paths shall be included in the “Integrated Pest Management Plan.”*

- 19. Prior to the approval of any Specific Design Plan proposing PMA impacts listed as A-3 & 4; B-1, 2, 3, & 5; C-5, 6 & 8-11; and D-2 on Attachment AA@ of the Environmental Planning Section=s referral memo dated August 28, 2001, the SDP shall provide additional justification for the proposed impacts and show how the site has been redesigned to avoid or further minimize the PMA impacts including, but not limited to, relocation of proposed site features, use of bridges, and any other technique.**

See Environmental Review item #3.

- 21. Prior to the approval of the Specific Design Plan and the associated Type II Tree Conservation Plan which would initiate the requirement for off-site woodland conservation, the location of the off-site mitigation shall be identified and a Type II Tree Conservation Plan shall be approved for said location.**

Because this is the first phase of the project that initiates the requirement for a Type II Tree Conservation Plan and there are sufficient woodlands remaining to meet the requirements on-site, this condition does not apply. No further information is required with respect to this condition for this phase of the Oak Creek Club development.

26. **As part of the Specific Design Plan submittal, a Type II Tree Conservation Plan shall be provided that includes a Woodland Conservation Worksheet which reflects the overall requirements for Oak Creek Club, the requirements for each of the prior phases which may have been approved, the requirements for the current phase of the project, and the cumulative requirements for all approved phases and phases under review.**

The worksheet included on the TCP II as revised has addressed this condition.

28. **The proposed golf course shall be designed in accordance with *Environmental Guidelines for the Design and Maintenance of Golf Courses*, (Department of Environmental Protection and Resources Management, Baltimore County, MD: 1990). The Specific Design Plans shall be reviewed by the Environmental Planning Section for compliance with these design guidelines.**

The TCP II as revised, the Integrated Pest Management Plan and the Surface Water Quality Monitoring Study have adequately addressed this condition.

30. **Each Specific Design Plan submittal that contains golf holes shall provide bioretention details for the treatment of piped run-off from fairway, green, and tee underdrain systems, where utilized. Piping of run-off from any golf course surfaces directly into preservation areas, streams or ponds shall not be permitted.**

The plans as revised have shown the proposed bioretention details and the piping of water from the fairway, green and tee underdrain systems. No additional information with respect to this condition is required.

31. **Surface and ground water quality testing and monitoring of the golf course, in general accordance with the *Environmental Guidelines for the Design and Maintenance of Golf Courses*, (Department of Environmental Protection and Resources Management, Baltimore County, MD: 1990) shall be required for the golf course. A monitoring program shall be submitted as part of the first SDP submittal for approval by the M-NCPPC Environmental Planning Section.**

The water quality program will require preconstruction monitoring for one year prior to the issuance of grading permits for the golf course. A shorter

**time frame may be approved for preconstruction monitoring if it is determined by the Environmental Planning Section that a sufficient baseline of data for essential parameters has been established. The monitoring program shall include monitoring prior to development, during development, and after development. If, at any time, the monitoring results reflect conditions that warrant action on the part of the applicant, said actions will be implemented by the applicant in consultation with the Department of Environmental Resources.**

The "Surface Water Quality Monitoring Study" submitted has been reviewed and has been found to be acceptable.

## **ENVIRONMENTAL REVIEW**

As revisions are made to the plans, the revision boxes on each plan sheet shall be used to describe the changes, the date made, and by whom.

1. The Detailed Forest Stand Delineation (FSD) was previously reviewed and found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual

*Discussion: No additional information is required with respect to the Forest Stand Delineation.*

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and there are previously approved Tree Conservation Plans, TCPI/91/92 and TCPII/97/95, encompassing the parcels included in this application. It should be noted that TCPII/97/95 was approved for the sole purpose of establishing 25 acres of off-site mitigation on existing woodlands at the northeast corner of this property.

The Type II Tree Conservation Plan, TCPII/97/95-01 has been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance. This application is the first application to be submitted within the limits of the overall site and it has been evaluated as such. This 246.75-acre application (SDP-0306 and TCPII/97/95-01) establishes the overall Woodland Conservation Threshold requirement with respect to the entire Oak Creek Club project of 919.0 acres. Because of the two zoning categories for this project the Woodland Conservation Threshold for the overall project is 24.61 percent or 207.2 acres. This 207.2-acre base requirement will be subsequently increased as woodlands are cleared during each phase of the proposed development. The 62.21 acres of proposed clearing on the net tract of this phase is subject to a ¼ : 1 replacement requirement of 15.55 acres and 0.36 acre of 1:1 replacement as a result of clearing

in the 100-year floodplain.

In addition, a 25.0-acre mitigation easement was established to provide off-site mitigation on this property for TCPII/71/95 (Largo Plaza–Target). As of this date only 18.0 acres of the 25.0 acres has actually been committed for another project even though the easement document is for 25.0 acres. This issue will be resolved with this Tree Conservation Plan.

The 241.11-acre Woodland Conservation requirement for this application is being satisfied by 49.95 acres of on-site preservation, 40.90 acres of on-site afforestation/reforestation, 18.0 acres of off-site mitigation provided, and 278.95 acres of woodlands retained on later phases of the Oak Creek Club project. Therefore, the property is in compliance with the requirements of the Prince George's County Woodland Conservation Ordinance. As future phases are proposed, this Tree Conservation Plan will be required to be revised to incorporate all future clearing.

TCPII/97/95-01 is recommended for approval subject to the following conditions.

*Recommended Conditions: Prior to certification of the Specific Design Plan, SDP-0306, the Type II Tree Conservation Plan, TCPII/97/95-01, shall be revised as follows:*

- a. Have each sheet of the plan signed and dated by the Licensed Landscape Architect, Licensed Forester or other Qualified Professional who prepared the plan.*
- b. Address the establishment of a bufferyard or screen on the north side of the golf course maintenance building where it abuts the Palisades at Oak Creek Subdivision.*
- c. Provide additional details regarding the management of the shrub/scrub areas on the TCP and avoid generalizations such as “at the discretion of the course manager.”*
- d. Add specific notes indicating the sequence of the planting within the scope of this phase of the project and within the overall project. It shall be noted on the TCPII that all afforestation for the golf course shall be completed prior to the issuance of the use permit for the golf course.*
- e. Revise the note regarding A-44 on sheet 1 of 17 as follows:*

*"The A-44 right-of-way is to be placed in reservation. Should the A-44 right-of-way become available following completion of reservation,*

*afforestation/reforestation may be relocated from the Golf Course to the area within the A-44 right-of-way upon the approval of a revised TCPIL."*

- f. All Woodland Conservation Areas shall be no less than 35 feet wide unless they abut other Woodland Conservation Areas that are 35 feet wide.*
- g. There are several outfalls and an assortment of piping and cleanouts shown in the Woodland Conservation Areas. Details shall be provided for all these features and these areas cannot be used as Woodland Conservation Areas (WCA).*
- h. Identify what methods will be used to clear the shrub/scrub areas and how they will be maintained over time.*
- i. Revise the worksheet and the plans to show the areas of shrub/scrub as being cleared. These areas must be considered as being cleared because they will not be maintained as permanent woodlands.*
- j. The planting schedule for the "Large Stock Reforestation Area" shall be revised to reflect two-inch caliper trees not one-inch caliper as currently shown.*

3. As noted previously in this memorandum the PMA has been accurately reflected on the plans as submitted. During the review of the Preliminary Plan of Subdivision numerous PMA impacts were proposed, some of which were supported; some that were supported with a condition that the proposed impacts be further evaluated and minimized during the review of the SDP; and some impacts that were not supported. A total of 12 PMA impacts are proposed by this application. Six of those impacts were conditional approvals and six are new impacts not previously evaluated.

The six impacts that were conditional approvals generally required that the impacts be further evaluated at SDP to determine if a further reduction in the proposed impact could be accomplished. In each instance the impact has either remained the same or been reduced.

Five of the six new impacts are associated the alignment of the cart paths in the vicinity of holes 1 and 18 and the driving range. Each of these proposed impacts has been further evaluated and cannot be avoided without placing travelers on the cart path within the flight line of balls in and around the golf holes in question. The proposed impacts have been evaluated and have generally been minimized to the greatest extent possible.

*Discussion: No additional information is required with respect to the proposed*

*PMA impacts.*

4. Although some of the parcels included in this application are located adjacent to A-44, a transportation-related noise generator, there is no proposed residential development associated with this application. Therefore, a Phase II Noise Study is not required with this application.

*Discussion: Because residential areas are not located on the golf course this condition does not apply to this application.*

5. Marlboro clay has been found to occur within the limits of this application. During the review of the preliminary plan of subdivision a geotechnical report was submitted that identified several areas where the 1.5 safety factor line extended into proposed Parcel "11" where the club house, putting green and swimming pool are located. Areas that do not meet or exceed the 1.5 safety factor are at risk for slope failures, thus creating unsafe land, when grading and construction activities place additional weight within area delimited by the 1.5 safety factor line. As of this date no additional information has been provided to indicate that the development of these lots as proposed would inadequately address the required 1.5 safety factor to ensure that the proposed lots are indeed safe.

*Recommended Condition: Prior to certification of the specific design plan a geotechnical report prepared by a geotechnical engineer shall be submitted to the Environmental Planning Section addressing the proposed grading and construction on proposed Parcel "11" with respect to the required 1.5 safety factor as required by DER. If the geotechnical report does not adequately address the 1.5 safety factor for the above-referenced parcel the specific design plan's certification will exclude those lots from the final approval and the subject lots may not be platted.*

Outstanding items are individually dealt with in the recommended conditions below.

- j. **Department of Environmental Resources**—The Department of Environmental Resources stated that the site plan for Oak Creek Club, Phase 1A, is not consistent with approved stormwater concept plan #6397-2001. A proposed condition below requires that the applicant submit an acceptable stormwater management plan to DER that is consistent with the approved Stormwater Management Concept Plan #6397-2001 prior to signature approval. Such an approval will supercede any Conceptual Stormwater Management Plan and will ensure that adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.
- k. **Prince George's County Fire Department**—The Prince George's County Fire Department has not offered comment on the subject application at the time of this writing.

- l. **Department of Public Works and Transportation**—The Department of Public Works and Transportation stated that right-of-way dedication and frontage improvements, including sidewalks, street trees and lighting, would be required along Oak Grove and Church Roads. In addition they suggested that use of a roundabout or traffic signalization be considered at both the northern and southern access to Church Road South.
  - m. **Soil Conservation**—The Soil Conservation Service has not offered comment on the subject application at the time of this writing.
  - n. **Washington Suburban Sanitary Commission (WSSC)**—WSSC stated that an amendment revision will be required for golf course areas 14, 16 and 17, and that rights-of-way easements in golf areas should be shown on the plan.
  - o. **Maryland State Highway Administration**—The State Highway Administration stated that they have no objection to approval of Specific Design Plan Phase 1A SDP 0306.
  - p. **Bowie**—Bowie has not offered comment on the subject application at the time of this writing, stating that they focused their energies on the Oak Creek project in their comments on Specific Design Plan 0308.
6. The *Landscape Manual* applies only in part to the subject project because its design and development has been controlled by the comprehensive design plan process. Comparable landscaping, however, is being provided for the project, and parking lot landscaping, if any, will be within the parameters of the *Landscape Manual*.
7. The project meets the guidelines for approving a specific design plan outlined in Section 27-528 of the Zoning Ordinance. Specifically:
- a. The plan conforms to the approved CDP.
  - b. The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.
  - c. Recommended Condition 5 ensures that the development will be adequately served as per the above finding.
  - d. Adequate provision has been made for draining surface water so that there are no adverse effects either on the subject property or adjacent properties.
  - e. The applicant has submitted an acceptable stormwater management plan to DER that is consistent with the approved Stormwater Management Concept Plan 6397-2001.



- f. The plan is in conformance with the Tree Conservation Plan recommended for approval by the Environmental Planning Section.
- g. Recommended Condition 2.b.1-10 assures that the submitted Type II Tree Conservation Plan, TCPII/97/95-01, meets the requirements of the Prince George's County Woodland Conservation Ordinance.

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/97/95-01), and further APPROVED Specific Design Plan SDP-0306 for the above-described land, subject to the following conditions:

1. The area surrounding the golf course clubhouse shall be identified graphically on the SDP, landscape plan and TCPII as specifically excluded from the subject SDP. A separate SDP shall be completed for the proposed golf course clubhouse and any other nonresidential architecture proximate to the Bowieville Mansion. This SDP shall include detailed architectural elevations for the clubhouse and all other required site information. A Phase II and/or Phase III archeological study shall be completed to the satisfaction of the Historic Preservation Planning Section as designee of the Planning Board.
2. Prior to signature approval of the plans for the project the applicant shall:
  - a. The applicant shall revise the plans to include the areas of the parkland utilized for the golf cart path. The revised plans shall include grading plans, limits of disturbance, details for the golf cart path and bridge construction and the master plan trail at cart path intersections. The plans shall indicate that golf cart paths at these intersections shall be striped and stop signs shall be installed.
  - b. Prior to certification of the Specific Design Plan, SDP-0306, the Type II Tree Conservation Plan, TCPII/97/95-01, shall be revised as follows:
    - (1) Have each sheet of the plan signed and dated by the Licensed Landscape Architect, Licensed Forester or other Qualified Professional who prepared the plan.
    - (2) Address the establishment of a bufferyard or screen on the north side of the golf course maintenance building where it abuts the Palisades at Oak Creek Subdivision.
    - (3) Provide additional details regarding the management of the shrub/scrub areas on the TCP and avoid generalizations such as "at the discretion of the course manager."
    - (4) Add specific notes indicating the sequence of the planting within the scope of this

phase of the project and within the overall project. It shall be noted on the TCPII that all afforestation for the golf course shall be completed prior to the issuance of the use permit for the golf course.

- (5) Revise the note regarding A-44 on sheet 1 of 17 as follows:  
  
“The A-44 right-of-way is to be placed in reservation. Should the A-44 right-of-way become available following completion of reservation, afforestation/reforestation may be relocated from the Golf Course to the area within the A-44 right-of-way upon the approval of a revised TCPII.”
  - (6) All Woodland Conservation Areas shall be no less than 35 feet wide unless they abut other Woodland Conservation Areas that are 35 feet wide.
  - (7) There are several outfalls and an assortment of piping and cleanouts shown in the Woodland Conservation Areas. Details shall be provided for all these features and these areas cannot be used as Woodland Conservation Areas (WCA).
  - (8) Identify what methods will be used to clear the shrub/scrub areas and how they will be maintained over time.
  - (9) Revise the worksheet and the plans to show the areas of shrub/scrub as being cleared. These areas must be considered as being cleared because they will not be maintained as permanent woodlands.
  - (10) The planting schedule for the “Large Stock Reforestation Area” shall be revised to reflect two-inch caliper trees not one-inch caliper as currently shown.
3. Prior to the issuance of any building or grading permits for construction of the Golf Club House, a Phase II/III investigation shall be completed in accordance with its guidance and found acceptable by the Historic Preservation and Public Facilities Planning Section.
  4. Prior to the proposed relocation of the windmill and the grading for and creation of the two lakes, the applicant shall apply for and receive a Historic Area Work Permit for same.
  5. When building permits are applied for, the applicant shall pay a per-dwelling-unit fee (in the amount in effect when building permits are applied for) to relieve overcrowding in the local elementary schools.
  6. Provide WSSC with an amended revision and show right-of-way easements in the golf areas.
  7. Note on the plans that all handicapped parking spaces will provide pedestrian access by depressed curbing.

8. If, after the golf course is completed and in use, and the adjacent residential areas are completed and occupied, it becomes apparent that errant golf balls are creating an unexpected hazard to persons or property off the golf course by repeatedly leaving the golf course property, (the views of the Homeowner's Association shall be given due consideration in regard to the existence of such a hazard), the developer and/or golf course operator shall be required to retrofit the golf course with landscape screens or nets, as determined by the Planning Board or its designee and in the heights and locations specified by the Planning Board or its designee, sufficient to minimize the travel of golf balls beyond the lot lines of the site on which the golf facility is located. Such screens or nets shall be continuously maintained so as not to fall into disrepair.
9. Prior to the approval of the separate SDP required for the clubhouse, applicant shall submit a Geotechnical Report prepared by a Geotechnical Engineer to the Environmental Planning Section addressing the proposed grading and construction on proposed Parcel 11 (Clubhouse Parcel) with respect to the required 1.5 safety factor as required by DER. If the Geotechnical Report does not adequately address the 1.5 safety factor for the above-referenced parcel the Specific Design Plan's certification will exclude this parcel from the final approval and the subject parcel may not be platted.
10. Easements for the use, operation and maintenance of the golf course facilities to be located on the public parkland shall be added to the final plat of subdivision.
11. Prior to grading for construction of golf course paths or facilities on property to be dedicated to the Department of Parks and Recreation, construction drawings for such golf course paths or facilities on property to be dedicated to the Department of Parks and Recreation shall be reviewed and approved by the Department of Parks and Recreation.

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, Vaughns, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 25, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of October 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RG:rmk