THE PRINCE GEORGE'S COUNTY GOVERNMENT
Office of the Clerk of the Council
301-952-3600

March 31, 2025

RE: DET-2024-004 Harmony Garden at Vansville
Potomac Realty Company, Applicant

NOTICE OF FINAL DECISION
OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-3416 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on March 24, 2025.

CERTIFICATE OF SERVICE

This is to certify that on March 31, 2025, this notice and attached Council Order was mailed, postage prepaid, to all persons of record.

Donna J. Brown
Clerk of the Council

Case No.: DET-2024-004
Harmony Garden at Vansville
Applicant: Potomac Realty Company

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

FINAL DECISION — APPROVAL OF DETAILED SITE PLAN

On March 10, 2025, this matter was considered by the District Council, on an election to review, without any opposition, using oral argument procedures. Having reviewed the record and the Planning Board's decision to approve Detailed Site Plan (DET) 2024-004, including certain proffers made by the Applicant, a request for approval of a detailed site plan for the development of the site improvements for 67 single-family attached (townhouse) residential dwelling units, on property located south of the intersection of Old Baltimore Pike and Ammendale Way (7.75 Acres; CGO Zone), Council District 1, the District Council finds that while the Planning Board's decision is supported by substantial evidence of the record, not arbitrary, capricious, or otherwise illegal, certain conditions of approval are necessary to promote the general purpose and intent of the Zoning Ordinance, which, among other things, are to protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County. PGCC §§ 27-1300, 27-3605, Md. Ann. Code, Land Use Article, § 25-210.

IT IS HEREBY ORDERED that the Planning Board's decision to approve DET-2024-004, Type 2 Tree Conservation Plan TCP2-041-2024 and Alternative Compliance ACL-2024-004, based on the findings of facts and conclusions set forth in Resolution No. 2024-119, for the land described above, is hereby AFFIRMED, subject to conditions imposed by the Planning Board and the District Council as follows:

1. Prior to certification of the detailed site plan (DET), the applicant and the applicant's heirs, successors, and/or assignees shall:

a. Update the plan to show an 80-foot right-of-way along the site's frontage of Old Baltimore Pike.

b. Revise the tree canopy coverage (TCC) schedule and area on the landscape plan to provide the correct area and calculation of TCC.

c. Revise the plans to demonstrate the existing monument sign for North Creek will be removed or, in the alternative, revise the plans to remove the sign column/pillar details from the detail sheet and location shown on the plans. Provide the details of the existing or proposed gateway sign with labeling demonstrating conformance with Section 27-61506(b) or Section 27-7500 of the Prince George's County Zoning Ordinance.

d. Remove the steel picket fence detail from the plans or provide its proposed location and conformance with Subtitle 27.

e. Revise the Open Spaces Set-Aside exhibit on Sheet 8 of the DET, to properly label the open space areas noted on the exhibit's legend, removing stormwater management areas that do not qualify as open space set aside, and demonstrate that the area of active recreation provided is in conformance with Section 27-6404(a)(1) of the Prince George's County Zoning Ordinance.

f. Revise the Open Spaces Set Aside exhibit to not include stormwater management areas which are not treated as site amenities as part of the total open space set aside provided.

g. Provide a bicycle and pedestrian plan that demonstrates conformance with Conditions 2 and 4 of Certificate of Adequacy ADQ-2022-099, as determined by the Transportation Planning Section of the Prince George's County Planning Department.

h. Provide a table on the plan that shows which lots are designated for high-visibility units and will require enhanced side and/or rear elevations, which shall be determined in consultation with the Urban Design Section of the Prince George's County Planning Department.

i. Revise the architecture to demonstrate conformance to the transparency requirements in Section 27-61203(d)(1) of the Prince George's County Zoning Ordinance, for the facades that face the adjacent existing townhomes.

j. Revise plans to demonstrate, when possible, proposed lights are to be located on proposed homeowner associate parcels. When proposed lighting must be on townhouse lots, proposed lights shall be located so as to not interfere with residential driveways.

k. Add a chart or list of the proposed Green Building Standards to the site plan.

l. Revise the lighting plan to indicate that the correlated color temperature modes for the proposed lighting fixtures will not exceed 3000K.

m. Label the paving material of driveways and roadways, including parking areas, to be concrete and/or asphalt. At time of permitting, the applicant is encouraged to consider pervious materials if feasible.

n. Provide a color palette of the proposed architectural materials to be used which is equal or superior in quality to abutting development.

o. Provide one dog waste station if there are no existing dog waste stations on the Vansville Local Park property across Ammendale Way.

2. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, the applicant and the applicant's heirs, successors, and/or assignees shall:

a. Submit documents for the required woodland conservation easements to the Environmental Planning Section for review by the Office of Law, and submission to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

> "Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber _____ Folio____. Revisions to this TCP2 may require a revision to the recorded easement."

b. Submit a copy of the draft erosion and sediment control technical plan so that the ultimate limits of disturbance for the project can be verified and shown on the TCP2.

3. Prior to approval of a final plat, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowner's association has been established for the subdivision. The draft covenants shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department, to ensure that the rights of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Board are included. The Book/page of the declaration of covenants shall be noted on the final plat, prior to recordation.

4. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey land to the homeowner's association, as identified on the approved preliminary plan of subdivision and detailed site plan. Land to be conveyed shall be subject to the following:

a. A copy of the recorded deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division of the Prince George's County Planning Department.

b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.

c. The conveyed land shall not suffer the disposition of construction materials or soil filling, other than the placement of fill material associated with permitted grading operations that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.

d. Any disturbance of land to be conveyed to the association shall be in accordance with an approved site plan and tree conservation plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.

e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to the association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division of the Prince George's County Planning Department.

f. The Prince George's County Planning Board, or its designee, shall be satisfied that there are adequate provisions to ensure retention and future maintenance of the property to be conveyed.

5. Provide a tracking table to ensure that a minimum of thirty percent (30%) of the homes within the community to incorporate masonry elements.

6. For residential units on lots 1 through 21, located adjacent to Old Baltimore Pike, the Applicant shall incorporate architectural/Sound Transmission Class ("STC") upgrades on the fronts and sides to mitigate indoor noise impacts to levels at or below 45 dBA. The STC upgrades shall be verified by a noise study.

7. Each garage shall include electrical rough-ins to enable a minimum 240-volt electric outlet and receptacle for an electric vehicle charge station for residential structures in accordance with State and County regulations.

ORDERED this 24th day of March 2025, by the following vote:

In Favor: Council Members Burroughs, Dernoga, Fisher, Harrison, Hawkins, Ivey, Olson and Oriadha.

Opposed:

Abstained:

Absent: Council Members Blegay and Watson.

Vote: 8-0.

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: Jolene Ivey
Jolene Ivey, Chair

ATTEST:
Donna J. Brown
Donna J. Brown
Clerk of the Council