

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on March 10, 2005 regarding Detailed Site Plan DSP-04032 for Oaklands, the Planning Board finds:

1. **Request:** The subject application requests the approval of a 73-lot cluster subdivision, including the renovation of a historic home on a separate lot and the creation of 72 additional lots.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R	R-R
Use(s)	Historic Site/Vacant	Historic Site, single-family homes and a public soccer field
Acreage	48.98	48.98
Parcels	2	3
Lots	1	73

3. **Location:** The site is in Planning Area 62, Council District 1. More specifically, it is located in the northeastern quadrant of Contee Road and the CSX Transportation, Inc. (former Baltimore & Ohio Railroad), right-of-way.
4. **Surroundings and Use:** The subject property is bounded to the north by vacant land; to the northwest by the CSX Transportation, Inc. (former Baltimore & Ohio Railroad); by parkland to the west; and to the east and south by single-family homes in cluster subdivision development.
5. **Previous Approvals:** Preliminary Plan of Subdivision 4-03133 was approved by the Planning Board for the subject site on March 11, 2004. PGCPB No. 04-52, formalizing that approval, was adopted by the Planning Board on April 1, 2004. A Type I tree conservation plan (TCP1/66/02-01) was approved for the subject property at the same time as the preliminary plan of subdivision. Additionally, a stormwater concept approval was issued for the site on November 20, 2002, by the Department of Environmental Resources, and will remain in effect until November 20, 2005.
6. **Design Features:** The subject subdivision is proposed to be accessed from the south at a single point on the easterly end of its Contee Road frontage, along a street to be named "Quarter Horse Run Road." A soccer field and an ancillary parking lot for the field are to be located just west of the intersection of Quarter Horse Run and Contee Roads. Lots closest to the soccer field are nearly 100 feet from the field, providing ample opportunity for buffering. Stormwater management for the subdivision is proposed to be handled by a single stormwater management

pond to be located on the westerly end of the site's Contee Road frontage.

Quarter Horse Run Road is designed to enter the residential portion of the site past the entrance to the soccer field and to swing in horseshoe fashion into the site and around its historic resource, Oaklands, centrally located on proposed Lot 55 of the subdivision and protected by nearly four acres, one around the house itself and three additional acres of woodland. Quarter Horse Run Road is almost entirely double-loaded and will offer views primarily of subdivision homes on either side of the road.

Just before Quarter Horse Run Road reaches its northerly apex and open space view, a second street in the proposed subdivision, Roan Horse Court, branches off to the northeast. "Chester Mare Terrace," a third street in the subdivision, branches off Roan Horse Court to the southeast. Both streets are double-loaded and terminate in cul-de-sacs, offering no views other than houses on either side.

Minimum cluster open space requirements are exceeded, and 20.70 acres of open space are included in the proposed detailed site plan. All subdivision lots measure a minimum of 10,000 square feet. Of the 73 lots in the proposed subdivision, two are flag lots.

Through its work with the Historic Preservation Commission and the Historic Preservation Planning Section, the applicant has agreed to donate a stipend of \$125,000 toward the remodeling of Oaklands, the site's historic resource and to use only models approved by the Historic Preservation Commission on lots immediately adjacent to the historic resource. Although suggestions were made at the preliminary plan stage to include historical references in street name choices, applicant has instead chosen to utilize the above-mentioned horse-related names for the streets.

The architecture sought to be approved for the subject subdivision includes the following:

<b>Model Name</b>	<b>Total Base Finished Area (square feet)</b>
Highgrove	3,576
Waverly	3,645
Oberlin	2,369
Balmoral	3,385
Avalon	2,935
Courtland	2,877
Victoria	2,013
Zachary	1,769

#### COMPLIANCE WITH EVALUATION CRITERIA

- Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-R Zone and the site plan design guidelines of the Zoning Ordinance.

- a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in residential zones. The proposed residential subdivision is a permitted use in the R-R Zone.
  - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in residential zones.
8. **Preliminary Plan of Subdivision, 4-03133:** Preliminary Plan 4-03133 was approved by the Planning Board on March 11, 2004. Resolution PGCPB 04-52, formalizing that approval, was adopted on April 1, 2004. The following conditions of approval apply to the review of the subject detailed site plan.

**Condition #10 - At the time of acceptance of the Detailed Site Plan for the development, the applicant shall confirm the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings shall be submitted to the staff of M-NCPPC for review and approval. Upon approval of this determination, plans may be approved and permits may be issued for any portion of the subject property excluded from the scope of the Phase I investigation. No plans may be approved and no permits shall be issued for the area subject to the Phase I investigation before satisfactory completion of the following:**

- a. **The applicant shall complete a Phase I investigation (including research into the property history and archeological literature) and a determination shall be made by staff of the M-NCPPC as to whether further investigation is needed; or**
- b. **If it is determined that archeological resources exist in the project area, the applicant shall provide:**
  - (1) **A plan for avoiding and preserving the resource in place, or**
  - (2) **A plan for mitigating the adverse effect upon these resources by conducting Phase I and Phase II investigations as needed. Evidence of M-NCPPC staff concurrence with the investigations and/or report shall be provided.**

**All investigations shall be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. Two copies of this report must be delivered to the M-NCPPC for review-one to Historic Preservation staff of the Planning Department and one to the Archeology Program of the Department of Parks and Recreation.**

Comment: As per comments dated December 27, 2004, received from the Historic Preservation and Public Facilities Planning Section, the applicant has fulfilled this condition by the submission

of three reports. Further, they stated that remaining archeology issues will continue to be addressed through other conditions relevant to the project site.

**Condition #12—Prior to the approval of a Detailed Site Plan application, the applicant shall provide for adequate landscape buffering within Parcel A of the Oaklands Historic Site (62-03) Environmental Setting (Lot 54) in order to enhance the views to and from the Historic Site and to provide for its privacy with heterogeneous plantings to include existing trees and new evergreens for winter screening. This landscape buffering shall enhance any of the Environmental Setting’s significant natural or manmade features such as garden terracing, mature shade trees and ornamental plantings, and permanent structures.**

Comment: In comments dated December 27, 2004, the Historic Preservation and Public Facilities Planning Section stated that the condition has been fulfilled by a combination of tree preservation and reforestation adjacent to or within the historic site’s environmental setting, retention and augmentation of existing woodland and trees to the north and east.

**Condition #13—Prior to the approval of a Detailed Site Plan application, the applicant shall provide for an entrance feature to the Historic Site to establish the presence of Oaklands and its role within the community as an amenity. The entry to and the environs of the Historic Site shall be landscaped to enhance views of the property and to provide reasonable privacy to the Historic Site and adjacent new construction.**

Comment: The applicant has proposed to construct a small ground- or masonry-mounted interpretive sign within the historic site’s environmental setting near its access to a public road. The Historic Preservation and Public Facilities Planning Section has suggested that Condition 13 be revised to allow for the content, design, location, and construction of the interpretive sign to be completed by the applicant prior to the transfer of the Oaklands Historic Site to a new owner.

**Condition #14—Prior to the approval of a Detailed Site Plan application, the Historic Preservation Commission shall review the architectural character of the houses to be located on Lots 50-71 for their compatibility with the Oaklands Historic site (62-03). Special attention shall be given to employing architectural styles for Lots 50-71 that are compatible with the symmetrical and balanced character of the Historic Site’s late-Georgian character. Special attention shall be given to sheathing materials and decorative details of building elevations, roofs, chimneys, shutters and other exterior features and the overall organization of the facades including the locations, sizes and types of windows used.**

Comment: Such review has been completed and a certain subset of the submitted architecture for the site has been approved by the Historic Preservation Commission to be utilized on the above-cited lots immediately adjacent to the historic resource on the property. A condition to this effect has been included in the recommended conditions below.

**Condition #15—Prior to the approval of a Detailed Site Plan application, the applicant shall draft an agreement for review and approval by the Planning Board or its designee,**

**codifying the transfer of the Oaklands Historic Site (Lot 54) to a party agreed upon by the property owner, the applicant as contract purchaser and the Historic Preservation Commission. The applicant's agreement shall include the conditions and timing of the property transfer and the conditions and timing of the \$125,000 rehabilitation funds to be conveyed to the recipient of the property.**

Comment: The applicant has drafted and the Historic Preservation and Public Facilities Planning Section has recommended approval of an agreement codifying the transfer of Oaklands, providing a schedule for the distribution of the rehabilitation funds, and codifying the obligations of the parties. Upon execution of the agreement, absent an appeal, transfer of the historic site to the identified recipient can be initiated.

**Condition #16—Prior to the approval of the first building permit for the development, the Oaklands property (Lot 54) and its associated rehabilitation funds shall be transferred to an appropriately identified recipient at the time of the final plat for the development. The applicant shall submit evidence to the Planning Department of the transfer of the Oaklands property and the associated rehabilitation funds.**

Comment: This condition has been carried forward from PGCPB No. 04-52, which approved preliminary plan of subdivision 4-03133 for the subject site, as Condition 1 of the recommended conditions below.

**Condition #17—The Oaklands Historic Site Environmental Setting (62-03), consisting of Lot 54 and Parcel A, should be clearly labeled on all future submittals.**

Comment: The subject application correctly identifies the historic site and its environmental setting, making this condition no longer necessary.

**Condition #18—The applicant shall consult with the staff of the Historic Preservation Commission and the premise address work group of the Subdivision Section to develop street names that are reflective of more significant aspects of the history of the Oaklands property.**

Comment: Satisfaction of this condition is provided for in recommended Condition 2.j. below.

**Condition #29—Detailed construction drawings for the recreational facilities on parkland shall be submitted to the Department of Parks and Recreation for review and approval prior to submission of the Detailed Site Plan. It shall include grading and landscaping plans, construction details and equipment schedules.**

Comment: In a memorandum dated October 14, 2005, the Department of Parks and Recreation informed urban design staff that they had reviewed the detailed construction drawings for the recreational facilities on parkland and found them acceptable. Therefore, in accordance with the

relevant preliminary plan condition, from their viewpoint, the detailed site plan application could be accepted for review and approval.

9. **Landscape Manual:** The proposed development is subject to the requirements of Sections 4.1, 4.3.b, and 4.7.

The Urban Design staff reviewed the proposed landscape plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.

10. **Woodland Conservation Ordinance:** The site is subject to the provisions of the Prince George's Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of woodlands on site. A Type I tree conservation plan, TCPI/66/02, was approved together with preliminary plan of subdivision 4-03133 and a Type II tree conservation plan, TCPII/15/05 has been submitted together with the subject detailed site plan application. The Environmental Planning Section has reviewed the submitted TCPII application and is recommending its approval subject to conditions. Those conditions have been included in the recommended conditions below.

11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

**Historic Preservation**—In a memorandum dated December 27, 2004, the Historic Preservation Planning Section offered the following:

At its meeting on December 21, 2004, the Historic Preservation Commission reviewed the staff report, applicant comments, and public testimony and forwarded seven recommended conditions to the Planning Board to ensure the long-term preservation of the historic site and its proper treatment within proposed cluster development. These conditions are included in the Recommendation section of this report.

The following additional information was also provided:

### **Background**

The subject detailed site plan application involves Oaklands, a designated historic site (62-03), located at 8314 Contee Road, Laurel, Maryland. The historic site, a brick plantation house associated with the Snowden family, was constructed in the 1790s and altered in the late nineteenth century and early twentieth centuries. Until the historic site's environmental setting was revised by the Historic Preservation Commission in early 2004, the large house (approximately 5,000 square feet), several small outbuildings, and associated landscape features within a 39±-acre parcel were all that remained of a once substantial plantation. The design of the house is a formal and high-style example of the architectural preferences of an important Maryland family of the late eighteenth century. The balanced and symmetrical facades of both the front and rear of the house are excellent examples of late Georgian or early Federal design;

each elevation is a five-bay composition with a centered, pedimented entry. The interior of the house retains important late eighteenth century woodwork in almost every room. The environmental setting also includes a small brick outbuilding immediately south of the main house kitchen wing. There is a small one-story stone structure of undetermined age and use, south and west of the main house that is currently outside of the historic site's environmental setting on a developed lot. The applicant has agreed to relocate the stone structure within the environmental setting to a location to be agreed upon with the new owner of Oaklands.

Oaklands has been the subject of considerable attention from both the Historic Preservation Commission and staff of late. Although the house was inhabited, its condition had steadily declined in recent years. In 2002 and 2003, staff and the Historic Preservation Commission worked closely with the applicant to market the house to individuals or organizations interested in ensuring the preservation of Oaklands within the context of a modern residential community. Toward that end, the applicant initiated a marketing plan developed with staff and approved by the Historic Preservation Commission. In addition to the potential transfer of the property and a small amount of land, the applicant's marketing plan included the provision of seed money to help initiate a rehabilitation of the property. Through the marketing plan, the availability of the property was brought to a national audience. More than 100 inquiries were received and numerous interested parties visited the property.

Three detailed proposals were received outlining potential rehabilitation approaches for the property. One of the three proposals received was from a relative of the property owners (with no ownership interest). Both the property's owners and the applicant, as contract purchaser, determined that this proposal represented a well-conceived rehabilitation plan that would ensure the rehabilitation of the property and allow it to remain within the family of its long-time owners. The property owners and the applicant selected Mr. Donald C. Lady as the individual to whom Oaklands, along with approximately one acre of land and \$125,000 for rehabilitation, would be transferred at an appropriate time in the development process. With the permission of the property owners and the contract purchasers, in fall 2002 Mr. Lady began to work on the house. The focus of Mr. Lady's work was the removal of trash, debris, and the effects of the previous occupants and the weather-proofing of selected deteriorating features including portions of the roof, the built-in gutters, certain windows and a portion of the main façade recently open to the elements. Some of this work was carried out with emergency grant funds from Preservation Maryland, the statewide nonprofit preservation organization.

#### Staff Findings and Conclusions

The Planning Board's resolution of approval for Preliminary Plan 4-03133, Oaklands Cluster (PGCPB No. 04-52), includes a number of conditions that must be addressed by the applicant at the time of the review of the detailed site plan application or subsequent stages in the development process. These conditions include:

- 1c. The applicant shall undertake a survey to identify the significant historic features of Lot 54 and Parcel A. Significant features to be retained shall be identified on the preliminary plan.*

The applicant has identified all of the property's significant above-ground features. The main house and brick outbuilding are included within the historic site's environmental setting along with landscape features in the immediate vicinity of the main house. A second outbuilding, the small fieldstone and cobblestone building south and west of the main house, is located outside the environmental setting on a developed lot. The date of construction and original use of this building are uncertain; its size, design, construction techniques and materials indicate that the building likely dates from the late-nineteenth or early twentieth century (e.g., the use of Portland cement and the exposed cobblestone chimney). Oral tradition from recent owners indicates that the building was used as a children's playhouse in the twentieth century. There is no current evidence that this structure predates the end of the nineteenth century and is associated with the antebellum history of the property. Nevertheless, as the structure would be destroyed through the proposed redevelopment of Lot 51, the applicant has agreed to relocate the structure within the historic site's environmental setting. Staff recommends that prior to the relocation of the stone building and the grading of the immediate vicinity, the area within 30 feet of the structure be subject to an intensive Phase I archeological investigation (to provide for 12 shovel test pits at 10-foot intervals from each of the structure's exterior walls).

The applicant's detailed site plan application should be revised to indicate that the "old stone building" on Lot 51 will be relocated to a site to be determined within the Oaklands historic site environmental setting.

10. *At the time of acceptance of the detailed site plan for the development, the applicant shall confirm the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings shall be submitted to the staff of M-NCPPC for review and approval. Upon approval of this determination, plans may be approved and permits may be issued for any portion of the subject property excluded from the scope of the Phase I investigation. No plans may be approved and no permits shall be issued for the area subject to the Phase I investigation before satisfactory completion of the following:*
  - a. *The applicant shall complete a Phase I investigation (including research into the property history and archeological literature) and a determination shall be made by staff of M-NCPPC as to whether further investigation is needed; or*
  - b. *If it is determined that archeological resources exist in the project area, the applicant shall provide:*
    - (1) *A plan for avoiding and preserving the resource in place, or*
    - (2) *A plan for mitigating the adverse effect upon these resources by conducting Phase II and Phase III investigations as needed. Evidence of M-NCPPC staff concurrence with the investigations and/or report shall be provided.*



*All investigations shall be conducted by a qualified archeologist and must follow The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. Two copies of this report must be delivered to M-NCPPC for review—one to Historic Preservation staff of the Planning Department and one to the Archeology Program of the Department of Parks and Recreation.*

The applicant has addressed this condition with the submittal of three reports: (1) Phase I Cemetery Identification Investigation of Portions of Parcel A and Lot 66 of Oaklands, Prince George's County, Maryland, December 2003; (2) Phase IA Archeological Investigation of Oaklands (PG 62-3), Prince George's County, Maryland; and (3) Addendum—Phase IB Archeological Investigation of Portions of Oaklands (PG 62-3), Prince George's County, Maryland. The Phase I cemetery investigation report did not identify a potential cemetery within the area then defined as the historic site's environmental setting (Lot 66) and adjacent land to be reserved for open space (Parcel A). Neither the Phase IA nor the Phase IB report that followed identified a potential location for a cemetery within the developing property. Management summaries for the applicant's three archeology reports were submitted.

This condition has been fulfilled. Remaining archeology issues will continue to be addressed through other conditions.

11. *Prior to the issuance of a grading permit, the applicant, his heirs, successors and/or assignees shall retain the services of a contract archeologist to monitor the use of heavy equipment and grading outside of the environmental setting during construction. If a cemetery is found to be located outside of the Oaklands historic site environmental setting, it shall be marked to preclude further disturbance. Any identified cemetery shall be documented, and all county and state laws regarding the protection or removal of cemeteries shall be followed, prior to any disturbance or removal.*

The applicant's archeology reports posit a high potential for archeological resources within the property as a whole. Although few artifacts were discovered through the Phase IB investigations, the applicant's archeologist recommended the applicant retain a "professional archeologist to monitor the use of heavy equipment and grading [outside of the historic site] during the construction process."

This condition has yet to be fulfilled and should be carried over to the detailed site plan approval.

12. *Prior to the approval of a detailed site plan application, the applicant shall provide for adequate landscape buffering within Parcel A of the Oaklands Historic Site (62-03) environmental setting (Lot 54) in order to enhance the views to and from the historic site and to provide for its privacy with heterogeneous plantings to include existing trees and new evergreens for winter screening. This landscape buffering shall enhance any of the environmental setting's significant natural or manmade features such as garden terracing, mature shade trees and ornamental plantings, and permanent structures.*

The applicant's tree conservation plan (Type II) includes 1.42± acres of tree preservation and .61± acres of reforestation adjacent to or within the historic site's environmental setting. Existing woodland and trees to the north and east (both within Lot 55 and adjacent to it in Parcel A) will be retained and augmented to provide at least seasonal screening of the views to and from the historic site and adjacent developing Lots 56-68. An additional tree preservation area to the west (.27± acres) will provide limited screening of Lot 54. South and west of the historic site, between it and Contee Road, existing woodland and trees will be removed for the construction of a publicly accessible athletic field.

This condition has been fulfilled.

13. *Prior to the approval of a detailed site plan application, the applicant shall provide for an entrance feature to the historic site to establish the presence of Oaklands and its role within the community as an amenity. The entry to and the environs of the historic site shall be landscaped to enhance views of the property and to provide reasonable privacy to the historic site and adjacent new construction.*

The applicant proposes to construct a small ground-mounted or masonry-mounted interpretive sign within the historic site's environmental setting near its access from a public road. The specific content of the sign and its design and precise location remain to be resolved. These details should be addressed through the historic area work permit process prior to the transfer of the property to ensure that the applicant fulfills this requirement.

Staff recommends a revision to Condition 13 to allow for the content, design location and construction of the interpretive sign to be completed by the applicant prior to the transfer of the Oaklands historic site to a new owner.

14. *Prior to the approval of a detailed site plan application, the Historic Preservation Commission shall review the architectural character of the houses to be located on Lots 50-71 for their compatibility with the Oaklands Historic Site (62-03). Special attention shall be given to employing architectural styles for Lots 50-71 that are compatible with the symmetrical and balanced character of the historic site's late-Georgian character. Special attention shall be given to sheathing materials and decorative details of building elevations, roofs, chimneys, shutters and other exterior features and the overall organization of the facades including the locations, sizes, and types of windows used.*

The applicant and the applicant's homebuilder has provided Historic Preservation staff with elevation drawings for a number of house models proposed for the Oaklands cluster subdivision. Staff has reviewed the submitted drawings and suggested revisions to the designs and features of a number of models, suggested the elimination of other models. The applicant and the homebuilder have worked closely with staff to develop a group of house models more generally compatible with the adjacent historic site and views from it. Staff suggests that the HPC provide the Planning Board with a condition detailing those

specifically adapted house models (identified with an “H” suffix) considered to be compatible with the adjacent historic site, and requiring the use of only those compatible house models for Lots 50-71.

Plans and elevations for those models reviewed by staff will be provided to the HPC at the December 21, 2004 meeting.

15. *Prior to the approval of a detailed site plan application, the applicant shall draft an agreement for review and approval by the Planning Board or its designee, codifying the transfer of the Oaklands historic site (Lot 54) to a party agreed upon by the property owner, the applicant as contract purchaser and the Historic Preservation Commission. The applicant’s agreement shall include the conditions and timing of the property transfer and the conditions and timing of the \$125,000 rehabilitation funds to be conveyed to the recipient of the property.*

The applicant has drafted an agreement codifying the transfer of Oaklands that must be reviewed by the Historic Preservation Commission as part of the subject application. The draft agreement provides for the timing of the transfer of the historic site, provides a schedule for the distribution of the rehabilitation funds, and codifies the obligation of all signatories including the applicant, the recipient, the Historic Preservation Commission, and Prince George’s Heritage, Inc., the countywide nonprofit preservation organization acting as escrow agent for the rehabilitation funds.

With the HPC’s review and approval of the draft agreement, the parties may finalize the document and execute it, allowing for the transfer of a portion of the rehabilitation funds to the transferee (by mutual agreement), and upon approval of the subject application and absent an appeal, the transfer of the historic site to the identified recipient can be initiated.

16. *Prior to the approval of the first building permit for the development, the Oaklands property (Lot 54) and its associated rehabilitation funds shall be transferred to an appropriately identified recipient at the time of the final plat for the development. The applicant shall submit evidence to the Planning Department of the transfer of the Oaklands property and the associated rehabilitation funds.*

This condition has yet to be fulfilled and should be carried over to the detailed site plan approval. The applicant has identified Mr. Donald C. Lady as the recipient of the Oaklands historic site and the associated rehabilitation funds. This condition should be revised to reflect that the environmental setting of the Oaklands Historic Site (62-03) is now identified as Lot 55 and that the transfer of the property shall be required prior to the approval of the final plat.

17. *The Oaklands Historic Site Environmental Setting (62-03), consisting of Lot 54 and Parcel A, should be clearly labeled on all future submittals.*

The subject application currently identifies the Oaklands historic site environmental setting (78,378± feet) as Lot 55. The applicant's current submittals properly identify the Oaklands historic site and its environmental setting (62-03) and this condition has been fulfilled and is no longer necessary.

18. *The applicant shall consult with the staff of the Historic Preservation Commission and the premise address work group of the Subdivision Section to develop street names that are reflective of more significant aspects of the history of the Oaklands property.*

Historic Preservation staff has provided the applicant with a list of historically appropriate names for the three streets within the development and will continue to address this matter with the applicant as necessary prior to the approval of the detailed site plan application.

**Community Planning**—In comments dated February 11, 2005, the Community Planning Division stated that the application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier and noted that the original recommendation of the 1990 Master Plan for Subregion I for the subject property was that it be parkland.

**Transportation**—In comments dated January 31, 2005, the Transportation Planning Section stated that Contee Road is a proposed 80-foot right-of-way as it runs adjacent to the subject site. Additionally, noting that Condition 4 of the preliminary plan is satisfied with this submittal and that Condition 3 must be enforced at the time of building permit, the Transportation Planning Section stated that the site plan is acceptable.

**Subdivision**—In a memorandum dated February 3, 2005, the Subdivision Section offered the following:

The property is the subject of Preliminary Plan 4-03133, approved by the Planning Board on March 11, 2004. The resolution of approval, PGCPB Resolution 04-52, was adopted on April 1, 2004. The preliminary plan remains valid until April 1, 2006, or until a final record plat is approved.

The property is subject to the conditions contained in the resolution of approval. That resolution contains 33 conditions. The following conditions relating to the review of the detailed site plan warrant discussion:

**Condition 10.** At the time of acceptance of the detailed site plan for the development, the applicant shall confirm the extent of the land that should be the subject of a Phase I archeological investigation. The applicant's findings shall be submitted to the staff of M-NCPPC for review and approval. Upon approval of this determination, plans may be approved and permits may be issued for any portion of the subject property *excluded* from the scope of the Phase I investigation. No plans may be approved and no permits shall be issued for the area subject to the Phase I investigation before satisfactory completion of the following:

- a. The applicant shall complete a Phase I investigation (including research into the property history and archeological literature) and a determination shall be made by staff of M-NCPPC as to whether further investigation is needed; or
- b. If it is determined that archeological resources exist in the project area, the applicant shall provide:
  - (1) A plan for avoiding and preserving the resource in place, **or**
  - (2) A plan for mitigating the adverse effect upon these resources by conducting Phase II and Phase III investigations as needed. Evidence of M-NCPPC staff concurrence with the investigations and/or report shall be provided.

All investigations shall be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines. Two copies of this report must be delivered to M-NCPPC for review—one to Historic Preservation staff of the Planning Department and one to the Archeology Program of the Department of Parks and Recreation.

Comment: Please see discussion under Finding 8, Preliminary Plan of Subdivision.

**Condition 12.** Prior to the approval of a detailed site plan application, the applicant shall provide for adequate landscape buffering within Parcel A of the Oaklands Historic Site (62-03) environmental setting (Lot 54) in order to enhance the views to and from the historic site and to provide for its privacy with heterogeneous plantings to include existing trees and new evergreens for winter screening. This landscape buffering shall enhance any of the environmental setting's significant natural or manmade features such as garden terracing, mature shade trees and ornamental plantings, and permanent structures.

Comment: Please see discussion under Finding 8, Preliminary Plan of Subdivision.

**Condition 13.** Prior to the approval of a detailed site plan application, the applicant shall provide for an entrance feature to the historic site to establish the presence of Oaklands and its role within the community as an amenity. The entry to and the environs of the historic site shall be landscaped to enhance views of the property and to provide reasonable privacy to the historic site and adjacent new construction.

Comment: Please see discussion under Finding 8, Preliminary Plan of Subdivision.

**Condition 14.** Prior to the approval of a detailed site plan application, the Historic Preservation Commission shall review the architectural character of the houses to be located on Lots 50-71 for their compatibility with the Oaklands Historic Site (62-03). Special attention shall be given to employing architectural styles for Lots 50-71 that are compatible with

the symmetrical and balanced character of the historic site's late-Georgian character. Special attention shall be given to sheathing materials and decorative details of building elevations, roofs, chimneys, shutters and other exterior features and the overall organization of the facades including the locations, sizes, and types of windows used.

Comment: Please see discussion under Finding 8, Preliminary Plan of Subdivision.

**Condition 15.** Prior to the approval of a detailed site plan application, the applicant shall draft an agreement for review and approval by the Planning Board or its designee, codifying the transfer of the Oaklands historic site (Lot 54) to a party agreed upon by the property owner, the applicant as contract purchaser, and the Historic Preservation Commission. The applicant's agreement shall include the conditions and timing of the property transfer and the conditions and timing of the \$125,000 rehabilitation funds to be conveyed to the recipient of the property.

Comment: Please see discussion under Finding 8, Preliminary Plan of Subdivision.

**Condition 16.** Prior to the approval of the first building permit for the development, the Oaklands property (Lot 54) and its associated rehabilitation funds shall be transferred to an appropriately identified recipient at the time of the final plat for the development. The applicant shall submit evidence to the Planning Department of the transfer of the Oaklands property and the associated rehabilitation funds.

Comment: This condition should be carried forward with the DSP. (It is included as Condition 1 of the recommended conditions below.)

**Condition 17.** The Oaklands Historic Site Environmental Setting (62-03), consisting of Lot 54 and Parcel A, should be clearly labeled on all future submittals.

Comment: The subject application correctly identifies the historic site and its environmental setting, making this condition no longer necessary.

**Condition 18.** The applicant shall consult with the staff of the Historic Preservation Commission and the premise address work group of the Subdivision Section to develop street names that are reflective of more significant aspects of the history of the Oaklands property.

Comment: Satisfaction of this condition is provided for in the recommended conditions below.

**Condition 26.** DPR staff shall review and approve the reforestation and afforestation areas on dedicated parkland. The landscaping plan and planting list for these areas shall be submitted to DPR for review and approval prior to submission of the detailed site plan.

Comment: In comments dated February 24, 2005, DPR stated that they had completed review of the required construction drawing for recreational facilities on parkland and reforestation areas on

dedicated parkland and found them acceptable.

**Condition 27.** The applicant shall construct the following recreational facilities on the new parkland:

- a. Soccer field (225 feet by 360 feet).
- b. 56-space parking lot.
- c. Four-foot-wide asphalt trail connector from the existing sidewalk along Contee Road to the proposed soccer field.

Comment: The proposed facilities are accurately reflected on the subject detailed site plan.

**Condition 29.** Detailed construction drawings for the recreational facilities on parkland shall be submitted to DPR for review and approval prior to submission of the detailed site plan. It shall include grading and landscaping plan, construction details and equipment schedules.

Comment: In comments dated February 24, 2005, DPR stated that they had completed review of the required construction drawings for recreational facilities on parkland and reforestation areas on dedicated parkland and found them acceptable.

**Condition 32.** The construction of the recreational facilities shall be completed prior to the issuance of the 37th building permit for this subdivision, unless otherwise modified by DPR.

Comment: Compliance with this condition is ensured by recommended Condition 10 below.

**Trails**—In a memorandum dated February 18, 2005, the senior trails planner recommended that per the adopted and approved Subregion I Master Plan, Contee Road should be designated as a Class III bikeway and that appropriate signage be paid for by the applicant prior to the issuance of building permits for the project.

**Parks** – In comments dated February 24, 2005, DPR stated that they had completed review of required construction drawings for recreational facilities on parkland and reforestation areas on dedicated parkland and found them acceptable.

**Permits**—In a memorandum dated January 25, 2005, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

**Public Facilities**—In comments dated February 17, 2005, the Public Facilities Section stated that existing fire, ambulance, and paramedic services are all within the established travel times and

that the local police facility would adequately serve the population generated by the proposed development. This comment is provided for information purposes only as there is no requirement to find adequacy of public facilities associated with a detailed site plan.

**Environmental Planning**—In comments dated February 23, 2005, the Environmental Planning Section offered the following comments:

### **Background**

The site was previously reviewed as Preliminary Plan of Subdivision 4-02112 with a Type I Tree Conservation Plan (TCPI/66/02). The gross tract area of the site originally was 42 acres. In the 2002 review, the 6.98-acre parcel to the northwest of the site was not included. The Planning Board approved 4-02112 in 2003 with multiple conditions regarding required information that was missing from the plans. Preliminary Plan 4-02112 and the TCPI were never submitted for final signature approval. In early 2004, Preliminary Plan of Subdivision 4-03133 and TCPI/66/02 were submitted. The latter preliminary plan is a cluster subdivision for the total 48.98 acres. The Planning Board approved 4-03133 on March 11, 2004, and the Board's action is found in Resolution No. 04-52.

### **Site Description**

The site contains 48.98 acres, is zoned residential, and is located east of Baltimore-Washington Boulevard (US 1). The site has approximately 900 feet of frontage along the north side of Contee Road. The Baltimore and Ohio Railroad tracks are adjacent to the site along its entire west property line. A review of available information indicates that 100-year floodplain, streams, severe slopes, and areas of steep slopes with highly erodible soils area found to occur on the property. The railroad is a significant generator of noise and vibration. The soils found to occur, according to the Prince George's County Soil Survey, include soils in the Beltsville, Christiana and Sassafras series. The Beltsville and Christiana soils are considered highly erodible and have K-factors of 0.43 and 0.37, respectively. The Christiana soils also have limitations of high shrink/swell potential. According to available information, Marlboro clay is not found to occur on this property. Information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, indicates there are no rare, threatened, or endangered species found to occur in the vicinity of this property. In the center of the site is the Oaklands House that was built in 1798. It is listed in the Maryland Historic Sites Inventory and will remain at the site within proposed Lot 54 surrounded by Parcel A. There are no scenic or historic roads in the vicinity of the site. This property is located in the upper Patuxent River watershed of the Patuxent River basin and in the Developing Tier in the 2002 adopted General Plan.

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

The approval of the Preliminary Plan of Subdivision included a total of 33 conditions, three of



which dealt with environmental issues that were to be addressed during detailed site plan review. The three environmental-related conditions are listed below. The respective conditions are in bold type face, the associated comments are in standard type face and additional information or plan revisions are in italics.

PRELIMINARY PLAN OF SUBDIVISION, 4-03133; PGCPB RESOLUTION NO. 04-52

**6. A Type II tree conservation plan shall be approved at the time of detailed site plan approval.**

A Type II Tree Conservation Plan (TCPII/015/05) has been submitted with the subject DSP to address this condition. For further specific information about the review of the TCPII, see section 2 of the environmental review part of this memo.

**7. A detailed site plan shall be approved prior to the approval of final plats.**

Sequence-wise, the TCPII is reviewed with the DSP. The submittal of the TCPII with the DSP addresses the correct sequence of plan submittal, reviews and approvals prior to final plat submittal.

**8. After the PMA has been shown correctly on all plans, the limit of disturbance and conceptual grading shall be revised to eliminate all impacts to the PMA.**

To date the TCPI has not been revised consistent with all aspects of this condition. The PMA is shown correctly on both the TCPI and TCPII; however, the limits of disturbance shown on the most recent TCPI needed further clarification.

*Recommended Condition: Prior to certificate approval of the DSP, the TCPI shall be submitted for signature approval and address all the TCPI-related revisions in Planning Board Resolution No. 04-52.*

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when and by whom.

1. A detailed forest stand delineation (FSD) was originally prepared in October 2002 by McCarthy and Associates for 4-02112. An amendment to the FSD text and map was prepared in November 2003 by Capitol Development Design, Inc., (CDDI), for inclusion of the 6.98 acre parcel. A review of the amended plan found that several revisions were necessary in order to meet the requirements of the Woodland Conservation Ordinance.

Comment: The required revisions to the amended FSD have been made with the recent submittal of the revised TCPI. No further information regarding the amended FSD is necessary.

2. The Type II Tree Conservation Plan (TCPII/015/05) has been submitted and reviewed. The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a Type I Tree Conservation Plan, TCPI/66/02, approved by the Planning Board.

This 48.98-acre property in the R-R Zone has a net tract area of 45.79 acres, a woodland conservation threshold (WCT) of 20 percent, or 9.15 acres. The site has 30.96 acres in existing woodland, of which 3.19 acres are in the 100-year floodplain. A total of 21.00 acres of woodland is proposed to be cleared. The total woodland conservation requirement is 14.41 acres. The current TCPII proposes to meet this requirement with 8.76 acres of on-site woodland preservation, 3.43 acres of on-site reforestation/replacement, and 2.22 acres of off-site mitigation on another property. The TCPI currently under review by comparison with the current TCPII shows 2.91 acres of off-site mitigation and 7.94 acres of woodland preservation and 3.56 acres of reforestation. Because this is a cluster, more on-site preservation should be achieved. The current TCPII shows a reduction in the amount of off-site mitigation and on-site reforestation and an increase in on-site woodland preservation.

Numerous revisions are necessary to the current TCPII in order for the plan to meet the requirements of the ordinance. Expand the legend to show all the features (natural and manmade) on the plan with a corresponding symbol. These features include the two specimen trees, steep slopes on highly erodible soils (between 15 and 25 percent grade), severe slopes (25 percent in grade and greater), the proposed sewer lines and their easements, and the labeling of the Department of Public Works and Transportation (DPW&T) easement along Contee Road. Provide a specimen tree table with information indicating the method of location (field located or surveyed), columns in the table showing the tree number, size, species, condition, proposed disposition, and comments and/or special preservation treatments recommended. If the two specimen trees are to be retained, provide a specimen tree sign detail and locate on the plan a symbol for the specimen tree signage for both trees. Add a symbol to the legend for the specimen tree signage. Clarify in the legend on sheets 2 and 5 of 8 the symbols for woodland cleared and woodland preserved because these symbols are not distinguishable.

Specific woodland conservation information has not been provided on the plan in relation to how the woodland conservation requirements for the site are proposed to be met. Standard TCPII Note 5 must be on the plan to address off-site mitigation, because 2.22 acres of off-site mitigation is proposed in the worksheet. Note 5 on the plan regarding tree protection devices has outdated language with reference to the "forest resource unit." Revise this note to provide the current language. Add optional TCPII Notes 4 through 8 to address reforestation proposed at the site, because 16 reforestation areas are shown on the plan.

Three woodland conservation treatment areas need to be labeled on the plan as to the type of treatment proposed. These areas are located on sheet 3 of 8 behind proposed Lots 59-61; and sheet 5 of 8 behind Lots 47 and 48, and on the same sheet behind Lots 52-54. Label these woodland conservation treatment areas as intended and revise the worksheet accordingly.

Two proposed areas of woodland preservation are shown within utility easement areas, or on property where the control of the land and its preservation is not possible. These conflicts must be addressed with written permission from the two property owners to allow for the proposed woodland treatment. The first area is along Contee Road where reforestation is proposed within easements under the control of DPW&T. The second conflict area is in relation to land to be dedicated to the M-NCPPC Department of Parks and Recreation. Both woodland preservation and reforestation treatment areas are shown on future park property. In a telephone conversation on February 22, 2005, representatives from Capitol Development Design, Inc., indicated they have obtained written permission from the M-NCPPC Department for Parks and Recreation for woodland preservation treatment areas on future park property. To date, the Environmental Planning Section has not received a copy of this letter. If permission from these two property owners has not been obtained prior to certificate approval of the DSP, then the TCPII must be revised to demonstrate how the woodland conservation requirements for the site will be met elsewhere.

The woodland conservation sign detail and tree protection device detail must be revised to provide the current notes under each. Once the correct notes are shown, the applicant must revise the plan to provide the proper spacing of these signs, because the spacing shown on the plan is incorrect. At a minimum, the signs should be spaced so that one is located on every lot and for lots with extensive limits of disturbance more than one sign is needed.

Sheet 8 of 8 must be revised to address specific information regarding the proposed reforestation. A total of 16 reforestation areas are proposed. The plant schedule for proposed Area 1 has been calculated incorrectly because the quantity shown is too high. The quantity of seedlings and one-inch caliper trees to be planted in this area must be revised. In addition, each plant schedule will be clarified to stipulate that a mixture of seedlings and one-inch caliper trees will be planted in accordance with the formula in the manual. The reforestation plan must be expanded to address planting methods to include provision of a schedule of tree planting activities (start and completion of each phase of work); indication that seedling planting is to occur from December–April only; and a statement that no planting will be done while the ground is frozen. Reforestation information on this sheet does not address future management of these areas. More specifically, the applicant must revise the plan to address information on site and tree maintenance, indicate the company or individual responsible for tree care, add the final expected survival of trees and address follow-up care and maintenance (watering, fertilization, weeding, support plantings, etc.).

After all these revisions have been made to the plan, have the qualified professional who prepared the plan update the revision box, sign, and date it.

*Recommended Condition: Prior to certificate approval of the detailed site plan, the TCPII shall be revised as follows:*

- a. *Expand the legend to show all features (natural and manmade) with a corresponding symbol. These features include the two specimen trees, steep slopes on highly erodible soils (between 15 and 25 percent grade), severe slopes (25 percent in grade and greater),*

*the proposed sewer lines and their easements, and the labeling of the Department of Public Works and Transportation (DPW&T) easement along Contee Road.*

- b. Provide a specimen tree table with information indicating the method of location (field located or surveyed), columns in the table showing the tree number, size, species, condition, proposed disposition, and comments and/or special preservation treatments recommended. If the two specimen trees are to be retained, provide a specimen tree sign detail and locate on the plan a symbol for the specimen tree signage for both trees. Add a symbol to the legend for the specimen tree signage.*
- c. Clarify in the legend on sheets 2 and 5 of 8 the symbols for woodland cleared and woodland preserved because these symbols are not distinguishable.*
- d. Provide Standard TCPII Note 5 on the plan to address off-site mitigation.*
- e. Revise the language in TCPII Note 5 on the regarding tree protection devices to provide the current language.*
- f. Add optional TCPII Notes 4 through 8 to address reforestation proposed at the site.*
- g. Label the woodland conservation treatment areas located on sheet 3 of 8 behind proposed Lots 59-61; and on sheet 5 of 8 behind Lots 47 and 48, and Lots 52-54 as intended, and revise the worksheet accordingly.*
- h. Revise the plans to properly address the two proposed areas of woodland preservation shown within utility easement areas, or on property where the control of the land and its preservation is not possible (DPW&T and the M-NCPPC Department of Parks and Recreation property). If permission from these two property owners has not been obtained prior to certificate approval of the DSP, then the TCPII must be revised to demonstrate how the woodland conservation requirements for the site will be met elsewhere.*
- i. Revise the woodland conservation sign detail and tree protection device detail to provide the current notes under each detail. Then provide the proper spacing of these signs on the plan.*
- j. Revise the plant schedule for proposed reforestation area 1 to correctly calculate the required quantity.*
- k. Clarify for each of the 16 reforestation plant schedules that a mixture of seedlings and one-inch caliper trees will be planted at the formula in the Manual.*
- l. Expand the reforestation plan to address planting methods including provision of a schedule of tree planting activities (start and completion of each phase of work), indicate that seedling planting is to occur from December–April only, and that no planting will be*

*done while the ground is frozen. Revise the reforestation plan to address information on site and tree maintenance, indicate the company or individual responsible for tree care, indicate the final expected survival of trees, and address follow-up care and maintenance (watering, fertilization, weeding, support plantings, etc.).*

- m. Revise the reforestation information on sheet 8 to address future management of the 16 reforestation areas. Address information on site and tree maintenance, indicate the company or individual responsible for tree care, indicate the final expected survival of trees and address follow-up care and maintenance (watering, fertilization, weeding, support plantings, etc.).*

*After all these revisions have been made to the plan, have the qualified professional who prepared the plan update the revision box, sign and date it.*

3. A copy of the stormwater management concept approval letter has been submitted. However, a copy of the approved concept plan has not been submitted. The latter plan is required to be submitted as part of the review of the TCPI prior to signature approval. Said plan will be reviewed in relation to the TCPI when it is received.

**Department of Environmental Resources (DER)**—In comments dated January 12, 2005, the Department of Environmental Resources stated that the site plan for Oaklands, DSP-04032, is not consistent with approved stormwater concept 29745-2002. Since the site has been laid out differently than what was approved, adding three additional lots, the stormwater concept needs to be revised.

**Fire Department**—As of the writing of this report, the Prince George's County Fire Department has not provided comment on the proposed project.

**Department of Public Works and Transportation (DPW&T)**—At the time of this writing, DPW&T has not provided comment on the proposed project.

**Washington Suburban Sanitary Commission (WSSC)** – In a memorandum dated February 2, 2005, the WSSC stated that a water extension will be required, that existing WSSC facilities are located on the site, that Project DA3712Z03 is an approved project within the limits of the site, and that an amendment revision and new hydraulic review submission package is required according to the revised layout, pipeline alignment, and the increase of lots as shown on this site plan. In this memorandum, WSSC provided the applicant with the appropriate contacts at WSSC to address these various issues. Compliance with WSSC's requirements will be ensured through their separate permitting process.

12. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/15/05) and further APPROVED Detailed Site Plan DSP-04032 for the above-described land, subject to the following conditions:

1. Prior to the approval of the first building permit for the development the following shall be accomplished:
  - a. The Oaklands property (Lot 54) and its associated rehabilitation funds shall be transferred to an appropriately identified recipient. The applicant shall submit evidence to the Planning Department of the transfer of the Oaklands property and the associated rehabilitation funds.
  - b. The applicant, and the applicant's heirs, successors and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of signage along Contee Road, a designated Class III bikeway.
2. Prior to signature approval of the plans, the plans shall be revised or the following items submitted as follows:
  - a. A note shall be added to the plans that the subdivision is a cluster development.
  - b. A parking schedule shall be provided for the soccer field parking lot in accordance with the following:
    - (1) For a lot providing 55 parking spaces, three of those spaces must be designated for the physically handicapped. One of those spaces must be designed as a van accessible parking space measuring 16 by 19 feet.
  - c. A *Landscape Manual* schedule shall be included in the plans demonstrating compliance with Section 4.1.
  - d. A "D" buffer yard shall be shown for lots abutting the historic property.
  - e. A note shall be added to the site plan stating that the project sign will be set back so as to provide a 500-foot unobstructed line of sight in both directions.
  - f. The sign detail shall be dimensioned indicating a maximum lettering area per side as 12 square feet.
  - g. The landscape plan shall be revised to include accent plantings at the base of the sign that will provide year-round visual enhancement by including some evergreen plantings.

- h. The applicant shall submit revised comments from the Department of Environmental Resources stating that the site plan for Oaklands, DSP-04032, is consistent with stormwater concept 29745-2202 or that the site plan is in conformance with a revised version of the stormwater concept plan that has been approved by the Department of Environmental Resources.
  - i. The TCPI shall be submitted for signature approval and address all the TCPI-related revisions in Planning Board Resolution No. 04-52.
  - j. The applicant shall provide written proof to the Urban Design Section as designee for the Planning Board that he has consulted with the Historic Preservation Commission staff and the premise address work group of the Subdivision Section to develop street names that are reflective of more significant aspects of the history of the Oaklands property.
  - k. The applicant shall provide proof that the required agreement codifying the transfer of the Oaklands Historic Site (Lot 55) by and between the property owner and the applicant has been duly executed.
  - l. Prior to signature approval, the applicant shall work with the Department of Parks and Recreation to provide a tot lot on the subject site adjacent to the soccer field.
3. Prior to receiving the building permit for the entrance monument, the applicant must submit proof that the Department of Environmental Resources has approved a maintenance agreement.
4. Prior to certificate approval of the detailed site plan, the TCPII shall be revised as follows:
- a. Expand the legend to show all features (natural and manmade) with a corresponding symbol. These features include the two specimen trees, steep slopes on highly erodible soils (between 15 and 25 percent grade), severe slopes (25 percent in grade and greater), the proposed sewer lines and their easements, and the labeling of the Department of Public Works and Transportation (DPW&T) easement along Contee Road.
  - b. Provide a specimen tree table with information indicating the method of location (field located or surveyed), columns in the table showing the tree number, size, species, condition, proposed disposition, and comments and/or special preservation treatments recommended. If the two specimen trees are to be retained, provide a specimen tree sign detail and locate on the plan a symbol for the specimen tree signage for both trees. Add a symbol to the legend for the specimen tree signage.
  - c. Clarify in the legend on sheets 2 and 5 of 8 the symbols for woodland cleared and woodland preserved because these symbols are not distinguishable.
  - d. Provide Standard TCPII Note 5 on the plan to address off-site mitigation.

- e. Revise the language in TCPII Note 5 on the regarding tree protection devices to provide the current language.
  - f. Add optional TCPII Notes 4 through 8 to address reforestation proposed at the site.
  - g. Label the woodland conservation treatment areas located on sheet 3 of 8 behind proposed Lots 59-61; and on sheet 5 of 8 behind Lots 47 and 48, and Lots 52-54 as intended and revise the worksheet accordingly.
  - h. Revise the plans to properly address the two proposed areas of woodland preservation shown within utility easement areas, or on property where the control of the land and its preservation is not possible (DPW&T and the M-NCPPC Department of Parks and Recreation property). If permission from these two property owners has not been obtained prior to certificate approval of the DSP, then the TCPII must be revised to demonstrate how the woodland conservation requirements for the site will be met elsewhere.
  - i. Revise the woodland conservation sign detail and tree protection device detail to provide the current notes under each detail. Then provide the proper spacing of these signs on the plan.
  - j. Revise the plant schedule for proposed reforestation area 1 to correctly calculate the required quantity.
  - k. Clarify for each of the 16 reforestation plant schedules that a mixture of seedlings and one-inch caliper trees will be planted at the formula in the manual.
  - l. Expand the reforestation plan to address planting methods including provision of a schedule of tree planting activities (start and completion of each phase of work), indicate that seedling planting is to occur from December–April only, and that no planting will be done while the ground is frozen. Revise the reforestation plan to address information on site and tree maintenance, indicate the company or individual responsible for tree care, indicate the final expected survival of trees, and address follow-up care and maintenance (watering, fertilization, weeding, support plantings, etc.).
  - m. Revise the reforestation information on sheet 8 to address future management of the 16 reforestation areas. Address information on site and tree maintenance, indicate the company or individual responsible for tree care, indicate the final expected survival of trees, and address follow-up care and maintenance (watering, fertilization, weeding, support plantings, etc.).
  - n. After all these revisions have been made to the plan, have the qualified professional who prepared the plan update the revision box, sign and date it.
5. The applicant shall relocate the small stone building south and west of the Oaklands historic site



to a location within the environmental setting. The location shall be agreed upon by the applicant and the identified recipient of the historic site. Prior to the relocation of the stone building and the grading of the immediate vicinity, the area within 30 feet of the structure shall be subject to an intensive Phase I archeological investigation (to provide for a total of 12 shovel test pits at 10-foot intervals from each of the structure's exterior walls—three shovel tests from each wall). The findings of this investigation shall be shared with the Historic Preservation Commission in the form of a letter report with a clear, scaled map of the excavations and representative photographs (without historic context also provided). No additional grading or construction activity shall occur within the area to be investigated until the Historic Preservation Commission has accepted the letter report and determined that no additional archeology is warranted.

6. Prior to the issuance of a grading permit, the applicant, his heirs, successors and/or assignees shall retain the services of a contract archeologist to monitor the use of heavy equipment and grading outside of the environmental setting during construction. If a cemetery is found to be located outside of the Oaklands historic site environmental setting, it shall be marked to preclude further disturbance. Any identified cemetery shall be documented and if found, access to the cemetery shall be provided and all county and state laws regarding the protection of cemeteries shall be observed.
7. Prior to the transfer of the Oaklands Historic Site (62-03) to the identified recipient, the applicant shall provide for the design, construction and installation of an entrance feature to the historic site in order to establish the presence of Oaklands and its role within the community as an amenity. The entrance feature shall take the form of a small ground-mounted interpretive sign describing the history and significance of the Oaklands historic site. The design, materials and location of the sign shall be reviewed by the Historic Preservation Commission through the historic area work permit (HAWP). The installation of the interpretive sign shall be completed prior to the issuance of the first building permit for the development.
8. To ensure architectural compatibility with the adjacent historic site and to enhance the views from the historic site to adjacent lots, the architecture for lots 50-71 shall be limited to those models, features and finishes reviewed and approved by the Historic Preservation Commission. Approved house models for lots 50-71 shall be identified with an "H" to denote approval for adjacency to the historic site. House models available for lots 50-71 shall be limited to approved versions of the following models produced by Ryan Homes: Avalon (H), Balmoral (H), Courtland (H), Highgrove (H), Oberlin (H), and Waverly (H). Exterior finishes shall be limited to the following: (1) brick options shall be limited to Westbrook and Potomac (Harbor View Series), Statesman (Penn Colony Series) by Glen-Gery; Edenton and Monticello by General Shale Brick; (2) siding options shall be limited to Charleston Beaded Collection siding by Alcoa with a dimension of 6.5 inches and a traditional beaded smooth finish—available color choices shall not include Everest; (3) roof shingles shall be limited to Tamko Heritage Series Frederick Rustic Black; (4) the color schemes shall be limited to S-1 through S-21 by Duron. To ensure the selection of an approved house model, exterior materials and features and color scheme plans for Lots 50-71 shall be subject approval by Historic Preservation staff prior to the issuance of the relevant building permit.

9. Prior to the issuance of the 37<sup>th</sup> building permit, construction of the recreational facilities shall be completed unless otherwise modified by DPR.

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 Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Squire, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 10, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of March 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RG:rmk