

C O R R E C T E D   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 January 4, 2001, regarding Specific Design Plan No. 9008/03 for Winshire Estates, the Planning Board finds:

1. The Winshire Estates site encompasses 96.94 acres of R-S zoned land. The subject property is located on the north and south sides of Brown Road near its intersection with Brown Station Road. It is surrounded near this intersection by a number of R-A, R-E, and R-R zoned properties. A 250-foot-wide PEPCO right-of-way runs through the southeastern portion of the property. Existing land uses east of Brown Station Road in this area include the PEPCO substation (with radiating power lines), the County Sanitary Landfill site, and the Brandywine Auto Parts business.

The site is bounded to the north by Turkey Branch into which two on-site tributaries flow. Approximately 4.12 acres are within a 100-year floodplain associated with the streams. The site slopes generally in a northerly direction toward Turkey Branch with varied topography consisting of several knolls. It is generally wooded except for some areas of old fields.

2. This Specific Design Plan is for the approval of 152 single-family detached lots with an on-site stormwater management facility and a number of recreation facilities. The entire development is divided by Brown Road into two portions. Connections between these two portions are provided through the proposed equestrian trail and Streets H and A. The proposed Street A is stub ended at the south property line and will be extended into the future development to the south. The southeastern portion of the development which contains 15 lots is separated from the rest of the development by the proposed Woodyard Road extension and PEPCO right-of-way. The vehicular access to this portion is from Brown Station Road.
3. Previously, three (3) Specific Design Plans (SDP-9008, SDP-9008/01 and SDP-9008/2) and a Preliminary Plan (4-89162) were approved. SDP-9008 and 4-89162 were approved by the Planning Board. The previous 01 revision to the SDP included the extension of the water line along the rear of Lots 3 - 7C, and the 02 revision included the revision to the Type II Tree Conservation Plan and grading in the open space. While both of the above referenced revisions were done at staff level the 02 revision was never certified. One-hundred fifty-two (152) single-family dwelling units are included in this submission. The SDP that is currently in for review varies little from the original approved SDP.

\*Denotes correction  
[Brackets] denote deletion  
Underlining denotes addition

4. On February 27, 1989, the District Council adopted Z.O. No. 18-1989 (Application No. A-9723-C) and amended the Zoning Map by rezoning the subject property, consisting of 96.94 acres, from the R-E to the R-S Zone (1.6-2.6 DUs per acre). The rezoning was approved with 2 conditions and 10 considerations. The Specific Design Plan is in conformance with the applicable conditions of the approved Basic Plan A-9723-C.
5. Site Development data are as follows:
- | Zone                               | R-S (1.6 - 2.6 du/ac)  |
|------------------------------------|--|
| Total Tract Area                   | 96.94 acres  |
| 100 year floodplain                | 2.78 acres   |
| Right-of-way dedication            | 13.71 acres  |
| Road widening dedication           | 0.83 acres   |
| M-NCPPC dedications                | 16.79 acres  |
| Net Tract Area                     | 62.82 acres  |
| Number of Dwelling Units Permitted | 154  |
| Number of Dwelling Units Proposed  | 152  |
| Density Increment Factor           | 0.6%   |
| Parkland Dedication                | 16.79 acres  |
| Recreation Facilities Provided     | Hiker/Biker Trail<br>Equestrian Trail<br>Sitting Areas<br>Fitness Stations |
6. In general, the Specific Design Plan is in conformance with the approved Comprehensive Design Plan, CDP-8806 in lotting, open space and site layout.
7. In general, the Specific Design Plan is in conformance with the approved Preliminary Plat of Subdivision, 4-99048, and applicable conditions.
8. The Specific Design Plan is in conformance with the Woodland Conservation and Tree Preservation Ordinance. The Environmental Planning Section in a memorandum dated December 11, 2000 ( Stasz to Whitmore), offered the following comments:

■The following comments are based on the Environmental Planning Section's review of the Specific Design Plan for Winshire Estates, dated as last revised December 6, 2000. This memorandum replaces those dated June 29, 2000 and November 20, 2000. We recommend approval of SDP-9008/01 subject to the conditions listed at the end of this memorandum.

### **■Background**

■The Environmental Planning Section previously reviewed this project as CDP-8806, SDP-9008, and 4-89162. When 4-89162 was approved, woodland conservation was not yet required. When SDP-9008 was approved, the site was exempt from the provisions of the Woodland Conservation Ordinance until December 31, 1993 because of prior approval of the CDP and Preliminary Plan. The site is now subject to the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan, TCP II/188/92 had been approved by staff after the initial approval of SDP-9008 in conformance with a proposed grading permit plan. No grading has been done and the staff level approval of TCP II/188/92 is void because the revised plan is significantly different. For tracking purposes we have assigned the number TCP II/188/92(revised) to the plan submitted with SDP-9008/01.

### **■Woodland Conservation**

#### **■General Comments**

■Woodland conservation areas provided on lots are not a preferred method for meeting the requirements of the Woodland Conservation Ordinance. However, the TCP submitted shows tree preservation on lots where the preservation areas are contiguous to larger areas of preservation. As shown, this is an acceptable concept on this plan. There are some areas shown to be preserved that are not shown to be counted toward meeting the ordinance requirements.

■All areas of reforestation or afforestation shall be planted with nursery stock (whips and trees) at appropriate densities to meet the requirements of the Woodland Conservation Ordinance.

■Sheet 22 of 26 includes a detail for a standard Tree Protection Device. No TPDs are shown on any of the plans. The Erosion/Sediment Control Plan shall show the location of all TPDs. The Erosion/Sediment Control Plan shall be reviewed and approved by Environmental Planning Section prior to review and approval by Natural Resources Conservation Service.

#### **Specific Comments**

■The small area of preservation on the rear of lot 15 should not be shown as a preservation area on Sheets 7 and 13 as it is too small and will be severely damaged or removed during construction. Sheet 21 correctly indicates this as a reforestation area. The Erosion/Sediment Control Plan shall show grading of the eastern area of Lot 15, Block D and Parcel D, Block D. The Erosion/Sediment Control Plan shall be reviewed and approved by Environmental Planning Section prior to review and approval by Natural Resources Conservation Service.

#### **Soils**

■It has long been known that Marlboro Clay presents a special problem for development of this site. The greatest concern is the potential for large scale slope failure with damage to structures and infrastructure. Marlboro Clay creates a weak zone in the subsurface; areas adjacent to steep slopes have naturally occurring landslides. Grading in the vicinity of Marlboro Clay outcrops on steep slopes can increase the likelihood of a landslide. Water and sewer lines laid within the Marlboro Clay layer require special fittings. Side-slopes of road cuts through Marlboro Clay need special treatment. Special storm water management concerns need to be addressed when Marlboro Clay is present on a site. Natural erosion of stream valleys can lead to slope failures. The existing stream flows, though small, are sufficient that over time, they can cause enough erosion to trigger landslides. No additional storm water flow should be directed into any stream valley where failures may occur.

■A detailed geotechnical report for Winshire, prepared by Geotechnical & Material Testing, Inc. dated June 2, 1989 and an addendum dated June 7, 1989, was reviewed. Staff have examined the plan in detail and determined that there is no significant likelihood of slope failure due to Marlboro Clay. Staff have determined that portions of the site will need special attention due to Marlboro Clay in areas where foundation footers, water lines, sanitary sewer lines, and roadbeds will be placed. The upper 2 feet of Marlboro Clay, if encountered at or below the planned subgrade elevations, should be excavated and replaced with approved borrow material. Alternatively, the upper 9 inches of these clays should be stabilized with lime 92% to 95% Cao, prior to the placement of subbase/base course.

#### **Historic/Scenic Roads**

■No Historic or Scenic Roads are directly impacted by the proposed development.

### **■Natural Features**

■There are floodplains, streams and wetlands on the site. All of these features are within HOA open space. Minimal disturbance is proposed for connections for sanitary sewer lines and storm water management.

### **■Noise**

■There are no significant noise impacts associated with this project.●

Condition 1.a in the Recommendation Section of this report addresses the above- referenced concerns.

9. **Transportation Planning Section**

The Transportation Planning Section by memorandum dated June 30, 2000 (Masog to Whitmore)offered the following comments:

■The application involves the entire Winshire Estates subdivision. The subject property consists of approximately 96.94 acres of land in the R-S Zone. The property is located north and south of Brown Road between Brown Station and Ritchie Marlboro Road. The applicant proposes to develop the property as a residential development consisting of 152 single-family detached residences.

■The subject application appears to be a renewal of a previously-approved Specific Design Plan which has expired. The subdivision has been recorded; clearly there is not a need for a new preliminary plat for this property.

■Access and on-site circulation are acceptable. Approximately 115 lots will receive access via a new four-way intersection along Brown Road. Another 22 will receive access via a second access point along Brown Road. The final 15 lots would receive access via Brown Station Road.

■The transportation staff▲s primary interest in this site involves the adequacy finding for the site. The required finding for a Specific Design Plan is that the project ▲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.▲ The adequacy finding for the subject site was made in 1989 during review of Preliminary Plat of Subdivision 4-89162. Given the age of the most recent finding for this case, the transportation staff is clearly hard-pressed to extrapolate an 11-year-old finding to the current

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time, even though the site has been considered as background traffic for other applications which have surfaced in the area.

■ Findings and files regarding Preliminary Plat of subdivision 4-89162 and CDP-8806 are somewhat limited concerning the traffic analyses done for the subject property. We have ascertained that the intersections of Brown Station Road/Brown Road and Ritchie Marlboro Road/Brown Road were definitely included in the traffic studies. No off-site transportation conditions were included in the resolution approving the preliminary Plat.

■ As luck would occur, the transportation staff has another traffic study for a pending Preliminary Plat of Subdivision (Grasslyn, 4-00018) in the immediate area. The traffic study contains recent counts which lead the staff to conclude that, at least for the subject property, the unsignalized intersections of Brown Station Road/Brown Road and Ritchie Marlboro Road/Brown Road operate within the Planning Board's guidelines for acceptable operations at unsignalized intersections. This information, which is based on traffic counts done in March 2000, is sufficient for the transportation staff to make the required Specific Design Plan findings.

■ Brown Road and Brown Station Road are Master Plan collector facilities. Woodyard Road, as identified on the submitted plan, is A-37, a master Plan arterial facility identified on the *Melwood Westphalia Master Plan* and the *Subregion VI Master Plan*. The plan reflects adequate dedication for all three Master Plan facilities.

■ The transportation staff was not able to locate the resolution for CDP-8806. As noted previously Preliminary Plat of Subdivision 4-98073 contains no transportation-related conditions.

■ In consideration of the materials discussed earlier in this memorandum, the transportation staff can make a finding that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which would be provided as a part of the development. •

10. The Park Planning and Development Division in a memorandum dated June 15, 2000 (Asan to Whitmore), offered the following comments:

■ The subject site is located within the area of approved Preliminary Plat 4-89162. 14.62 acres of land have been dedicated for parkland. The original Specific Design Plan SDP-9008 contains conditions applicable to the renewed Specific Design Plan

SDP-9008/03. The Department of Parks and Recreation recommends that these conditions be applied to the Specific Design Plan SDP-9008/03:

- a. North Side of Brown Road
  - \*1050 [■2,340] linear feet - 8' wide trail
  - \*500 [■390] linear feet - 6' wide trail
  - \*1025 [■975] linear feet - equestrian trail (width varies 10' 20')
  - 8 benches
  - [■One bridge - (22' long and 8' wide or as determined by the DPR)]
  - 6 fitness stations
- b. South of Brown Road
  - \*1490 [■3,065] linear feet - 8' wide trail
  - [1,015 linear feet - 6' wide trail]
  - \*1250 [1,980] linear feet - equestrian trail (width varies (10' - 20'))
  - 6 benches
  - [■One bridge - (22' long and 8' wide or as determined by the DPR)]
  - 4 fitness stations
- 2. All facilities other the six-foot wide pedestrian trail are to be completed prior to issuance of the 77<sup>th</sup> building permit in the subdivision. The six-foot wide paths are to be completed as the related sections of development are undertaken and within each section the path shall be completed when one half of the units within the section are completed. Building permits shall not be approved for units on property adjoining the trail until the trail is under construction.
- 3. Prior to the application for grading permits the Developer shall deliver to the Department of Parks and Recreation a Performance Bond in the amount determined by the DPR. Within two (2) weeks prior to the Developer<sup>as</sup> filing for application for grading permits the Developer shall request in writing a determination as to the amount of the required Performance Bond.
- 4. Prior to signature approval of the Specific Design Plan SDP-9008/03, plans shall be modified to show trails layout, width and cross sections and shall be submitted to the Department of Parks and Recreation for review and approval. The trails shall be designed in accordance with the Park and Recreation Facilities Guidelines.●

Conditions 1.b, 1.c, 2 and 3 in the Recommendation Section of this report address the above-referenced concerns.

11. The Subdivision Section in a memorandum dated June 19, 2000 (Del Balzo to Whitmore), offered the following comment:

■ Preliminary Plats 4-89074 and 4-89162 was approved by the Planning Board in 1989. the property was subsequently recorded in Record Plats VJ 166 @ 42, 43, 44, 45, and 46 in 1991 and 1992.

■ The original SDP was found to be in conformance with the approve preliminary plats and it is our understanding that no changes are proposed. Therefore, the lotting pattern shown on the SDP must conform to the lots created by the noted record plats. If changes to the SDP create the need to adjust lot lines or remove lots, new record plat swill be required. The extent of the revisions will determine whether the applicant can simply file a minor lot line adjustment plat or if a new preliminary plat will be required.●

The Urban Design Section has found the lotting pattern to be in conformance with the previously approved SDP.

12. The Community Planning Division in a memorandum dated June 7, 2000 (Irminger to Whitmore) offered the following comments:

■ The *Melwood-Westphalia Master Plan* designates a \*floating\* park symbol on property that is contiguous to the portion of the subject property that is on the north side of Brown Road. The contiguous property is the subject of a pending subdivision application known as Grasslyn (4-00018). The plan recommends 50 acres of parkland dedication and it is understood that the Grasslyn applicant has agreed to dedicate approximately 30 acres which will provide the necessary buffers for the construction of the Chesapeake Beach trail and link the trail to land previously acquired by Department of Parks and Recreation.

■ Also contiguous to the west property line of the portion of Winshire that is north of Brown Road, is an undeveloped ten acre parcel owned by the County. It is not known what the county intends to do with this site. However, development of this property as a public use (perhaps in conjunction with adjacent park property) may exacerbate the need for the recommended trail along Brown Road.

■ The community planning issue involves pedestrian and bicyclist accessibility. How is the applicant providing for anticipated pedestrian bicycle movement in and around this community? The current *Melwood-Westphalia Master Plan* designates a bikeway along the north side of Brown Road. Pursuant to this recommendation, the construction of this bikeway on the north side of Brown Road in accordance with



the appropriate standards is strongly encouraged. Additionally sidewalks should be provided within the proposed Winshire subdivision to provide safe, off road, separated pedestrian circulation and access to the trail system.●

See Finding 13 that addresses the above-referenced concerns.

13. The Transportation Planning Section in a memorandum dated June 26, 2000 (Shaffer to Whitmore) offered the following comments pertaining to trails:

■In accordance with the Adopted and Approved Melwood-Westphalia Master Plan, approved 4-89162, and SDP-9008 the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:

- 1. Construct the Chesapeake Beach Railroad right-of-way trail through the subject property in Parcel A to be dedicated to the Department of Parks and Recreation. This trail shall be a hiker/biker/equestrian trail as shown on the submitted plans and as recommended in the master plan.

- 2. ■The submitted pedestrian path and equestrian trail plan shows a six-foot wide pedestrian path on Parcel C (M-NCPPC parkland) and Parcel D (stormwater management parcel). This trail should be implemented in one of the following ways, if feasible:
  - a. It should be constructed as shown on the plan if an easement can be acquired for M-NCPPC from the Department of Environmental Resources through Parcel D. Trail maintenance would be by the M-NCPPC Department of Parks and Recreation.
  - b. If an easement is not feasible, it is recommended that the six-foot wide pedestrian path as shown on the plan be eliminated and replaced with a trail connection through Parcel E (homeowners association land) from Clematis Court to Brown Road. This trail would be maintained by the homeowners association.●
- 3. The master plan recommends that Brown Road be designated as a Class III bikeway with appropriate signage. Because Brown Road is a County right-of-way, the applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage.
- 4. The master plan also recommends a Class II trail along Woodyard Road extended. However, this trail shall be provided at the time the road extension is constructed.
- 5. Any additional pedestrian paths or connections shall be six-feet wide and asphalt.
- 6. All trails shall be assured dry passage. If wet areas must be traversed, suitable structures shall be constructed.
- 7. It is also recommended that a sidewalk be built along Brown Road from the subdivision (Lantana Drive) to the adjacent Turkey Branch School Site. This sidewalk will facilitate safe pedestrian access to the future school.●

Conditions 1.d, 4, 5, 6, 7, and 8 in the Recommendation section of this report address the above-referenced concerns.

14. The Permit Review Section reviewed the subject application. The plans have been revised in accordance with their comments except for the following:

The applicant should provide the height of each house on the template sheet, and the building setbacks (front, sides and rears) should be provided on the Detailed Site Plans.

Conditions 1.e and 9 in the Recommendation Section of this report address the above-referenced concerns.

15. The Department of Public Works and Transportation provided comments for designated roadway improvements within the right-of-way. The plans should address these comments at the time of the review of permits.
16. The Growth Policy and Public Facilities Planning Section in a memorandum dated December 19, 2000 (White/Williams to Whitmore), offered the following comments:

■The existing **fire engine service** at **Ritchie Fire Station, Company 37** located at **1415 Ritchie-Marlboro Road** has a service response time of 5.25 minutes, which is **within** the **5.25** minutes response time guideline for Lots 1-22 on Nightside Drive and Moneyworth Court. All other Lots are beyond the 5.25 response time guideline.

■The existing **ambulance service** at **Kentland Fire Station, Company 46** located at **10400 Campus Way South**, has a service response time of 7.25 minutes, which is beyond the 6.25 minutes response time guideline.

■The existing **paramedic service** at **Kentland Fire Station, Company 46** located at **10400 Campus Way South** has a service response time of 7.25 minutes, which is **within** the 7.25 minutes response time guideline for Lots 1-15 on Cornell Court; Lots 1-47 on Box Tree Drive, Hawkweed Court, Clematis Court,

■Lantana Drive and Hollhock Court; Lots 1-3, Lots 21 and 22 on Nightside Drive; Lots 23-38 and 1-52 on Black Thorn Court, Valerian Lane, Gloxinia Court, Tearthumb Court and Snow Drop Court. All other Lots are **beyond** the 7.25 response time guideline.

■The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*.

■In order to alleviate the negative impact on fire and rescue services due to inadequate service discussed, the Fire Department recommends that all residential structures be fully sprinkled in accordance with national Fire Protection Association Standard 13D and all applicable Prince George's County Laws.

■The proposed development is within the service area of District II-Bowie. Staff concludes that the existing County's police facilities will be adequate to serve the proposed Winshire Estate development. This police facility will adequately serve the population generated by the proposed subdivision.●

The Growth Policy and Public Facilities Planning Section in a memorandum dated December 19, 2000 (White/Williams to Whitmore), offered the following additional comments regarding school adequacy:

■At the present, the Planning Board is reviewing the *Draft Regulations to Analyze the Development Impact on Public School Facilities January 2001*, and *enrollment Projections for the Schools*●APF Test. the Planning Board is expected to take final action on projections and regulations on Thursday, January 4, 2001. Once the Planning Board has adopted the regulations, Growth Policy and Public Facilities staff will forward the review of schools APF.●

Staff from the Growth Policy and Public Facilities Planning Section will present the findings for Public Schools at the January 4, 2001 Planning Board hearing.

17. Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties. A Stormwater Management Concept Plan, Concept #898005240, has been approved by the Department of Environmental Resources.
18. The Specific Design Plan was reviewed and found to be in general compliance with all applicable sections of the *Landscape Manual*.
19. The applicant submitted seven (7) architectural models for single-family residences, each providing for several different front elevations. These include the following house types:

<u>House Type</u>	<u>Base Square Footage</u>	<u>Square Footage w/Options</u>
Roanoke	1,632 sq. ft.	2,605 sq. ft.

Severn	1,680 sq. ft.	2,325 sq. ft.
Missouri	1,690 sq. ft.	2,124 sq. ft.
Ohio	1,987 sq. ft.	2,445 sq. ft.
Dakota	2,165 sq. ft.	2,347 sq. ft.
Hancock I	2,021 sq. ft.	2,115 sq. ft.
Hancock II	2,072 sq. ft.	2,458 sq. ft.

The Urban Design Section has found the architecture to be deficient in the following areas:

- a. The proposed elevations lack the standard two (2) endwall features. The architecture should be revised to indicate two endwall features that are standard.
  - b. The Roanoke and the Severn offer optional one and two-car garages. The one-car garage should be standard with the two-car garage being an option. The Missouri offers only a one-car garage. One-car-garage units should be limited to 20% of all units built in the development, so that 30 units will be allowed to be one-car garage units. A front facade tracking chart should be added to the cover sheet for the purpose of tracking the one and two-garage units.
  - c. Labels for materials have not been included in the submitted elevations. The elevations should be revised to include material labels.
  - d. The elevations do not indicate that brick fronts are an option on all units. Brick fronts should be offered as an option for all units and 50% of all units should have brick-front facades.
20. In order to ensure that prospective purchasers in this subdivision are made aware of all exterior elevations of all models approved by the Planning Board, and of the existence of an approved Specific Design Plan, Landscape Plan, and plans for recreational facilities, these plans must be displayed in the builder's sales office.

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/188/92), and further APPROVED Specific Design Plan 9008/03 for the above-described land, subject to the following conditions:

1. Prior to certificate approval, the Specific Design Plan and associated plans shall be revised as follows:

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- a. The applicant shall renew the existing public recreation facilities agreement (RFA) for the construction of the following recreational facilities:
- (1) North Side of Brown Road
    - \*1050 [2,340] linear feet - 8' wide trail
    - \*500 [390] linear feet - 6' wide trail
    - \*1025 [975] linear feet - equestrian trail (width varies 10'-20')
    - 8 benches
    - [One bridge - (22' long and 8' wide or as determined by the DPR)]
    - 6 fitness stations
  - (2) South of Brown Road
    - \*1490 [3,065] linear feet - 8' wide trail
    - \*[1,015 linear feet - 6' wide trail]
    - \*1250 [1,980] linear feet - equestrian trail (width varies (10' - 20'))
    - 6 benches
    - [One bridge - (22' long and 8' wide or as determined by the DPR)]
    - 4 fitness stations
- b. The plans shall be revised to show trails layout, width and cross sections and shall be submitted to the Department of Parks and Recreation for review and approval. The trails shall be designed in accordance with the Park and Recreation Facilities Guidelines.
- c. The plans shall be revised to indicate a sidewalk along Brown Road from the subdivision (Lantana Drive) to the adjacent Turkey Branch School Site, subject to the approval of DPW&T. This sidewalk will facilitate safe pedestrian access to the future school.
- d. The plans shall be revised to include the height of all single-family residences.
- e. At least two architectural features shall be provided as standard features on the end walls to create a balanced composition.
- f. The architectural elevations shall clearly specify materials or combination of materials on all facades.
- g. 50% of all units built shall have brick fronts. Thirty (30) units shall be allowed to have a one-car garage. A front facade tracking chart shall be added to the cover

sheet for the purpose of tracking the aforementioned brick fronts and the allowed one-car garage units.

- h. The applicant shall revise the TCPII to add Loblolly Pines to the reforestation area located on Lots 11, 12, 13, 14 and 15 of Block D.
  - i. The applicant shall construct a barrier and install a ■No Trespassing - Private Property• sign at the northern terminus of the hiker/biker trail. The plans shall be revised to show the exact location and details of said barrier and sign.
  - j. The Recreation Facilities Agreement shall be revised to be in accordance with the Conditions of Approval.
  - k. A tracking chart shall be added to the cover sheet for the purpose of keeping track of the number of units (45 units) with less than 1800 square feet of living space.
- 2. All facilities other than the six-foot-wide pedestrian trail shall be completed prior to issuance of the 77<sup>th</sup> building permit in the subdivision. The six-foot-wide paths are to be completed as the related sections of development are undertaken and within each section the path shall be completed when one half of the units within the section are completed. Building permits shall not be approved for units on property adjoining the trail until the trail is under construction.
  - 3. Prior to application for grading permits, the Developer shall deliver to the Department of Parks and Recreation a Performance Bond in the amount determined by the DPR. Within two (2) weeks prior to the Developer's application for grading permits, the Developer shall request in writing a determination as to the amount of the required Performance Bond.
  - 4. The applicant shall construct the Chesapeake Beach Railroad right-of-way trail through the subject property in Parcel A. This trail shall be a hiker/ biker/equestrian trail as shown on the submitted plans and as recommended in the master plan.
  - 5. The applicant shall construct the six-foot-wide pedestrian path through the subject property as shown on the pedestrian path and equestrian trail plan. This trail shall be asphalt. In addition, this trail shall be either in homeowners association land or within an easement maintained by the homeowners association where the trail crosses the Prince George's County stormwater management parcel (Parcel D).
  - 6. Any additional pedestrian path connections shall be six-feet wide and asphalt.

7. All trails shall be assured dry passage. If wet areas must be traversed, suitable structures shall be constructed.
8. Prior to the issuance of the first building permit, the applicant shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of bikeway signage.
9. Prior to issuance of each building permit, the Detailed Site and Landscape Plan shall be revised to include front, side and rear setbacks and lot coverage.
10. No two units located next to or across the street from each other may have identical front elevations.
11. No more than 30% (45 units) of the units shall have a total finished area of less than 1800 square feet. For the purpose of this condition, the total finished area shall include the base square footage plus all square footage added to the unit after the addition of all applicable options.
12. The units constructed on Lots 5, 6, 7, 9, 10 and 11 of Block D, shall have a total finished area of at least 2,000 square feet. For the purpose of this condition, the total finished area shall include the base square footage plus all square footage added after the addition of all applicable options.
13. The Chesapeake Beach Railroad right-of-way trail, south of A37, shall be built prior to the release of the 152<sup>nd</sup> building permit, as shown on the approved plans or as otherwise deemed appropriate with the Department of Parks and Recreation
14. The applicant, his heirs, successors, and/or assigns, shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the Specific Design Plan, Landscape Plan, and plans for recreational facilities. The applicant, his heirs, successors and/or assigns, shall also display a complete list of all options available for each unit.
- 15.. Pror to grading permit, the applicant shall provide the proper documentation to the Urban Design Section stating that the Erosion/Sediment Control Plan has been reviewed and approved by the Environmental Planning Section. The Erosion/Sediment Control Plan shall show the location of all Woodland Preservation Areas and Tree Protection Devices and shall show grading of the eastern area of Lot 15 and parcel D, Block D.

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, Maryland within thirty (30) days following the adoption of this Resolution.

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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 Brown, seconded by Commissioner Lowe, with Commissioners Brown, Lowe and Hewlett voting in favor of the motion, and with Commissioner Eley voting in opposition of the motion, at its regular meeting held on Thursday, January 4, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of February 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:LW:rmk