

Case No.: SDP-0416-03 Beech Tree
South Village, Sec. 4 & 5

Applicant: VOB Limited Partnership

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

FINAL DECISION — ORDER AFFIRMING PLANNING BOARD

IT IS HEREBY ORDERED, after review of the administrative record and conducting oral argument in this matter, that the application to amend previously approved Specific Design Plan 0416-03, for Beech Tree, South Village, Section 4 & 5, located in the southeastern portion, along the southern boundary of Beech Tree development (41.32 acres; R-S Zone), to replace 53 previously approved single-family detached lots in Section 5 with 141 single-family attached lots, which does not proposed any changes in previously approved Section 4 of South Village, Beech Tree development, be and the same is hereby AFFIRMED.

As the basis for this final decision, and as expressly authorized by the Regional District Act, within Title 22 and Title 25 of the Land Use Article of the Annotated Code of Maryland, and the Prince George's County Code, the District Council adopts the findings and conclusions set forth by Planning Board in PGCPB Resolution No. 16-84.

Approval of SDP-0416-03 is subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant shall:
 - a. Provide a revised tracking chart on the coversheet of the SDP to differentiate between the approvals within each of the preliminary plans of subdivision (PPS), noting if the lot is within PPS 4-98063, 4-99026, or 4-00010.
 - b. Provide a plan note to indicate conformance with construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- c. Provide a plan note to indicate the applicant's intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
- d. Provide a note on the SDP requiring that all structures be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA) Standard 13D and all applicable County laws and regulations.
- e. Provide the distance between each group of townhouse lots on the plan.
- f. Show and indicate that all proposed exterior light fixtures are full cut-off luminaires.
- g. Revise the Section 4.7 landscape schedule for Bufferyard 4 to match the landscape plan and show the requirements being fully met.
- h. Revise the Section 4.6 landscape schedules to match the landscape plan and show the requirements being fully met for all applicable lots.
- i. Revise the Type II tree conservation plan (TCPII) as follows or provide the following information:
 - (1) The overall woodland conservation worksheet shall be revised to indicate how the full woodland conservation requirement will be provided on-site.
 - (2) All SDPs and TCPIIs requiring revision to demonstrate how the full woodland conservation requirement is met on-site, shall be revised and certified.
 - (3) The TCPII number in the correct format, TCPII-026-12, shall be shown on all plan sheets.
 - (4) Retaining walls shall have a ten-foot-wide zone clear of woodland conservation for maintenance purposes at the top of the wall and the bottom of the wall. These areas shall not be credited as woodland conservation and shall be assumed cleared.
 - (5) All proposed retaining walls shall be clearly identified and top and bottom elevations shall be provided.

- (6) A ten-foot-wide zone clear of trees shall be shown from all townhouse lot lines to demonstrate clear access around all sides of a townhouse stick.
 - (7) *Acer rubrum*, red maple, is an overplanted species included in the planting schedule. A different major native shade tree shall be substituted for the red maple.
 - (8) A permanent tree protection device shall be shown along the vulnerable edges of all afforestation/reforestation, including those adjacent to road rights-of-way.
 - (9) Preservation areas shall not be shown in storm drain easements or utility easements, and these areas shall be assumed to be cleared.
 - (10) The location of perpetual woodland conservation signage shall be shown on the plans.
 - (11) Areas of woodland conservation which are less than 35 feet in width shall be eliminated from the plan.
 - (12) A revised stormwater management concept approval number for the current application shall be included in the notes.
 - (13) The page-by-page woodland conservation table shall be revised as needed.
 - (14) The individual TCP woodland conservation worksheet shall be revised as needed.
 - (15) A revised overall woodland conservation worksheet which includes all prior approvals and revisions as needed, and which demonstrates how the woodland conservation requirement shall be provided for the overall development shall be included on the plan.
 - (16) Have the revised plan signed by the qualified professional who prepared it.
- j. Impacts to the primary management area (PMA) on-site shall be addressed as follows:

- (1) An exhibit shall be prepared and submitted that illustrates the area of previously approved PMA impacts and currently proposed impacts in South Village, Sections 4 and 5, with the acreage of each impact provided. Areas of PMA mitigation shall also be shown and labeled with acreages. This exhibit should demonstrate that the Planning Board's previous approvals of impacts have not been exceeded with the current application, and that the amount of PMA mitigation that is being provided towards fulfilling the overall requirements for Beech Tree development has been maximized to the extent feasible.
 - (2) If the acreage of PMA impacts previously approved is less than the acreage of PMA impacts shown on the current application, a mitigation plan shall be prepared with the current application which identifies potential mitigation sites on-site, and the quantity that will be required to be addressed in other areas of Beech Tree development.
- k. Submit a copy of the current approved Stormwater Management Concept Plan (34382-2005-01) showing the proposed townhouse layout. The location of the stormwater pond proposed southwest of South Village 4 shall be located in a place that allows its bottom to be lower than the delineated Marlboro clay bottom, unless modified by the Prince George's County Department of Permitting, Inspections and Enforcement.
 - l. Submit an amended geotechnical study to the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) based on additional borings if requested by DPIE, which addresses the presence of Marlboro clay in Sections 4 and 5, and identifies the location of the 1.5 safety factor line for review and approval.
 - m. Show the location of the 1.5 safety factor line for the Marlboro clay and the 25-foot building setback line as approved by the Prince George's County, George's County Department of Permitting, Inspections and Enforcement on the SDP and Type II tree conservation plan.
 - n. The following dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a roof feature containing

either a reverse gable or dormer window(s) and a full front façade (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:

- (1) Five dwelling units in any building group containing seven units; or
 - (2) Four dwelling units in any building group containing five or six units; or
 - (3) Three dwelling units in any building group containing four units; or
 - (4) Two dwelling units in any building group containing three units.
- o. At a minimum, the following townhouse lots shall be treated as highly-visible units: Block I, Lots 1, 36, 37, 54, 55, 81, 92, 97, 107, 116, 117, 127, 131 and 141. Every side elevation for these lots shall display architectural features as follows:
- (1) Full brick, stone, or stucco (gable area may be siding) combined with no less than five windows and one entry door; or brick or stone from ground level up to the first floor level, combined with no less than six windows and one entry door;
 - (2) A substantial architectural feature, such as a bay window or multi-window fenestration that includes at least three window elements; and
 - (3) Two additional enhancements such as shutters, gable louver, full width cornice, covered entry/stoop, or no more than one brick window infill.
- p. All garage doors shall have a carriage-style appearance.
- q. No two units located next to or across the street from each other may have identical front elevations.
2. Prior to issuance of the first building permit associated with Specific Design Plan SDP 0416-03, Beech Tree, South Village, Sections 4 and 5, the applicant shall complete the replication of the Pentland Hills foundation (Historic Site 79-038) and install the associated interpretive signage within the historic site's environmental setting through a historic area work permit (HAWP) application approved by the Historic Preservation Commission.

3. Prior to issuance of each building permit for a dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than the following ranges (in 1989 dollars).

Single-Family Detached:	\$225,000-500,000+
Single-Family Attached:	\$150,000-200,000+
Multifamily dwellings:	\$125,000-150,000+

4. Prior to issuance of the 85th building permit within Section 5, the applicant shall provide an updated errant ball study. If after the golf course is completed and in use and the adjacent residential areas are completed and occupied, it becomes apparent that errant golf balls are creating an unexpected hazard to persons or property off the golf course by repeatedly leaving the golf course property, the developer and/or golf course operator shall be required to retrofit the golf course with landscape screens or nets, as determined by the Planning Director and in heights and locations specified by the Planning Director, sufficient to prevent the travel of golf balls beyond the lot lines of the site on which the golf facility is located. Such screens or nets shall be continuously maintained so as not to fall into disrepair.
5. Prior to issuance of a grading permit, submit the most current technical stormwater management plan to confirm that the limit of disturbance matches the approved specific design plan and Type II tree conservation plan.
6. The following architectural requirements shall apply to the single-family attached units in Section 5, as listed:
- The following lots shall have rear decks in Block I: Lots 1–82, 86, 87, 91, 92, 93, 96, 97, 98, 102, 103, 106, 107, 108, 111, 112, 115, 116, 117, 118, 121, 122, 126, 127, 128–132, and 138-141.
 - The following lots shall have pergolas in Block I: Lots 1, 7, 8, 13, 14, 19, 20, 25, 26, 31, 32, 36, 37, 42, 43, 48, 49, 54, 55, 60, 61, 67, 68, 74, 75, 81, 82, 86, 87, 92, 93, 97, 98, 102, 103, 106, 107, 111, 112, 116, 117, 121, 122, 127, 128, 131, 132, 138, 139, and 141.
 - The following lots shall have side entry units in Block I: Lots 1, 36, 37, 54, 55, 74, 75, 81, 92, 97, 107, 111, 112, 116, 117, 127, 131, 132, 138, and 141.
 - The following lots shall have fully fenced rear yards in Block I, similar in appearance to the majority of fences for townhouses in other sections of Beech Tree: Lots 1–141.

Ordered this 17th day of October, 2016 by the following vote:

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

Opposed:

Abstained:

Absent: Council Member Franklin.

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: _____
Derrick L. Davis, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council