

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on January 10, 2008, regarding Specific Design Plan SDP-0611 for Chaddsford, Section 6, the Planning Board finds:

1. Request: The request is for 51 single-family detached dwellings on 22.20 acres in the R-M Zone (Residential Medium Development). This application includes the site plans, landscape plans, and architectural elevations.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-M	R-M
Use(s)	Vacant	Single-family detached
Acreage	22.20	22.20
Area within 100 year floodplain	5.11	5.11
Lots	0	51
Dwelling Units	0	51

3. **Location:** The subject site constitutes Section Six of a larger development, Chaddsford, which is located in the northwest corner of Chaddsford Drive and General LaFayette Boulevard, east of US 301, just north of Charles County. The site is in Planning Area 85A and Council District 9.
4. **Surroundings and Use:** The overall Chaddsford site is located directly east of an existing townhouse development known as McKendree Village. To the north of the project is undeveloped land in the R-M-Zone. To the south is undeveloped R-R-zoned land. To the east is R-M-zoned land in floodplain and woodland. Section Six is located in the northern portion of the site and is surrounded to the east and south by Sections 3, 4 and 5 of the project.
5. **Design Features:** Access to Section Six is proposed via Pulaski Road, which was previously approved through SDP-0513 for Sections 3, 4 and 5. Pulaski Road is proposed to be extended and will connect to Battle Field Loop. The construction of 51 additional single-family units is proposed along Battle Field Loop and two culs-de-sac, Home Way, and Home Court. Recreational facilities are provided on-site and include one tot-lot, one preteen playground, and approximately 190 linear feet of eight-foot-wide asphalt trail that connects to adjacent parkland.

ARCHITECTURAL MODEL DATA

The proposal includes the following architectural products by K. Hovnanian Homes:

Model	Base Finished Area (Sq. Ft.)
Oxford	2,655
New Hampshire	2,706
Glenmont	2,729
Cardiff	3,137
Landan	2,728

An entrance feature is proposed for Section Six on the eastern side of Pulaski Road. The entry feature is shown as a stone monument wall flanked by stone pillars. The sign coordinates with the entrance features that have been previously approved for other sections of the development.

6. **Previous Approvals:**

- a. On November 29, 1977, the District Council adopted CR-108-1977 for the entire 277-acre Brandywine Village, placing approximately 212 acres in the M-A-C Zone and 64.7 acres in the R-U Zone (A-8898). On September 14, 1993, the District Council adopted the sectional map amendment for Subregion V, rezoning the M-A-C 212-acre site into 46 acres of E-I-A, 16.4 acres of L-A-C, and 149 acres of R-M-zoned land (District Council Resolution CR-60-1993).
- b. On February 20, 1997, the Planning Board approved Preliminary Plan 4-96083 to dedicate Chadds Ford Drive and General Lafayette Boulevard to public use and place the resultant land bays into four outlots. A Type I Tree Conservation Plan (TCPI/47/96) was approved for the entire area concurrently with that application.
- c. Comprehensive Design Plan CDP-0102 was approved by the Planning Board for the entire 212-acre parcel on October 11, 2001 (PGCPB Resolution No. 01-186). This comprehensive design plan included 11 lots on approximately six acres, approximately four acres of open space, approximately four acres for continuation of Brinton Way, and approximately 13 acres for a community lake. The remaining land area was intended for future development.
- d. On January 22, 2004, the Planning Board approved Preliminary Plan 4-04174, which governs the subject application, for 307 lots on 100.35 acres. Since that approval, the applicant has chosen to renumber the sections. Nevertheless, Preliminary Plan 4-04174 applies to the subject Specific Design Plan SDP-0611.
- e. A total of five specific design plans have been approved for Chaddsford, including Sections One through Five and a community center. The most recently approved specific design plan was SDP-0509 for 57 single-family attached units in Section Two, which was

approved by the Prince George's County Planning Board on October 5, 2006 (PGCPB Resolution No. 06-203).

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9878:** Brandywine Village Zoning Application A-9878 created the E-I-A, L-A-C, and R-M Zones for the 212-acre site. The R-M Zone was designated for 149 acres at 5.8 to 7.9 dwelling units per acre. The following conditions of approval of A-9878 are applicable to the subject specific design plan and warrant discussion as follows:

2. **Conveyance of the stream valley of the tributary of Timothy branch to M-NCPPC as shown on Exhibit "B."**

Comment: The application shows a portion of the area of the parkland dedication on the submitted plans.

4. **The applicant shall provide private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.**

Comment: The application shows one tot-lot, one preteen lot, and a trail that connects to the adjacent parkland. The plans do not appear to meet the *Park and Recreation Facilities Guidelines*. The area of the facilities must be indicated on the plans and the setbacks from adjacent lot lines must be shown and conform to the standards. Fencing of the tot-lot along the street line is appropriate. The material of the benches and trash receptacles has not been identified. These items should be constructed of a durable, nonwood material, which should be specified on the plans prior to signature approval. A condition has been incorporated in the recommendation section of this report, which would require the information above to be shown on the plans, as well as fencing requirements.

6. **Sensitive natural features shall be preserved as amenities that help to define the pattern of neighborhoods.**

Comment: According to the Environmental Planning Section (Stasz to Lareuse, August 15, 2007), the Type I tree conservation plan and Type II tree conservation plan show the preservation of sensitive environmental features in a manner that helps to define the pattern of neighborhoods.

8. **There should be a mix of housing types to accommodate different life styles and household income levels; an appropriate segment should be affordable for seniors, and young adults starting out.**

Comment: Section One of the overall development provided detached units of a smaller size than would normally be approved and provided affordability for seniors and young adults starting out. Section Two is a townhouse development. Sections Three through Five included townhouses and single-family detached dwellings. The average size of the single-family detached units approved

in Sections Three through Five was 2,515 square feet. The average size of the units proposed for Section Six, the subject application, is 2,791 square feet.

Considerations

- 1. The applicant shall work with the Police Department to determine if a Community Oriented Police Office is warranted within the proposed community.**
- 2. The applicant shall employ the use of audible alarm, fencing and private security to prevent crimes during the construction phase of the project.**
- 3. The applicant shall establish a Neighborhood Watch Program which has mandatory membership for all residents.**

Comment: These considerations were carried forward as conditions of approval of Chaddsford Sections 3, 4 and 5 (SDP-0509) and Section 2 (SDP-0513). The applicant provided evidence that the above considerations had been addressed during the certification process for SDP-0509 and SDP-0513. The applicant has provided an additional report with this application that addresses each of these considerations.

8. **Comprehensive Design Plan CDP-0102/01:** The following conditions of approval of the comprehensive design plan are applicable to the review of the subject specific design plan and warrant discussion as follows:
 1. **Prior to certificate approval of the Comprehensive Design Plan,**
 - a. **The following revisions shall be made to the plans or information shall be provided:**
 - (1) **A minimum lot width of 40 feet (at the street line, unless indicated otherwise) for the proposed lots in the development. No more than 25 percent of the total number of single-family lots in the development may be less than 50 feet in width. The rest of the lots shall be 50 feet or more in width, with no less than 25 percent of the total number of lots at least 60 feet in width. (On culs-de-sac the lot width may be measured at the building line).**
 - (3) **Notwithstanding Condition 1 above, no more than twenty 36-foot-wide lots for the total development shall be allowed, but only if the applicant demonstrates to the satisfaction of the Planning Board prior to approval of the first specific design plan that the proposed houses on those lots have a superior architectural design. In the absence of such a finding by the Planning Board, all 36-foot-wide**

lots shall be increased to at least 40 feet wide and shall be subject to the 25 percent limit in Condition 1.a.(1) above.

Comment: The following is a breakdown of the number of approved and projected lots for the Chaddsford development, demonstrating conformance to the conditions above:

Chaddsford Cumulative Lot-Size Table for Single-Family Detached Units									
Lot Percentages Tracking Chart	Percent Required Per CDP Condition 1A	SDP-0109 Plat 195-91	Section 1 SDP-0407	Preliminary Plan 4-04174				Total SFD Lots	Cumulative Percentages
				Section 3-5 SDP-0509	Section 2 SDP-0513	Section 6 SDP-0611	Future Section 7		
36' and 40' Street Frontage	Maximum 25%	0	79	0	0	0	0	79	25.4%*
50' Street Frontage	-----	0	40	52	0	0	22	114	36.7%
60' Street Frontage	Minimum 25%	11	12	35	0	51	9	118	37.9%
Total Single-Family Detached	100%	11	131	87	0	51	31	311	100%

*The total of lots with between 36 and 50 feet of street frontage is 0.4 percent in excess of the 25 percent limit set by the CDP. All 79 of the lots that fall within this range were approved under SDP-0407 for Section One. At the time of the review of Section One, the projected total number of single-family detached lots was 326. Currently, the projected number of single-family detached lots for the entire Chaddsford development is 311. As a result of the decrease in the total number of lots, the percentage of lots within the 36 feet to less than 50 feet width of street front has increased above the maximum 25 percent permitted in the CDP. Staff believes that the 25.4 percent should be considered in conformance with the CDP approval.

Chaddsford Cumulative Percentage Table for Single-Family Attached Units									
Lot Percentages Tracking Chart	Percent Required Per CDP Condition 1A	SDP-0109 Plat 195-91	Section 1 SDP-0407	Preliminary Plan 4-04174				Total SFA Lots	Cumulative Percentages
				Section 3-5 SDP-0509	Section 2 SDP-0513	Section 6 SDP-0611	Future Section 7		
Single-Family Attached	Maximum 30%	0	0	75	57	0	0	132	30%

Projected Total Number of Lots	443
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- (13) **A six-foot-wide asphalt feeder trail from the northern portion of the stream valley trail to the potential future school site/single-family development shall be shown on the CDP. The construction of this trail shall be provided in conjunction with the development of this pod by the applicant if single family lots are constructed or by the School Board if a school is constructed.**

Comment: A six-foot-wide asphalt trail is shown connecting the stream valley trail to the site. A condition has been incorporated in the recommendation section of this report, which will ensure the construction of this trail prior to the issuance of 50 percent of the building permits, or the 26th permit for Section Six.

- 4. All residential structures shall be fully sprinklered in accordance with the National Fire Protection Association Standard 13D and all applicable Prince George’s County laws in order to alleviate the negative impact on fire and rescue services.**

Comment: This condition has been carried over as a condition of approval of this specific design plan.

- 8. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

Comment: This condition should be carried over as a condition of approval of this specific design plan.

- 11. Prior to issuance of the building permit for the 135th unit in the development, the applicant shall submit to the Department of Parks and Recreation a performance bond, a letter of credit or other suitable financial guarantee, for the construction of the public recreation facilities on dedicated parkland in the amount to be determined by DPR.**

Comment: This condition should be carried over as a condition of approval of this specific design plan and has been incorporated in the recommendation section of this report. Even though the number of units proposed is only 51, these units contribute to an overall project number of 443 dwelling units.

- 13. Prior to issuance of the building permits for the 290th unit in the development, all public recreation facilities on dedicated parkland shall be constructed.**

Comment: This condition should be carried over as a condition of approval of this specific design plan and has been incorporated in the recommendation section of this report. Even though the number of units proposed is only 51, these units contribute to an overall project number of 443 dwelling units.

9. **Preliminary Plan of Subdivision 4-04174:** The following conditions of approval of the Preliminary Plan of Subdivision are applicable to the review of the subject specific design plan and warrant discussion as follows:

- 2. A Type II Tree Conservation Plan shall be approved with the Specific Design Plan.**

Comment: According to the Environmental Planning Section (Stasz to Lareuse, August 15, 2007), a revised Type II Tree Conservation Plan, TCPII/126/98-07, was submitted with this application and conforms to TCPI/46/97-04.

- 3. Development of this site shall be in conformance with the Stormwater Management Concept Plan, 21274-2003-00, and any subsequent revisions.**

Comment: The site has an approved Stormwater Management Concept Plan, 23308-2006-00, which is valid until July 10, 2009. The stormwater management concept approval letter indicates that the parent concept approval is 21274-2003. In a memorandum dated August 8, 2007, (Abraham to Lareuse), the Department of Public Works and Transportation indicated that the proposed development, as shown on the specific design plan, is in conformance with the approved stormwater management concept plan.

- 4. The applicant and the applicant's heirs, successors and/or assignees shall provide the following, which shall be reflected on the SDP:**

- d. A six-foot-wide asphalt feeder trail from the northern portion of the stream valley trail to the residential development shall be shown on the SDP. The applicant shall provide the construction of this trail in conjunction with the development of this pod.**

Comment: According to the Transportation Planning Section (Shaffer to Lareuse, November 26, 2007) this condition should be carried over as a condition of approval of this specific design plan.

- 7. The applicant, his heirs, successors and or assignees shall provide standard sidewalks along both sides of the internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.**

Comment: The plan shows standard sidewalks along both sides of all internal public streets.

- 13. The review of the SDP shall include the following:**

- f. Preserve more existing woodland adjacent to the existing drainage patterns at the end of Court H by changing lot dimensions.**

Comment: The retention of existing woodland has been shown in this location. In addition, the plan shows additional plantings in this area to supplement the existing woodland.

- i. A determination if a revision is required to SDP-0108 (SDP for the lake).**

Comment: Revisions to the lake were approved by the Planning Board under SDP-0513 for Section Two.

- 18. At time of Specific Design Plan review, the impacts proposed for stormwater management pond 3 shall be reevaluated and the impacts to the stream buffers on both sides shall be reduced to the fullest extent possible.**

Comment: According to the Environmental Planning Section, stormwater management pond 3 has been reconfigured from the layout shown on the preliminary plan. Impacts have been significantly reduced to the minimum required for an outfall.

- 21. At time of Specific Design Plan review all proposed easements shall be shown on the Type II Tree Conservation Plan. No woodland conservation shall be shown within these easements and the easements shall not be placed in areas that are required to be preserved.**

Comment: According to the Environmental Planning Section (Stasz to Lareuse, August 15, 2007), the revised Type II tree conservation plan submitted with this application, TCPII/126/98-07, provides all woodland conservation areas outside of all utility easements.

10. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-M Zone (residential medium development), Sections 27-507-510 of the Zoning Ordinance.
11. **The Landscape Manual:** The proposed development is subject to Section 4.1, Residential Requirements, of the *Landscape Manual*. The landscape plan and associated schedules accurately reflect the requirements of Sections 4.1(c) and 4.1(d) of the *Landscape Manual*. In an effort to discourage the planting of invasive plant species within the county, staff has recommended a condition, which would require the deletion of any such plant species from the landscape plans prior to signature approval of the specific design plan.
12. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there are existing woodlands and there are previously approved Type I and Type II tree conservation plans. The original CDP, preliminary plan, and TCPs were approved so that permits could be issued for the construction of sewer and water lines from US 301 to Phase I of "Brandywine Village" along McKendree Road. At that time, TCPI/47/96 was reviewed and was found to satisfy the requirements of the Prince George's County Woodland Conservation Ordinance. A revised Type I tree conservation plan, TCPI/47/96-01, was approved with CDP-0102; a revision, TCPI/47/96-02, was approved with CDP-0102/01, a further revision, TCPI/47/96-03, was approved with Preliminary Plan 4-03080, and the most recent revision, TCPI/47/96-04, was approved with Preliminary Plan 4-04174.

A Type II tree conservation plan, TCPII/126/98, was approved for the entire project to allow the installation of water and sewer lines. The Type II tree conservation plan is revised with each SDP. The revised Type II tree conservation plan submitted with this application, TCPII/126/98-07, conforms to TCPI/46/97-04.

The design of the woodland conservation areas encumbers no lots, protects the sensitive environmental features on the site, and avoids fragmentation of the forest. No further action regarding woodland conservation is required with regard to this specific design plan review.

13. **Referral Responses:**
 - a. The Transportation Planning Section, in a memorandum dated August 24, 2007, examined the transportation-related conditions of A-9878, CDP-0102/01, and 4-04174 as they apply to the subject specific design plan. The transportation planner noted that improvements were required by Basic Plan A-9878 and Preliminary Plan of Subdivision 4-04174, which was supported by a traffic study submitted in 2003. The planner concluded that the subject application is in general conformance with the previously approved basic plan, comprehensive design plan, and preliminary plan and will be served by adequate transportation facilities within a reasonable period of time.
 - b. The Transportation Planning Section trails planner offered the following comments dated November 27, 2007, indicating that the master-planned stream valley trail and secondary

trail connection from Home Way are included on the SDP in conformance with the approved preliminary plan. In addition, the SDP is in conformance with Condition 4b of Preliminary Plan 4-04174, which required standard sidewalks on both sides of all internal roads. The trails planner indicated that Condition 4 of Preliminary Plan 4-04174 and Conditions 12 and 13 of Comprehensive Design Plan CDP-0102/01 should be carried forward as conditions of approval of this specific design plan.

Comment: Condition 4 of 4-04174 as applicable and Conditions 12 and 13 of CDP-0102/01 have been carried forward as portions of conditions of approval of this specific design plan.

- c. The Permit Review Section had several questions and comments that are either not applicable at this time or have been addressed through revisions to the plans.
- d. The Environmental Planning Section, in a memorandum dated August 15, 2007 (Stasz to Lareuse), recommended approval of SDP-0611 and TCPII/126/98-07. The environmental planner provided a detailed discussion of the applicable conditions of approval of the basic plan, comprehensive design plan and preliminary plan of subdivision. In addition, the planner provided the following analysis of the environmental issues related to the development of the subject site:

Environmental Review

A detailed forest stand delineation (FSD) was reviewed in conjunction with Preliminary Plan 4-96083. That FSD was resubmitted with CDP-0102 and was found to address the requirements for an FSD in accordance with the "Prince George's County Woodland Conservation and Tree Preservation Technical Manual."

Comment: No further action regarding the FSD is required with regard to this specific design plan review.

Streams, wetlands, 100-year floodplains, and associated buffers are found throughout this property. The 100-year floodplain is shown on record plats VJ 186-63 and VJ 186-64. Streams, wetlands, and associated buffers are correctly shown on the plans submitted with this application.

During the review and approval of the Preliminary Plan of Subdivision 4-96083, variations to Section 24-129 and Section 24-130 of the Subdivision Regulations were approved for the proposed impacts to streams, stream buffers, 100-year floodplain, wetlands and wetland buffers associated with road crossings for Chadds Ford Drive and General Lafayette Boulevard. However, no variation associated with the proposed lake was requested or approved with 4-96083. The lake design was studied in detail during the review and approval of SDP-0108 and Preliminary Plan of Subdivision 4-01045, which created the parcel containing the lake and approved variation requests for impacts to wetlands and wetland buffers. Impacts for the installation of sewer lines, outfalls for

stormwater management ponds, and at least one street crossing were approved with Preliminary Plan 4-03080. Impacts for the installation of sewer lines, outfalls for stormwater management ponds, and at least one street crossing were approved with Preliminary Plan 4-04174. The impacts shown on SDP-0611 are consistent with those previously approved. No further information regarding sensitive environmental features is required for the review of this specific design plan.

Although McKendree Road is identified as a historic road, this application proposes no impacts within 600 feet of McKendree Road. No further information regarding historic or scenic roads is required for the review of this specific design plan.

Traffic-generated noise may impact portions of the property. US 301 is the eastern boundary of the subject property. The noise model used by the Environmental Planning Section predicts that the 65dBA noise contour is 531 feet from the centerline of US 301. This noise corridor will impact the L-A-C and E-I-A portions of the site but not the R-M-zoned portion currently under review. General Lafayette Boulevard is designed as a master plan collector roadway and should not be a significant source of traffic-generated noise. Chadds Ford Drive is designed as a 70-foot access road and should not be a significant source of traffic-generated noise. No further action regarding noise is required with regard to this specific design plan review.

- e. The Historic Preservation and Public Facilities Planning Section, in a memorandum dated November 27, 2007 (Harrell to Lareuse), indicated that the proposed development will be adequately served within a reasonable period of time with existing or programmed fire and rescue, police, and public school facilities.
- f. The Community Planning Division, in a memorandum dated December 3, 2007 (Irminger to Lareuse), stated there are no General Plan or master plan issues related to this specific design plan. The 2002 General Plan identifies this application as being located in the Developing Tier and in the area identified as a possible future center for Brandywine. The 1993 Approved Subregion V Master Plan and SMA classified the site in the R-M Zone per application A-9878. This application proposes to build 51 detached dwelling units on 22.20 acres. The community planner indicated that general plan and master plan issues for this application were addressed in Comprehensive Design Plan CDP-0102/01.
- g. The Subdivision Section, in a memorandum dated October 11, 2007, indicated that the development pattern shown on the SDP is in conformance with the approved preliminary plan.
- h. The Parks Department, in a memorandum dated December 11, 2007, reviewed the applicable conditions of approval of the comprehensive design plan and preliminary plan of subdivision and recommended approval of the subject specific design plan subject to conditions, which have been incorporated in the recommendation section of this report as Conditions 10-16.
- i. In a memorandum dated August 8, 2007, the Historic Preservation and Public Facilities

Planning Section indicated that five archeological sites have been identified within a one-mile radius of the subject property and that the probability of the subject property containing significant historic or prehistoric resources is moderate to high. The staff archeologist recommended a Phase I archeological investigation in accordance with the Planning Board's directives, as described in the *Guidelines for Archeological Review* (May 2005). However, the preliminary plan of subdivision for the subject site, 4-04174, was approved by the Prince George's County Planning Board on February 3, 2005 (PGCPB Resolution No. 05-15) and, as pointed out by the applicant, predates the *Guidelines for Archeological Review*. No archeological work was required at the time of preliminary plan approval and staff cannot lawfully require such work at this juncture. However, at the Planning Board hearing, in response to an inquiry about the applicant's willingness to conduct such work, the applicant proffered to conduct a Phase I archeological investigation, and if necessary, a Phase II or Phase III evaluation. A condition was added to detail the process for this investigation.

14. **Required Findings for approval of a specific design plan (Section 27-528 Planning Board action):**

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and for Specific Design Plans for which an application is filed after December 30, 1996, 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) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

Comment: As stated in Findings 8 and 11 above the subject specific design plan is in conformance with the approved comprehensive design plan and the applicable standards of the *Landscape Manual*. The subject specific design plan does not propose the construction of townhouse units.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development;**

Comment: Findings for adequate public facilities were made in conjunction with the preliminary plan for the development and in memoranda dated November 27, 2007, by the Historic Preservation and Public Facilities Section, and dated August 24, 2007, by the Transportation Section, indicating that the proposed development will be adequately served within a reasonable period of time with existing or programmed public facilities.

- (3) **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

Comment: The site has an approved Stormwater Management Concept Plan 23308-2006-00, which is valid until July 10, 2009. In a memorandum dated August 8, 2007 (Abraham to Lareuse), the Department of Public Works and Transportation indicated that the subject specific design plan is in conformance with the approved stormwater management concept plan. Therefore, adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.

(4) The plan is in conformance with an approved Tree Conservation Plan.

Comment: In a memorandum dated August 15, 2007 (Stasz to Lareuse), the Environmental Planning Section indicated that Tree Conservation Plan TCPII/126/98/07, for the subject site is in conformance with TCPI/46/97-04, which was approved with CDP-0102/01.

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/126/98-07), and further APPROVED Specific Design Plan SDP-0611 for the above-described land, subject to the following conditions:

1. All residential structures shall be fully sprinklered in accordance with the National Fire Protection Association Standard 13D and all applicable Prince George's County laws in order to alleviate the negative impact on fire and rescue services.
2. Prior to signature approval of the specific design plan, the applicant shall make the following revisions to the plans:
 - a. The tot lot, preteen lot, and trails shall be designed in accordance with the Parks and Recreation Facilities Guidelines.
 - b. The area of the recreational facilities shall be shown on the plans.
 - c. The material of the benches and trash receptacles shall be durable and low maintenance and indicated on the landscape plans.
 - d. Revise the landscape plans to delete any invasive species.
 - e. The plans shall show suitable fencing around the tot lot and a privacy fence around the rear yards of Lots 20 and 21, Block C.
 - f. The architectural elevations shall be revised to indicate a minimum 7/12 roof pitch.
 - g. The architectural elevations shall be revised to incorporate a minimum of two end wall features for all of the units. On highly visible lots, a minimum of three end wall features shall be provided in a balanced or symmetrical design.

- h. The plans shall be revised to add a tracking chart to demonstrate that 60 percent of the units will have brick fronts.
3. Prior to the issuance of any permits that impact jurisdictional wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approved conditions have been complied with, and associated mitigation plans.
4. Prior to issuance of the building permit for the 135th unit in the overall development as shown on CDP-0102/01, the applicant shall submit to the Department of Parks and Recreation a performance bond, a letter of credit, or other suitable financial guarantee for the construction of the master plan trail on dedicated parkland in the amount to be determined by DPR.
5. Prior to issuance of the building permits for the 290th unit in the development as shown on CDP-0102/01, the master plan trail on dedicated parkland shall be constructed.
6. Prior to the issuance of the building permit for the 26th unit in the subject application, SDP-0611, the private recreational facilities including the tot-lot, the preteen lot, and the trail on the land to be conveyed to the HOA shall be completed.
7. The developer, his heirs, successors, and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the detailed site plan, landscape plan, and plans for recreational facilities.
8. Standard sidewalks along both sides of the internal public streets shall be provided as shown on the plans, unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
9. A six-foot-wide asphalt feeder trail from the northern portion of the stream valley trail to the residential development shall be constructed as shown on the SDP.
10. Prior to certification of this specific design plan, plans shall be revised to show the parkland dedication area as shown on amended staff "Exhibit A."
11. Prior to certification of this specific design plan, the applicant shall submit drawings to DPR for the portion of the six-foot-wide asphalt feeder trail that will be constructed on land to be dedicated to M-NCPPC for its review and approval. The plans shall also include a bridge to assure dry passage over the existing stream as shown in amended DPR Exhibit "A." The trail and bridge shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. The drawings and details for the hiker/biker trails shall include limits of disturbance, proposed grading, landscaping, sections, and bridge construction details. All bridge design plans must meet local, state and federal codes as applicable.

12. Prior to the application of the first building permit for lots governed by SDP-0611, construction drawings for the bridge and bridge footings on parkland shall be prepared by a registered professional engineer, bearing his or her stamp and signature, on all plans and specifications, and shall be submitted to DPR for review and approval. The construction drawings shall include manufacturer's shop drawings for an eight-foot-wide self-weathering steel pedestrian bridge to cross the existing stream. The plans shall incorporate the following DPR standards:
 - a. Ten-foot minimum length approach railings, to match the bridge on all sides.
 - b. Prefabricated steel picket fencing with a maximum opening of four inches between pickets, on both sides of the bridge.
 - c. Bridge railings and approach rails four feet, six inches in height.
 - d. bridge decking at least three inches thick, made of pressure treated pine.
 - e. The bridge shall be designed for a 10,000 lb. maximum live load plus a 30 percent impact load.
13. Construction of the six-foot-wide asphalt feeder trail connector from Home Way to the master-planned trail on the land to be dedicated to M-NCPPC shall be completed prior to the issuance of the 26th building permit for lots located within this SDP.
14. Prior to final plat of subdivision, the public recreational facility agreement Liber 24463, Folio 561, recorded March 2, 2006, shall be amended to include the six-foot-wide master-planned trail connector within this SDP plan.
15. Prior to construction of the portion of the trail connector to be located on property to be dedicated to M-NCPPC, the location of the trail shall be flagged in the field and reviewed and approved by Department of Parks and Recreation (DPR) staff, according to the following:
 - a. When trails are constructed through wooded areas, all trees should be removed that are within two feet of the edge of the trail. Within 20 feet of the trail: (1) All trees should be cleared of branches to allow 12-foot clearance; and (2) other vegetation obstructing the view from the trail should be removed (shrubs, fallen trees).
 - b. Shallow rooted species, i.e., maples, should be a minimum of ten feet from the edge of pavement.
 - c. The location of the trail shall be staked in the field and approved by DPR prior to construction.
16. An archeological survey shall be conducted on the 22.20 acres of the subject site. The survey shall include the following:

a. Prior to certification of the Specific Design Plan (SDP), the applicant shall provide a Phase I archeological investigation, according to the Planning Board's Guidelines for Archeological Review (May 2005), to determine if any cultural resources are present. A Phase I Research Plan shall be submitted for approval by the staff archeologist prior to commencing Phase I work. The Phase I investigation shall include:

- (1) A title search, tracing the title back as far as possible.
- (2) The examination of census records, in order to determine if past owners held slaves.
- (3) Any other investigation determined to be necessary.

Written M-NCPPC concurrence with the final Phase I report and recommendations is required prior to signature approval of the SDP.

b. Prior to approval of any ground disturbing activities, if it is determined that potentially significant archeological resources exist in the project area, the applicant shall provide a plan for:

- (1) Evaluating the resource at the Phase II and, if required, the Phase III level; or
- (2) Avoiding and preserving the resource in place.

c. Prior to approval of any ground disturbing activities, if a Phase II and/or Phase III archeological evaluation or mitigation is necessary, the applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner.

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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Cavitt, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, January 10, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of January 2008.

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Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

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