PGCPB No. 04-64 File No. SDP-0314

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 March 25, 2004, regarding Specific Design Plan SDP-0314 for Beech Tree, East Village, Section 10, the Planning Board finds:

1. **Request:** The following Specific Design Plan applications include site, landscape and architectural plans for East Village Section10 and East Village Section 4 in the Beech Tree development.

   SDP-0314 proposes 46 townhouse units on 7.3 acres of land known as East Village Section 10. SDP-0315 proposes 39 townhouse units on 11 acres of land known as East Village Section 4.

2. **Development Data Summary**

	EXISTING	**PROPOSED**
Zone(s)	R-S	R-S
Use (s)	Vacant	Townhouses
Acreage		
SDP-0314	7.3	7.3
SDP-0315	11	11
Lots		
SDP-0314	0	46
SDP-0315	0	39 and 4 outlots
Parcels	0	0
Square footage	0	NA

3. **Location:** The Beech Tree development is in Planning Area 79 and Council District 9. The development is located on the west side of US 301, south of Leeland Road. The area covered by SDP-0314, East Village Section 10, is located on the south side of Leeland Road and the west side of Moores Plains Boulevard. The area covered by SDP-0315, East Village Section 4, is located on the north side of Beech Tree Parkway and on the east and west sides of Moores Plains Boulevard.

4. **Surroundings and Use:** The area of the subject Specific Design Plans SDP-0314 and SDP-0315 is surrounded by single-family residential lots in the Beech Tree development and the golf course. The Beech Tree development is bounded on the north by Leeland Road, south and west by residential uses, and the east by US 301.

5. **Previous Approvals:** The following applications have been approved as of this date for the Beech Tree project:

   a. Basic Plan Amendment A-9763-C.

   b. CDP-9706 for the entire Beech Tree development.

   c. Preliminary Plat 4-98063 for the golf course.

   d. Preliminary Plat 4-99026 for 458 lots and 24 parcels.

   e. Preliminary Plat 4-00010 for 1,653 lots and 46 parcels.

   f. SDP-9803 for the golf course.

   g. SDP-9905 Special Purpose SDP for community character.

   h. SDP-9907 Infrastructure SDP for the East Village for 130 single-family residential lots.

   i. SDP-9908 Infrastructure SDP for extending the sewer line from the East Village area to Parcel G.

   j. SDP-0001Architecture SDP for16 architectural models.

   k. SDP-0111—for the East Village, Phase II, Section I, for 129 single-family residential lots.

   l. SDP-0112—for the East Village, Phase II, Section II, for 49 single-family residential lots.

   m. SDP-0113—for the South Village, Phase I, Sections 1, 2, and 3 for 93 single-family residential lots.

6. **Design Features:** The applicant is proposing the following five types of architectural models by Ryan Homes and Haverford Homes for the proposed townhouses:

HAVERFORD HOMES

Model	**Square Footage**
Williamson	2,012 square feet
Stevenson	1,834 square feet

RYAN HOMES

Model	**Square Footage**
Hazelton	2,109 square feet
Fairfield	1,250 square feet

Fairmont	1,320 square feet

Each of the above models will have different architectural elevation options.

The proposed models have various options like brick facades, shutters, windows, window trim, bay windows and entrance porches. The proposed design features contribute to the overall superior quality of architecture proposed for this development. A condition of approval has been added to ensure that at least 60 percent of the total number of units have brick front facades.

The applicant is proposing three-, four-, five- and six-unit bays for the townhouses. The proposed lot sizes vary from 1,800 to 2,800 square feet. The maximum height of the townhouses is three stories and the maximum lot coverage is 40 percent. Most of the proposed townhouses will have garages on the rear of the units that will be accessed by alleys along the rear of the units; some of the units have garages on the front and are accessed from the front. The proposed layout of the townhouses ensures that the fronts of the townhouses face the streets and the golf course to the extent possible. The locations of the garages on the front of the units are not consistent on all the architectural models. A condition of approval has been added to eliminate garages adjacent to each other when feasible to maintain consistency of design and streetscape.

CONFORMANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The proposed residential use is in conformance with the permitted uses and other regulations in the R-S Zone.

8. **Basic Plan:** The proposed Specific Design Plans are in general conformance with the Basic Plan A-9763-C. Finding 6 of CDP-9706 (PGCPB No.98-050) addressed conformance of CDP-9706 with the approved Basic Plan.

9. **Comprehensive Design Plan:** Comprehensive Design Plan CDP-9706 as approved includes a maximum of 2,400 dwelling units: 1,680 single-family detached, 480 single-family attached, and 240 multifamily, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake, to be built in the Eastern Branch stream valley, will be a central focal point of the golf course and of the development as a whole. The Comprehensive Design Plan for Beech Tree is also proposed to include the following: a club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park, 12.5 acres dedicated to M-NCPPC for a community park, 211 acres dedicated as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education for a middle school site, and a 17-acre site for an elementary school. None of the above amenities is included in the subject SDPs. These amenities will be the subject of future SDPs. An active recreational area is located south of the area covered by

SDP-0314 and an active recreational area and the clubhouse are located to the south of the area covered by SDP-0315.

The proposed Specific Design Plans will be in general conformance with CDP-9706 if the conditions below are fulfilled. CDP-9706 was approved with 49 conditions of approval. The following conditions are directly applicable to the proposed project and the proposal complies with the conditions as follows:

6. Prior to approval of building or grading permits, the Natural Resources Division shall review all Technical Stormwater Management Plans approved by the Department of Environmental Resources (DER). The Natural Resources Division shall work with DER and the applicant to ensure that water quality is provided at all storm drain outfalls.

This condition is being carried forward for inclusion in the subject Specific Design Plans.

7. Every Specific Design Plan for Beech Tree shall include on the cover sheet a clearly legible overall plan of the Beech Tree project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted Specific Design Plan numbers, and all approved or submitted Tree Conservation Plan numbers for Beech Tree.

The applicant has complied with this condition.

15. Prior to approval of each Specific Design Plan for residential use, the applicant shall demonstrate to the satisfaction of the Planning Board and the District Council that prices of proposed dwelling units will not be lower than the following ranges (in 1989 dollars):

Single-Family Detached: $225,000-500,000+
Single-Family Attached: $150,000-200,000+
Multifamily dwellings: $125,000-150,000+
In order to ensure that the prices of proposed dwelling units are reflective of dollar values for the year in which the construction occurs, each Specific Design Plan shall include a condition requiring that, prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than the ranges above (in 1989 dollars).

The applicant has previously submitted a letter from ERR Economic Consultants (Patz to Adams, December 8, 1999) stating that the base price of the proposed 130 single-family houses to be built in the East Village will not be lower than $225,000 in 1989 dollar values. The above condition is being retained for the subject SDPs.

18. The District Council shall review all Specific Design Plans for Beech Tree.

The District Council will be reviewing the subject SDPs.

20. The applicant shall address the views from the arterial and collector roadways. Dwelling units shall not be sited in monotonous patterns along the roadways, and driveways shall be minimized along arterial and primary collector streets to the extent feasible. In addition, landscaping, screening and berming shall be combined to provide varied streetscapes.

The applicant has provided adequate landscaping to screen the views from adjacent arterials and collector roadways.

24. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA) Standard 13D and all applicable county laws and regulations.

This condition is being carried forward to the subject SDPs.

28. With the submission of each building permit, the applicant shall pay to Prince George's County the following share of costs for improvements to US 301 between MD 725 and MD 214:

A. A fee calculated as $497.84/residential DU x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989).

The compliance with this condition will be reviewed during the submission of the building permits by the Transportation Planning Section.

30. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

A. Leeland Road,

(i) Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards,

B. MD 193/Oak Grove Road Relocated Intersection,

(i) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to

connect to the existing MD 193 north of the realigned Oak Grove Road, and

(ii) The extension of the realigned Oak Grove Road from the end of Perrywood's construction to the realigned MD 193.

The realignment of MD 193 and Oak Grove Road shall provide a through and a right-turn lane at the northbound approach, a through and a left-turn lane at the southbound approach, and a separate left- and right-turn lane on the westbound approach.

(iii) Provide for the installation of a traffic signal.

The applicant has submitted a traffic study that identifies the staging of the development and the improvements required at each development stage. The report has been reviewed by the Transportation Planning Section, the Department of Public Works and Transportation, and the State Highway Administration.

48. During the SDP approval process, traditional names of the property, owners and family homes shall be considered for use within the proposed development.

The street names in the Beech Tree development are based on the traditional names of property owners and family homes.

The subject Specific Design Plans conform to the following elements of the Comprehensive Design Plan (CDP-9706):

a. Design Intent: CDP-9706 establishes four villages, each with its own unique site features, character and amenities. These villages will be linked to the golf course and the other residential villages by a network of roads and a system of pathways and trails. The general layout, circulation pattern, road layout, pathway system, and the location and number of the proposed pocket parks in the development conform to the approved CDP-9706.

b. Development Program:

	CDP-9706	Approved including the subject SDPs
Total number of units	2,400	486
Total number of units previously approved		401
Townhouses	480 (20%)	85
Single-family houses	1,680(70%)	401

Multifamily	240 (10%)	0
Dwelling units per gross acre	2.2	1.14

The proposed density (dwelling units per acre) is lower than the approved density of CDP-9706. A condition of approval has been added to require the applicant to indicate the total number of units previously approved and the total number of units proposed by the subject SDPs on the site plans.

c. Public Benefit Features: Although public benefit features are proposed, they are not part of the subject SDPs.

d. Site Design Criteria and Guidelines: The Specific Design Plans are consistent with the design principles established in CDP-9706 for site design, pathway system, vehicular circulation/access, compatibility with the surrounding areas, recreational facilities, landscape features, open space, and parking.

e. Transportation Planning: CDP-9706 established that various intersections in the vicinity of the subject site will operate unacceptably under total traffic conditions. Various conditions were added to require a number of traffic improvements to reduce the impact of the proposed development. The required traffic improvements listed in CDP-9706 and Preliminary Plans 4-99026 and 4-00010 have been evaluated, and conditions of approval have been proposed to address the required transportation improvements.

f. Architecture: The proposed architecture for the townhouses is compatible with the architecture for the single-family houses.

g. Conformance with the requirements for townhouses in the Zoning Ordinance:

The Specific Design Plan must conform to the following design guidelines for townhouses in the Zoning Ordinance:

Sec. 27-274 (a) (1) (B), Design Guidelines, of the Zoning Ordinance states that the plan shall be designed in accordance with the following guidelines:

(B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below**.**

Paragraph 11 pertaining to Townhouses and three-family dwellings states that:

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(A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of

mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.

The subject Specific Design Plans have adequate landscaped areas to create open areas. The use of many rear-loaded units served by alleys eliminates the ability to preserve existing trees in areas separating the rears of buildings.

(B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.

The proposed townhouses are at right angles to each other. Many units front on roadways with alleys in the rear.

(C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.

The recreational facilities are not located immediately adjacent to the proposed townhouses but are within walking distance of the townhouses.

(D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.

The designs of the abutting units to the extent possible avoid using repetitive architectural elements.

(E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.

The rears of the townhouses are buffered from the abutting public rights-of-way by extensive landscaping. The proposed layout of the townhouses ensures that the fronts of the townhouses face the streets and the golf course to the extent possible, while the rears of many units face directly to the rears of other units across service alleys.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

Various design elements like bay windows, trims, building projections, and porches have been used to create offsets for the buildings and to give them an aesthetic appearance.

Sec. 27-433 (d), R-T Zone (Townhouse), of the Zoning Ordinance states that:

(1) All dwellings shall be located on record lots shown on a record plat.

The proposed townhouses have recorded lots shown on a record plat.

(2) There shall be not more than six (6) nor less than three (3) dwelling units in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units) or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.

The proposed townhouse bays have three, four, five and six units in each bay.

(3) The minimum width of dwellings in any continuous, attached group shall be at least twenty (20) feet. Attached groups containing units all the same width and design should be avoided, and within each attached group attention should be given to the use of wider end units.

The minimum width of dwellings in a bay is at least 20 feet. Although the bays contain units with the same width, different design elements have been used to avoid the appearance of identical row houses.

(4) The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet.

The minimum square footage for the proposed townhouses is 1,250 square feet.

(5) Side and rear walls shall be articulated with windows, recesses, chimneys, or other architectural treatments. All endwalls shall have a minimum of two (2) architectural features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from public spaces, streets, or because of topography or road curvature) shall have additional endwall treatments consisting of architectural features in a balanced composition, or natural features which shall include brick, stone, or stucco.

Side and rear walls are articulated with a minimum of two architectural features, and the proposed design elements create a balanced composition.

(6) Above-grade foundation walls shall either be clad with finish materials compatible with the primary facade design, or shall be textured or formed to simulate a clad finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad or unfinished concrete are prohibited.

Above-grade foundation walls are clad with finish materials identical to the primary façade design.

(7) A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."

A condition of approval has been added to ensure that a minimum of 60 percent of the total number of units have a brick front façade.

10. **Preliminary Plan of Subdivision:** The area covered by SDP-0314 is the subject of Preliminary Plan 4-99026 and the area covered by SDP-0315 is the subject of Preliminary Plan 4-00010. Compliance with conditions of approval of these Preliminary Plans is discussed in Finding 13.k.

11. ***Landscape Manual:*** The Specific Design Plan is subject to and conforms to Section 4.1 (Residential Requirements), Section 4.6 (Buffering Residential Development from Streets), and Section 4.7 (Buffering Incompatible Uses) of the *Landscape Manual.* Extensive landscape buffers have been provided along the streets and parking areas to screen them from the golf course and adjacent single-family lots. A condition of approval has been added to require additional evergreens for the following lots to completely screen the adjacent single-family lots:

SDP-0315
Block Q Lots 5 to 13 (along the rear)
Bock O, Lots 10 to 15 (along the rear)

Block M, Lot 58 (along the side yard)

A condition of approval has also been added to replace the proposed Yoshino cherry trees planted along the alleys with trees that have a narrower spread.

12. **Woodland Conservation Ordinance:** Conformance with the Woodland Conservation Ordinance is discussed in detail in Finding 13.h.

13. **Referral Comments:** The subject application was referred to the concerned agencies and divisions:

a. In a memorandum dated February 2, 2004, the Washington Suburban Sanitary Commission stated that there is an approved authorization within the limits of the site.

b. In a memorandum dated February 10, 2004, the Department of Environmental Resources stated that the proposal is consistent with the approved stormwater management concept #008004950.

c. In a memorandum dated February 2, 2004, the Historic Preservation Section stated that the proposal has no impacts on the adjacent historic properties

d. In a memorandum dated February 9, 2004, the Department of Parks and Recreation stated that the proposal has no impacts on their property.

e. In a memorandum dated January 20, 2004, the State Highway Administration stated that they have no objections to the proposal.

f. In a memorandum dated February 2, 2004, the Historic Preservation and Public Facilities Planning Section concluded that 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 Plan or provided as part of the private development. County Council bill CB-31-2003 established a school facilities surcharge requiring a fee to be paid at building permit for each dwelling unit. The school surcharge may be used for construction of additional or expanded school facilities. The project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003, CB-31-2003 and CB-23-2003. The existing fire engine service, ambulance service, and paramedic service are will within the response time guidelines. The existing police facilities will be adequate to serve the population generated by the proposed subdivision.

g. In a memorandum dated March 8, 2004, the Transportation Planning Section stated that the Planning Board approved SDP-9907 on June 8, 2000 (PGCPB –00-111). As a part of that application, the applicant submitted a staging plan, which identified the transportation improvements needed for various development stages of the Beech Tree

subdivision. The staging plan was approved with modifications by the Transportation Planning Section after consultation with the applicant, SHA and DPW&T. The applicant has submitted a letter dated March 4, 2004, giving a status report of the building permits issued in relation to the transportation improvements. The Transportation Planning Section staff will monitor the release of the permits in relation to the specific improvements needed. The Section has concluded that the subject development will be adequately served within a reasonable period of time if all the transportation improvements and phasing outlined in the conditions of approval of SDP-9907 are fulfilled.

h. In a memorandum dated January 28, 2004, the Permit Review Section has required minor revisions to the site plan drawings. Conditions of approval have been added to require the same.

i. In a memorandum dated February 11, 2004, the Environmental Planning Section stated that the 1,212-acre Beech Tree site has a network of slopes, ravines and stream valleys. The site is situated within the Patuxent River drainage basin and is, therefore, subject to the stringent buffer requirements of the Patuxent River Policy Plan. The soils on the site belong to the Collington-Adelphia-Monmouth, Westphalia-Evesboro-Sassafras and Westphalia-Marr-Howell associations. Highway noise from US 301 is a known significant noise source. There are no scenic or historic roads impacted by the development proposed in the subject plans. The water and sewer categories are W-3 and S-3. There are extensive areas of wetlands on the site. The stripeback darter, a state endangered fish, was found in the main stream of Collington and Western Branch.

Of the 1,212 acres, about 220 acres are currently 100-year floodplain and 207 acres of the floodplain is forested. The upland 973 acres has 651 acres of woodlands. The site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet and it contains more than 10,000 square feet of woodland. The revised Type II Tree Conservation Plan, TCPII/49/98-02, requires a minimum of 284.92 acres of woodland conservation for the proposed development of the entire site. The plan provides for 612 acres of on-site woodland conservation, 12.11 acres of reforestation and 0.98 acres of afforestation for a total of 625 acres. The total area of PMA on the Beech Tree property is 329 acres. The total amount of disturbance permitted in the PMA is 23.22 acres. The disturbances proposed by SDP-0314 and SDP-0315 are consistent with those previously approved by the Planning Board. No further action is required with regard to these Specific Design Plans for noise issues or endangered species issues. None of the proposed development of the subject SDPs modifies the previous approvals regarding stormwater management issues and Marlboro clay issues.

Conditions of approval have been added for minor revisions to the Type II Tree Conservation Plan and to require special drainage measures, road construction and foundation construction methods in some areas. The Environmental Planning Section recommends approval of TCPII/49/98-02 subject to conditions of approval.

j. The Town of Upper Marlboro was sent a referral. No comments have been received as of this date.

k. In a memorandum dated March 5, 2004, the Subdivision Section stated that Preliminary Plan 4-99026 was approved on September 9, 1999 and Preliminary Plan 4-00010 was approved on July 27, 2000. Both preliminary plans are valid for six years. A number of conditions of approval of the preliminary plans apply to the specific design plans. These conditions have been addressed by the Environmental Planning Section, the Transportation Planning Section, and the Department of Parks and Recreation during the review of the subject SDPs and the previous SDPs. The lotting pattern and road configuration of SDP-0314 is in conformance with Preliminary Plan 4-99026 and the lotting pattern and road configuration of SDP-0315 is in conformance with Preliminary Plan 4-00010.

l. In a memorandum dated March 3, 2004, the Transportation Planning Section stated that one of the master plan trails along Collington Branch impacts the area covered by SDP-0314, East Village 10. Sidewalks have been provided in conformance with previous approvals. A condition of approval has been added to construct a six-foot wide hiker-biker trail along the entire frontage of Moore's Plain Boulevard. This would extend the hiker-biker facility toward the planned LAC on Leeland Road and toward the planned bicycle facility on Leeland Road.

14. **Conformance of the Proposed Specific Design Plan with the findings for approval of a Specific Design Plan (Section 27-528(a), Planning Board Action)**

The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual and for Specific Design Plans for which an application is filed after December 30, 1986, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11) and the applicable regulations for townhouses set forth in Section 27-433(d).

As stated in Finding 9, the proposal is consistent with the approved Comprehensive Design Plan and the applicable sections of the *Landscape Manual*.

The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.

As stated in Findings 13.f and 13.g, the Transportation Planning Section and the Historic Preservation and Public Facilities Planning Section have reviewed the proposals for adequacy of public facilities and have concluded that there is sufficient basis for making this required finding.

Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.

The Department of Environmental Resources has stated that the proposal is consistent with approved stormwater management concept plan #008004950. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects.

The Plan is in conformance with an approved Tree Conservation Plan.

As stated in Finding 13.h, the plan will be in conformance with an approved Tree Conservation Plan (TCPII/49/98) if the proposed conditions are fulfilled.

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/49/98-02), and further APPROVED Specific Design Plan SDP-0314 for the above-described land, subject to the following conditions:

1. Prior to certification of the Specific Design Plans,

   a. The site/grading, landscape and architectural plans shall be revised to show the following:

      (1) The total number of units previously approved and the total number of units proposed in the subject SDPs.

      (2) Parking schedules including correct number of proposed parking spaces, parking spaces included within garages, on-street parking and garage dimensions.

      (3) Depressed curbing or ramps in the area of parking for the physically handicapped.

      (4) Top and bottom wall elevations for all retaining walls.

      (5) All design standards approved by the CDP on the cover sheet.

      (6) A table to demonstrate compliance with yard area requirements. If a deck enclosure option is used, yard area calculations shall include the option.

      (7) Garages adjacent to each other on the front of the proposed units eliminated unless it is determined that this is infeasible for technical reasons.

      (8) Additional evergreens for the following lots:

      Block Q Lots 5 to 13 (along the rear)
      Bock O, Lots 10 to 15 (along the rear)
      Block M, Lot 58 (along the side yard)

(9) The proposed Yoshino cherry tree replaced with a tree with a narrower spread on the landscape palette.

(10) At least 60 percent of the total number of units shall have brick front facades.

(11) A six-foot-wide hiker-biker trail along the entire frontage of Moore's Plain Boulevard.

b. The Type II Tree Conservation Plan, TCPII/49/98-02, shall be revised to:

(1) Revise the key map on the cover sheet to indicate each Specific Design Plan for Beech Tree

(2) Remove the TCP notes from the key map.

(3) Correct each TCPII approval block on every sheet to include the PGCPB resolution number and date for the approvals of TCPII/49/98, TCPII/49/98-01 and TCPII/49/98/02.

(4) Document all revisions with appropriate notes in the revision block on each sheet.

(5) Add the following note to sheet 46: "No disturbance of woodland on the site shall occur until it is affirmed that such removal is consistent with the Habitat Management Plan for the Stripeback Darter approved by the Wildlife and Heritage Division of DNR."

(6) Add the following note to sheet 46: "Prior to the issuance of any grading permit for the site, the Type II TCP shall be revised to incorporate the recommendations of the approved Habitat Management Plan for the Stripeback Darter."

(7) Add the following note to sheet 46: "There shall be no grading, cutting of trees or tree removal from the site until such time as the recommendations of the Habitat Management Plan have been incorporated into the Type II TCP."

(8) Add the following note to each sheet of the TCPII that shows reforestation/ afforestation areas: "All reforestation/afforestation areas adjacent to lots and split rail fencing along the outer edge of all reforestation/afforestation areas shall be installed prior to the use and occupancy permit for the adjacent lots."

(9) Have the revised plan signed and dated by the qualified professional who prepared the plan.

c. The applicant shall demonstrate to the satisfaction of the Urban Design Section that prices of proposed dwelling units will not be lower than the following range (in 1989 dollars):

Single-Family Attached: $150,000-200,000+

2. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.

3. Prior to the issuance of any permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC, Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.

4. Prior to approval of building or grading permits, the M-NCPPC Environmental Planning Section shall review all technical stormwater management plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the Habitat Management Program and that water quality is provided at all stormdrain outfalls. If revisions to the TCPII are required due to changes to the technical stormwater management plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.

5. Prior to the issuance of any building permit, a soils report addressing specific remedies and their locations in all areas where Marlboro clay presents development problems shall be reviewed and approved by the M-NCPPC Environmental Planning Section and the Prince George's County Department of Environmental Resources. The report shall include a map showing all borehole locations and logs of all of the boreholes and identify individual lots where Marlboro clay poses a problem.

6. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NAPA) Standard 13D and all applicable county laws and regulations.

7. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than the range shown in Condition 1(c) above.

8. The transportation improvements and phasing outlined in the conditions of approval for SDP-9907 shall be fulfilled.

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.

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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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 25, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of April 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:LS:meg