

Case No.: DSP-16010
Cabin Branch Village

Applicant: VP, LLP c/o Mark Vogel

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — APPROVAL OF DETAILED SITE PLAN

Pursuant to Section 25-210 of the Land Use Article, Md. Ann. Code (2012 Ed. & Supp. 2016) and Section 27-290 of the Prince George's County Code (2015 Ed., as amended), the District Council has jurisdiction to issue the final decision in this Detailed Site Plan Application Number 16010 ("DSP-16010").¹

Planning Board's Resolution No. 17-41 ("PGCPB No. 17-41") approving Applicant's request of 204 single-family attached dwelling units (townhouses) located in the northwestern quadrant of the intersection of Armstrong Lane and Ryon Road, in Planning Area 78 and Councilmanic District 6, is hereby AFFIRMED.¹ As the basis for this final decision, the District Council hereby adopts the findings of fact and conclusions of law set forth in PGCPB No. 17-41.

The District Council approves Type 2 Tree Conservation Plan TCP2-030-2016, Alternative Compliance 16013, and Detailed Site Plan 16010 for the above-described land, subject to the following conditions:

1. Prior to certificate of approval of the detailed site plan (DSP), the applicant shall make revisions or provide information as follows:
 - a. Revise the plans to remove the proposed development, exclusive of infrastructure elements, from the proposed commercial parcels.

¹ See also *Cnty. Council of Prince George's Cnty. v. Zimmer Dev. Co.*, 444 Md. 490, 569, 120 A.3d 677, 725 (2015) (stating that the District Council is expressly authorized to review a final decision of the county planning board to approve or disapprove a detailed site plan and the District Council's review results in a final decision).

- b. Provide development standards for decks, and all other possible additions to the townhouses.
- c. Provide ramps and depressed curbs at all parking spaces for the physically handicapped.
- d. Revise the DSP to show the cul-de-sac at the northern end of Ryon Road, as agreed to by the Prince George's County Department of Permitting, Inspections and Enforcement and the Maryland-National Capital Park and Planning Commission.
- e. Revise the DSP to show Armstrong Lane road improvements west of MC-634 per master-planned urban commercial and industrial roadway standards and reflect the necessary right-of-way dedication.
- f. Revise the DSP to show 'Public Road C' as private roadway with a public access easement.
- g. Revise the architecture to show and/or provide notes as follows:
 - (1) Provide a minimum of two standard endwall features in a balanced composition on all house models.
 - (2) A minimum of three standard endwall features combined with a minimum of the first floor finished in brick, stone or stucco shall be provided in a balanced composition on corner and highly-visible lots, including:
 - Block A: Lots 1, 21, and 22
 - Block B: Lots 6, 7
 - Block C: Lots 8, 17
 - Block D: Lots 1, 6, 7, 12, 13, and 18
 - Block E: Lots 7, 12, 13, 18, 19, and 24
 - Block F: Lots 1 and 21
 - Block G: Lots 1, 18, 19, and 36
 - Block H: Lots 7, 8, 13, 14, and 20
 - Block I: Lots 1, 12, 13, and 24

- (3) Above-grade foundation walls shall either be finished with materials compatible with the primary façade design, or shall be textured or formed to simulate a building material such as brick, stone, or stucco.
 - (4) Provide a standard deck on all rear-load garage end units and the template for an optional deck on all other units.
 - h. Revise the landscape plan as follows:
 - (1) Revise the Tree Canopy Coverage schedule to account separately for the split zoning of the property.
 - (2) Provide a Section 4.10 schedule for Road 'C,' which will now be a private roadway. Demonstrate conformance with the requirements or revise the alternative compliance to include this road, if necessary.
 - (3) Correct any conflicting Section 4.10 schedules.
- 2. No two identical front elevations shall be located next to one another.
- 3. A minimum of 60 percent of the townhouse units shall have full front façades (excluding gables, bay windows, trim, and doors) of brick, stone, and/or stucco, as required by Section 27-548(h) of the Prince George's County Zoning Ordinance.
- 4. Prior to approval of building permits for residential buildings located within the unmitigated 65 dBA Ldn noise contour, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permit application plan stating that building shells of structures have been designed to reduce interior noise levels to be 45 dBA Ldn or less.
- 5. The following note shall be placed on the final plat:

“Properties within this subdivision have been identified as possibly having noise levels that exceed 65 dBA Ldn due to military aircraft over flights. This level of noise is above the Maryland designated acceptable noise levels for residential uses.”

6. Prior to the approval of any building permit for the subject property, the applicant and the applicant’s heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities as designated below or as modified by DPW&T/DPIE/DPR, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency’s access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency:
- a. One off-site bus shelter installation at the location agreed to by WMATA and DPIE and shown on Bus Stop Exhibit 2.
7. Private recreational facilities schedule of construction is as follows:

Recreational Facilities	When the Particular Facility shall be
All Facilities - Parcel E	Prior to issuance of the 102nd building permit
All Facilities - Parcel N	Prior to issuance of the 166th building permit
Garden - Parcel W	Prior to issuance of the 166th building permit

ORDERED this 19th day of June, 2017, by the following vote:

In Favor: Council Members Davis, Harrison, Lehman, Patterson, Taveras, and Toles.

Opposed:

Abstained:

Absent: Council Members Franklin, Glaros and Turner.

Vote: 6-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Derrick Leon Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

DRAFT