

R E S O L U T I O N

WHEREAS, V.O.B. Limited Partnership is the owner of a 557.57-acre parcel of land known as Beech Tree, said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned R-S; and

WHEREAS, on February 27, 2000, V.O.B. Limited Partnership filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 1,653 lots and 46 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-00010, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 6, 2000, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on July 6, 2000, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plat of Subdivision 4-00010 with the following conditions:

1. The applicant, his heirs, successors and/or assigns shall have finished construction on the following improvement in phase with construction in accordance with the following schedule:
 - a. Prior to issuance of the 1,400th building permit, an 8- to 10-foot-wide asphalt master plan hiker-biker trail immediately adjacent to the west side of the lake within the community [as agreed to by the Department of Parks and Recreation (DPR) and as required by CDP-9706 DPR]. As recommended by DPR, this trail shall be 8 feet wide where it is adjacent to roadways and 10 feet wide in all other locations.
 - b. Prior to issuance of the 2,200th building permit, the applicant, his heirs, successors and/or assigns shall have finished construction on the balance of said master plan trail through the stream valley park.. A bicycle network shall to be included on the internal roads. This network shall be designated either by appropriate bikeway signage and/or pavement markings.

2. All HOA trails shall be a minimum of six-feet wide and asphalt, unless otherwise agreed to by the Department of Parks and Recreation.
3. All trails shall be assured dry passage. If wet areas must be traversed, suitable structures shall be constructed.
4. All trails and sidewalks shall include any necessary curb cuts and be ADA compatible.
5. Prior to approval of building or grading permits, the Environmental Planning Section shall review all Technical Stormwater Management Plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that water quality is provided at all storm drain outfalls.
6. Prior to issuance of any grading permit which includes the lake, the applicant, his heirs, successors and/or assigns shall demonstrate to the satisfaction of the Natural Resources Division that a lake of at least 25 (plus or minus) acres can be maintained.
7. Prior to issuance of any permits for Beech Tree, the applicant shall demonstrate that all applicable conditions of the State wetland permit have been fulfilled.
8. As part of the submission of a Specific Design Plan (SDP) for any High Risk Area, the applicant, his heirs, successors and/or assigns shall submit a geotechnical report for approval by M-NCPPC Environmental Planning Section, the Prince George=s County Department of Public Works and Transportation, and the Prince George=s County Department of Environmental Resources. The SDP shall show the proposed 1.5 Safety Factor Line. Adjustments to lot lines and the public rights-of-way shall be made during the review of the SDP. No residential lot shall contain any portion of unsafe land.
9. Prior to signature approval, the preliminary plat shall be revised to:
 - a. Show the location of the site of Pentland Hills and the proposed replication of the footprint of the plantation house.
 - b. Show all existing structures and a note regarding their disposition.
 - c. Show the location of the irrigation pond and the well, or a note stating that neither is to be located within the confines of the current preliminary plat.
 - d. Remove the 20-foot wide WSSC sewer right-of-way from Parcel AG. The sewer line connection through Parcel AG will be allowed by a permit from the M-NCPPC Department of Parks and Recreation. The WSSC or the applicant shall submit detailed plans for review and approval to M-NCPPC prior to commencement of the work.

- e. Provide a minimum 20-foot-wide landscape buffer along the Leoning property for Lots 222 to 235 .
 - f. Show a landscape buffer between Presidential Golf Course Drive and the Bowling Heights property.
 - g. A bicycle network shall be included on the internal roads. This network shall be designated either by appropriate bikeway signage and/or pavement markings.
10. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department Environmental Engineering Program prior to final plat approval.
 11. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay a fee to Prince George=s County of \$201.65 per dwelling unit toward the provision of a fire station and an ambulance.
 12. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay an Adequate Public Facilities fee of \$4,240 per dwelling unit for the elementary, middle and high schools, unless fully offset by a school facility surcharge payment. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at Patuxent Elementary School, James Madison Middle School and Frederick Douglas High School.
 13. No building permits shall be issued for this subdivision until the projected percentage of capacities at all the affected schools are less than or equal to 130 percent or 4 years have elapsed since date of the adoption of the resolution of the approval of this preliminary plat of subdivision. (In accordance with the exemptions in the guidelines, this condition shall not apply to permits for elderly housing which is operated in accordance with State and Federal Fair Housing Laws.)
 14. The applicant shall provide improvements to US 301 and Leeland Road as provided in the Recommended Staging Plan adopted as Finding 24 in the Approval of SDP-9907 on June 8, 2000. This Staging Plan provides for the applicant=s participation in the construction of improvements to US 301 which will equal or exceed the pro-rata participation cost previously identified (\$1,194,805.00) in the approvals of CDP-9706 and Preliminary Plat 4-99026.
 15. Prior to the issuance of any building permit, the applicant shall dedicate all rights-of-way for A-61, F-10 and C-58/C-600 (Leeland Road) as identified by the Planning Department.

16. The following roadways shall be built to DPW&T=s Standard No. 12 (36-foot pavement within a 60-foot right-of-way) or as determined by DPW&T and as approved by the Planning Board at the SDP stage:
 - § Presidential Golf Club Drive, loop road, from Beechtree Parkway to Leeland Road.
 - § Road "N," from the intersection of Presidential Golf Club Drive to its intersection with Road AO.@
 - § Beech Tree parkway, the entire length other than the divided portion at its eastern limits.
 - § Road "D," from Beechtree parkway to Moors Plain Boulevard.
 - § Moors Plain Boulevard, from Beechtree parkway to Road "D."
 - § The future roadway (the fifth access to Beechtree Subdivision) southeast of the proposed middle school. The exact location of this road (stub connection) needs to be shown on the preliminary plat.
17. The following roadways shall be built to DPW&T=s Standard No. 14 (80-foot right-of-way) or as determined by DPW&T and approved by the Planning Board at the SDP stage:
 - § The future un-named roadway tie-in to Village Drive extended, northeast of the proposed middle school.
 - § Moors Plain Boulevard, from Road "D" to Leeland Road.
18. Prior to SDP approval, the applicant and DPW&T shall consider the location of the proposed middle school, the number of lots proposed in Parcels M, N and O, and the density of residences northeast of the commercial/recreational center to determine the necessity for sidewalks on both sides of the right -of-way along the following
 - § Presidential Golf Club Drive, from Road "N" to Beechtree Parkway.
 - § Moores Plain Boulevard, from the recreational center/proposed round-about to Leeland Road.
19. Prior to the issuance of the 1,993rd building permit for any residential unit of development, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

- a. Leeland Road/US 301 Intersection

Construct a fourth southbound through lane along US 301 at Leeland Road to SHA standards.
 - b. US 301/Swanson Road Intersection

Construct a fourth southbound through lane along US 301 at Swanson Road to SHA standards
20. The trail shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines and the accessibility guidelines in the latest edition of the Americans with Disabilities Act for the Outdoor Development Areas. The exact location of the trail shall be determined at the time of Specific Design Plan review for this plat and approved by DPR. Detailed construction drawings, including grading plan sections, shall be submitted to DPR for review and approval prior to submission of the application for the Specific Design Plan for this plat.
 21. Prior to approval of the first specific design plan containing the master plan trail the boundaries and acreage of the right-of-way or easement to be conveyed to M-NCPPC for construction of the master plan trail through Parcel H shall be established. If the applicant elects to provide an easement, the easement shall be reviewed and approved by DPR prior to submission of the final plat. An original deed of easement for the linear park in Parcel H shall be submitted to the Subdivision Section of the Development Review Division along with the Final Plat for Parcel H.
 22. The master plan trail right-of-way or easement may be reduced to 30 feet wide in front of Lots 1-4, Block DD, along Lots 1-24, 32-45, 59-80, Block LL, and Lots 23-24, Block KK, in Parcel H, if plans for additional landscaping are approved by DPR prior to signature approval of the preliminary plan.
 23. If the master plan trail is located within a 30-foot right-of-way or easement, berming shall be provided on both sides of the trail and the area extensively landscaped. The detailed site and landscape plans of the area, cross sections, sign details, shall be submitted to DPR for review and approval in conjunction with the application for the Specific Design Plan controlling this area.
 24. Building permits shall not be approved for residential lots adjoining the M-NCPPC right-of-way easement containing the master plan trail until the portion of the trail adjoining such lots is under construction.
 25. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.

26. Prior to the issuance of the first residential building permit for the entire Beechtree development, Parcel G shall be conveyed to M-NCPPC.
27. Prior to the issuance of the first residential building permit for the entire Beechtree development, Parcels T and U shall be conveyed to M-NCPPC.
28. Prior to submission of the first final plat for residential lots in the subdivision, the applicant shall enter into the public Recreational Facilities Agreement (RFA) for construction of recreational facilities. The applicant shall submit three original executed RFAs to DPR for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George=s County.
29. The recreational facilities on park property shall be designed in accordance with the applicable standards in the Park and Recreation Facilities Guidelines and the accessibility guidelines in the latest edition of the Americans with Disabilities Act for the outdoor development areas.
 - a. Prior to issuance of the 400th building permit the applicant shall submit detailed construction plans and details along with the cost estimates for construction of the park/school site on Parcel U to DPR for review and approval.
 - b. Prior to issuance of the 1,000th building permit the applicant shall submit detailed construction plans and details along with the cost estimates for construction on the park/school site on Parcel T to DPR for review and approval.
 - c. Prior to issuance of the 1,200th building permit the applicant shall submit detailed construction plans and details for construction of the master plan trail immediately adjacent to the west side of the lake within the community to DPR for review and approval.
 4. Prior to issuance of the 2,000th building permit the applicant shall submit detailed construction plans and details for construction of the balance of the master plan trail through the stream valley park to DPR for review and approval.
30. The subdivider, his successors and/or assigns shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plan of subdivision.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The Beech Tree property is located on the west side of US 301, south of Leeland Road. The property extends as far west as the Penn Central Railroad tracks and south of Dannenhower Road.
1. Environmental Issues and Variation Request C The site is characterized by gently rolling terrain that steepens to form a vast network of slopes, ravines and stream valleys. Elevations range from 175 feet at the north terminus, to 25 feet above sea level in the Collington Branch floodplain located in the southwest corner. The numerous feeder tributaries prevalent throughout the site drain into East Branch, a large intermittent stream that begins its course near Leland Road and flows in a southerly direction to the mainstem of Collington Branch. In turn, Collington Branch flows into Western Branch, and finally the Patuxent River. The property is situated within the Patuxent River drainage basin and is therefore subject to the stringent buffer requirements of the *Patuxent River Policy Plan*.

According to the 1967 *Prince George's County Soil Survey*, the soils on the site primarily belong to the Collington-Adelphia-Monmouth, Westphalia-Evesboro-Sassafras, and Westphalia-Marr-Howell associations. The soils are characterized as deep; nearly level, to strongly sloping; well drained to moderately well drained; formed in upland areas from sediments containing glauconite; and well drained to excessively well drained on moderately sloping to steeply sloping land. Portions along the southeast and northwest are comprised of Sandy Land, a miscellaneous soil type consisting of fine sandy sediments formed along the steep slopes of stream valleys. The Westphalia and Sandy Land soils have erodibility factors in excess of 0.35 and are thus considered highly erodible. In accordance with the Patuxent Policy, any highly erodible soils on slopes of 15 percent or greater must be incorporated into stream buffers.

According to the *Geologic Map of the Bristol Quadrangle, Prince George's, Anne Arundel and Calvert Counties, Maryland*, prepared by the Maryland Geological Survey, the site consists of unconsolidated clays, sands and gravels typical of the Coastal Plain. The extensive plateaus are generally underlain by sediments of the Calvert Formation and contain silty sands of marine origin. Beneath the Calvert Formation, and often exposed at the top of severe slopes, are glauconitic sands, clayey sands and silty-clays of the Nanjemoy Formation. Some marine shell fossils may be found on-site in the Nanjemoy Formation. Sandwiched below the Nanjemoy and above the Aquia is a layer of Marlboro Clay. This massive clay is the cause of many geotechnical problems. The oldest sediments exposed on the site are the glauconitic marine sands of the Aquia Formation. The stream valleys have younger deposits of Alluvium and Terrace Deposits associated with fluvial activity of the Patuxent River.

Of the 1,209 total acres, about 220 acres (18 percent) are currently 100-year floodplain and 207 acres, or 94 percent, of the floodplain are forested. The upland 973 acres, while under agricultural uses since colonial times, have 651 acres of woodlands (67 percent of the upland). The golf course SDP occupies about 308 acres of the Beech Tree development.

During the review of CDP-9407 in 1995, the Stripeback Darter (*Percina notogramma*), a state endangered fish, was found in the mainstem of Collington and Western Branches. Prior to 1994, the Stripeback Darter had not been observed in Maryland since the 1940s. Despite its documentation in the Western Branch, the Stripeback Darter is more prolific in the less developed Collington Branch subwatershed. Scott Stranko, a biologist with the Maryland Department of Natural Resources (DNR), conjectures that Collington Branch may be the last remaining vestige in Maryland where the Stripeback darter can sustain itself in viable numbers. He further claims that worldwide distribution of the darter is limited to central Virginia and the Western Branch watershed of Maryland. In spite of these findings, anthropogenic activities in both watersheds continue to alter the Stripeback darter's habitat through erosion and sedimentation processes. A recent analysis of the Western Branch watershed revealed that in-stream habitat for the fish was marginal to suboptimal. Mr. Stranko believes that further increases in impervious surfaces in conjunction with decreasing riparian forest buffers could force the already dwindling population toward extirpation. To that end, staff have worked in a collaborative effort with DNR and the Maryland Department of the Environment (MDE) to determine areas of critical concern. The watershed of the East Branch of the Collington is of importance.

During a meeting on April 30, 1998 with the State, M-NCPPC and the applicant, the incidental taking issue was discussed. According to Jonathan McKnight of the DNR Wildlife and Heritage Division, the proposed lake will not constitute as a taking, providing habitat conditions are replicated, a Habitat Management/Water Quality Plan and Integrated Pest Management Plan are implemented, and the existing hydrologic flow regime is maintained. In short, it is the State's opinion that if downstream habitat conditions are not damaged, then the proposed lake and golf course can be constructed.

Staff have reviewed 4-00010 with special regard to A-9763-C conditions and the considerations, Planning Board Resolution No. 98-50, and the above recommendations regarding habitat management for the Stripeback Darter. All of the recommendations of Maryland Wildlife and Heritage Division, including a Habitat Management Plan, a Water Quality Plan, an Integrated Pest Management Plan and a Monitoring Program, were adopted and approved as part of SDP-9803 for the golf course. None of the proposed development of 4-00010 modifies the prior approvals.

A-9763-C, Consideration 3. A minimum 50-foot-wide undisturbed buffer shall be retained along all streams. This area shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and areas of erodible soils.

A-9763-C, Consideration 5. The applicant shall demonstrate that the proposed development complies with the Patuxent River Policy Plan criteria.

Planning Board Resolution No. 98-50¹:

1. Prior to certificate approval of the Comprehensive Design Plan (CDP), the following revisions shall be made or information supplied:

h. The applicant shall delineate on the CDP all stream buffers in accordance with the Considerations 3 and 5 of the A-9763-C.

These considerations were intended to address the Patuxent River Policy Plan as adopted by the Prince George=s County Council on April 3, 1984, and reflected in the Section 24-130(b)(5) of the Subdivision Regulations. Section 24-130(b)(5) of the Subdivision Ordinance requires that the Planning Board find:

"Where a property is partially or totally within the Patuxent River Watershed, the plat shall demonstrate adequate protection to assure that the Primary Management Area Preservation Area is preserved to the fullest extent possible."

The Patuxent River Primary Management Area Preservation Area (PMAPA) is defined in Section 24-101(b)(10) of the Subdivision Ordinance:

"A buffer established or preserved along perennial streams within the Patuxent River watershed excluding the area within the Chesapeake Bay Critical Area Overlay Zones, which at a minimum includes:

- (A) All perennial streams and a minimum of 50 feet of preserved or established vegetation on each bank;**
- (B) The one hundred (100) year floodplain;**
- (C) All wetlands adjacent to the perennial stream or the one hundred (100) year floodplain;**
- (D) All areas having slopes of twenty-five percent (25%) or greater abutting or adjoining the perennial stream, the one hundred (100) year floodplain or stream-side wetlands;**
- (E) All areas having highly erodible soils on slopes of fifteen percent (15%) or greater abutting the perennial stream, the one hundred (100) year floodplain or stream-side wetlands;**

¹ All conditions quoted are as also approved by the District Council.

(F) Specific areas of rare or sensitive wildlife habitat, as determined by the Planning Board."

The Patuxent River Primary Management Area Preservation Area is to be *preserved to the fullest extent possible* [Section 24-130(b)(5) of the Subdivision Ordinance; emphasis added]. In general this means that all disturbance not essential to the development of the site as a whole is prohibited within the PMAPA. "Essential" development includes such features as public utility lines (including sewer and stormwater outfalls), streets and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas and so forth, which do not relate directly to public health, safety or welfare. Any disturbance to the PMAPA, even for essential development, will require a variation request in accordance with Section 24-113 of the Subdivision Ordinance for each and every instance. The applicant's statement of justification should address the required findings (1)-(4) of Section 24-113(a). Staff examine each occurrence with sequential review featuring avoidance, minimization and mitigation.

Stream buffers are extremely critical in preventing point and nonpoint source pollutants and toxics, particularly those associated with golf courses, from entering into adjacent waterways. Moreover, they help regulate increases in temperature further downstream and play an important role in sustaining fish and other wildlife habitats. The Planning Board considered these issues in detail during the hearings for 4-98063 and 4-99026. Findings regarding the Patuxent River Primary Management Area Preservation Area and specific variation requests are a part of those records.

The current application includes five new variation requests regarding stream buffers, wetland buffers and the Patuxent River Primary Management Area Preservation Area.

Areas 1, 2, 3 and 4 are minimal incursions for the purpose of installing sanitary sewer lines. The sanitary sewer is required for the health of the community. The alignment of a sanitary sewer is constrained by topography and gravity. While following a stream valley is typically an easier design, the applicant has provided an alternative solution with greater design challenges but relatively few impacts. The applicant submitted a letter dated June 6, 2000, which indicates how they believe the variation requests meet the requirements of Section 24-113 of the Subdivision Regulations. Staff of the Environmental Planning Section concur with their analysis.

Area 5 proposes the most significant departure from the requirements of Section 24-130. The alignment of streets is regulated to ensure safety and the general location and number regulated to ensure adequate streets for fire, police and ambulance service to the community. This crossing has an approved by the U.S. Army Corps of Engineers 404 Permit. Failure to grant the variations would pose a hardship to the owner by interfering with implied rights granted by A-9763-C, CDP-9706 and SDP-9803. The applicant submitted a letter dated June 6, 2000, which indicates how they believe the variation

requests meet the requirements of Section 24-113 of the Subdivision Regulations. Staff of the Environmental Planning Section concur with their analysis.

The total area of the PRPMAPA on the property is approximately 329.80 acres. During the review of 4-98063, the Planning Board granted variation requests for 19.43 acres of the PRPMAPA (5.9 percent of the PRPMAPA). Of the 19.43 acres, 8.43 acres are woodland that will be replaced by afforesting unwooded areas of the PRPMAPA. During the review of 4-99026, the Planning Board granted variations requests for 2.51 additional acres. As required by the approved Tree Conservation Plan, all woodland areas cleared will need to be replaced on-site by afforesting unwooded areas of the PRPMAPA.

The current variation requests propose to disturb an additional 1.28 acres. As required by the approved Tree Conservation Plan, all woodland areas cleared will need to be replaced on-site by afforesting unwooded areas of the PRPMAPA. The applicant is thus preserving a minimum of 92.9 percent of the PRPMAPA.

Staff have reviewed each and every instance of proposed impact to the PRPMAPA, including the statement of justification for these impacts. It is clear that the applicant has preserved the Patuxent River Primary Management Area Preservation Area to the extent possible, minimized impacts by reducing those necessary for the reasonable development of the site as approved by the Basic Plan, Comprehensive Design Plan and the Specific Design Plan, and by analyzing impacts by the stringent tests of Section 24-213, shown compliance with Section 24-130(b)(5).

A-9763-C, Consideration 1. The applicant shall prepare a tree stand delineation plan for the approval of the Planning Board. Where possible, major stands of trees shall be preserved, especially along streams, adjoining roads and property lines.

Planning Board Resolution No. 98-50:

1. **Prior to certificate approval of the Comprehensive Design Plan (CDP), the following revisions shall be made or information supplied:**
 - a. **The CDP and the Tree Conservation Plan shall be revised or notes shall be added to refine the design of the golf course (with particular attention to holes 4, 5, and 6) to minimize disturbance to stream valleys, maintain contiguous woodland, maintain woodland on steep and severe slopes, and conserve critical habitat areas.**
 - b. **The Type I Tree Conservation Plan shall be revised to ensure that all woodland conservation requirements are met on-site. Off-site conservation or the use of fee-in-lieu are not permitted. Note 12 shall be removed from the TCP. Revision of this condition may be permitted by the Planning Board or District Council in its review of**

Type II Tree Conservation Plans concurrent with review of Specific Design Plans.

3. **There shall be no grading or cutting of trees on the site prior to approval of the Specific Design Plan, except on a selective basis with written permission from the Prince George's County Planning Board or designee.**
7. **Every Specific Design Plan for Beech Tree shall include on the cover sheet a clearly legible overall plan of the Beech Tree project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted Specific Design Plan numbers, and all approved or submitted Tree Conservation Plan numbers for Beech Tree.**

On November 5, 1997, staff received copies of the *Forest Stand Delineation Report for Addition to Belmont, Prince George=s County Maryland*, dated August 1997, prepared by Kevin M. McCarthy of McCarthy & Associates, and a Type I Tree Conservation Plan, prepared by James E. Irre of McCarthy Associates. A revised Type I Tree Conservation Plan was received on January 5, 1998. The Forest Stand Delineation is an amendment to *Forest Stand Delineation Report for Villages of Belmont, Prince George=s County, Maryland, including Appendix F, Data Sheets to Accompany the Villages of Belmont Forest Stand Delineation Report*, dated September 1994, prepared by Kevin M. McCarthy of McCarthy & Associates, and includes the area of the site not covered by the previous documents.

Staff have reviewed the Forest Stand Delineation. The plan is quite detailed and identifies the major woodland stands on the site and indicates the location and type of specimen trees. The Forest Stand Delineation meets all of the requirements of the Woodland Conservation Ordinances.

The Type I Tree Conservation Plan, TCPI/73/97, requires a minimum of 314.41 acres of woodland conservation for the proposed development of the entire site. This figure has been calculated by summing the 20 percent baseline requirement of the R-S Zone (194.8 acres) and 16.23 acres of replacement for proposed disturbance to floodplain woodlands, and a replacement of 103.38 acres for a proposed grading of 413.53 acres of existing woodland. The Tree Conservation Plan showed preservation of 237.42 acres of woodland and a deficit of 76.99 acres.

Staff reviewed the Tree Conservation Plan in detail and could not recommend approval. This recommendation was based upon our analysis of the proposal and the finding that the TCP did not sufficiently conserve the priority conservation areas as defined in the *Prince George=s County Woodland Conservation and Tree Preservation Policy Document* adopted by CB-102-1992 and effective February 1, 1993, and did not meet Considerations 1, 3 and 5 of A-9763-C. Our specific concerns are detailed below.

Consideration 1 of A-9763-C requires preservation on-site and does not suggest that off-site conservation is an option. The site currently contains 650.95 acres of upland woodlands and 207.49 acres of floodplain woodland. There is an adequate amount of on-site priority woodlands to accomplish any woodland requirements by utilizing on-site preservation.

Consideration 1 of A-9763-C seeks preservation along streams, roads and property lines. The TCP made a good effort to conserve woodlands along roads and property lines, but failed to conserve woodlands along streams. The removal of woodlands in stream valleys is contrary to Considerations 3 and 5 of A-9763-C and to three of the Woodland Conservation Criteria priority areas of the *Prince George=s County Woodland Conservation and Tree Preservation Policy Document*:

A Wooded stream corridors with drainage areas greater than or equal to 50 acres and a 50 foot wide nondisturbance buffer measured from the normal flow edges of the stream;@

A Wooded slopes equal to or greater than 25%, or greater than 15% when associated with a soils having a K value greater than .35, and having a contiguous coverage of 10,000 square feet or greater;

A Large contiguous wooded areas and critical woodland habitats as defined in COMAR 08.19.7.2(B);@

This disturbance of a wooded stream valley is also contrary to the Patuxent River Policy Plan as adopted by the Prince George=s County Council on April 3, 1984, and reflected in Section 24-130(b)(5) of the Subdivision Regulations.

Staff were concerned that the removal of woodlands for the proposed golf course included unnecessary intrusions into priority woodlands and the Patuxent River Primary Management Area Preservation Area. Staff are especially concerned about disturbance of the PRPMAPA in this particular area because the Collington Branch contains the Stripeback Darter. Conditions 1.a. and 1.b. were adopted by the Planning Board to address these issues.

The Type II Tree Conservation Plan, TCPH/49/98, requires a minimum of 251.33 acres of woodland conservation for the proposed development of the entire site. This figure has been calculated by summing the 20 percent baseline requirement of the R-S Zone (196.99 acres) and 23.10 acres of replacement for proposed disturbance to floodplain woodlands, and a replacement of 31.24 acres for a proposed grading of 124.95 acres of existing woodland. The plan provides for 251.33 acres of on-site woodland conservation and preserves an additional 290.04 acres of upland woodland at this time. Some of this woodland will be removed when development occurs for later phases of the project. None of the proposed development of 4-00010 modifies the prior approval of TCPI/73/97.

A-9763-C, Consideration 2. The applicant will prepare a 100-year floodplain study and a stormwater management concept plan for approval by the Department of Environmental Resources.

Planning Board Resolution No. 98-50:

- 8. Every Specific Design Plan for Beech Tree shall adhere to Stormwater Management Concept Plan #958009110 or any subsequent revisions. The applicant shall obtain separate Technical Stormwater Concept Plan approvals from DER for each successive stage of development in accordance with the requirements set forth in Concept Plan #958009110 prior to SDP or Preliminary Plan approval, whichever comes first.**

On May 6, 1998, Reyanaldo DeGuzman of the Prince George=s County Department of Environmental Resources approved Stormwater Management Concept #988005250. The approval is based on existing conditions of the 100-year floodplain and covers the construction of the lake, golf course, maintenance building, club house and associated parking.

The approval requires 2-year-storm, 10-year-storm and 100-year-storm attenuation for the site. Because of the presence of Marlboro Clay, infiltration is not permitted. All lots must be located so that the 1.5 Safety Factor Line is off of the lots. A detailed underdrain system is to be provided with each concept plan. The on-site lake is to be designed for 2-10-100-year control for all contributory areas and is to overcompensate for all areas that do not drain directly into the lake. State wetland permits must be obtained prior to approval of the Specific Design Plan. A floodplain approval is required for the lake; there shall be a minimum 50-foot buffer between the 100-year floodplain and residential lot lines. All stormdrains through Marlboro Clay are to convey the 100-year storm and be rubber gasketed. All flows in yard areas are to be picked up at two cubic feet per second. All outfalls are to be located below Marlboro Clay outcrops. All yard slopes within Marlboro Clay areas must be 4:1 or flatter. All water quality ponds shall be reviewed for safety issues. The proposed cart bridge at hole #16 is to clear the water surface elevation by one foot. Proposed forebays or water quality ponds to serve as playable hazards are to be privately maintained. The lake is not part of 4-00010.

Planning Board Resolution No. 98-50:

- 1. Prior to certificate approval of the Comprehensive Design Plan (CDP), the following revisions shall be made or information supplied:**
 - f. The applicant shall submit a Habitat Management Plan integrated with the Water Quality Monitoring Program to the Natural**

Resources Division demonstrating that water quality and any species of state concern will not be adversely impacted by the development.

- i. The applicant shall revise the Water Quality Monitoring and Habitat Management Program to reflect the following:**
 - (1) Reporting must occur biannually, rather than annually. Therefore, the first report shall be submitted within 6 months from the date of initial sampling.**
 - (2) Turbidity is to be included in monthly measurements, rather than quarterly.**
 - (3) Water chemistry is to be conducted on a bimonthly basis, and in addition to the base flow monitoring, shall include at least three storm events that are roughly twice the volume of base flow conditions during the baseline phase, construction phase, and each year of the operations monitoring phase for the listed pollutants.**
 - (4) Habitat assessment shall occur twice a year, rather than once a year.**
 - (5) Two thermographs shall be installed onsite to measure water temperature during the baseline, construction and post construction phases outlined in the Water Quality and Habitat Management Report. The temperature gages shall be installed at the outfall of the lake and further south in East Branch, near its confluence with Collington Branch.**
- 6. Prior to CDP certification, the applicant shall submit a Habitat Management Plan to the Natural Resources Division demonstrating that water quality and any species of state concern will not be adversely impacted by the development in accordance with the findings included in the Staff Report.**
- 10. Prior to approval of the Specific Design Plan for the golf course, the applicant shall submit to the Natural Resources Division an Integrated Pest Management Plan (IPM) in accordance with Maryland Department of the Environment (MDE) and Department of Natural Resources (DNR) criteria. The IPM shall include protocols on how nutrients, pests and toxics will be managed on a routine basis as part of the overall maintenance and upkeep of the golf course and lake. The IPM shall be approved by the Natural Resources Division prior to the issuance of the Use and Occupancy permit for the golf course.**

22. **Prior to issuance of any permits for Beech Tree, the applicant shall demonstrate to the Natural Resources Division that all applicable conditions of the state wetland permit have been honored.**

Staff believe that appropriate conditions with specific goals and sequencing will permit development to proceed in an orderly fashion, but retain safeguards to halt the process before damage is done to the critical habitat. A Habitat Management Plan, including a Water Quality Monitoring Program, an Integrated Pest Management Plan, a Habitat Management Plan for the Stripeback Darter, have been reviewed and approved. None of the proposed development of 4-00010 modifies the prior approvals.

A-9763-C, Consideration 6. The applicant shall prepare a detailed soils study to demonstrate that the property is geologically suitable for the proposed development.

Planning Board Resolution No. 98-50:

1. **Prior to certificate approval of the Comprehensive Design Plan (CDP), the following revisions shall be made or information supplied:**

- d. **The following note shall be placed on the CDP:**

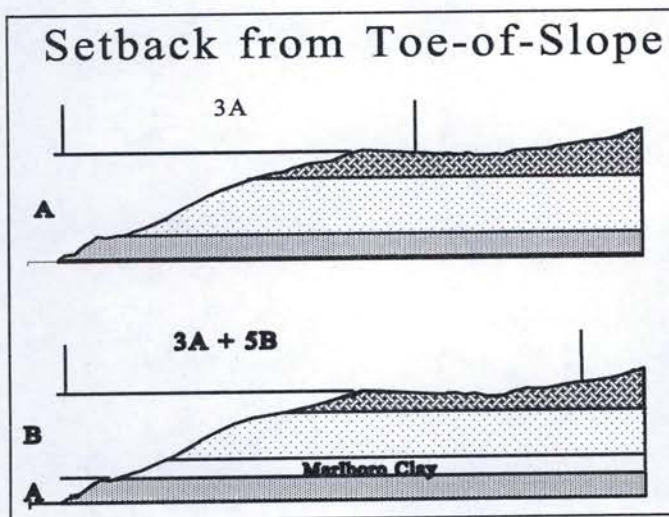
AThe envelopes and road crossings shown on this plan are conceptual and may be modified at time of approval of the Specific Design Plan to minimize risks posed by Marlboro Clay. Prior to the approval of any SDP which contains a High Risk Area, a Geotechnical Study, following the *Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments* prepared by the Prince George=s County Unstable Soils Taskforce, shall be submitted for review and approval by the Natural Resources Division and the Prince George=s County Department of Environmental Resources to satisfy the requirements of Section 24-131 of the Subdivision Regulations and Section 4-297 of the Building Code.@

It has long been known that Marlboro Clay presents a special problem for development of this site. Consideration 6 of A-9763-C was adopted to address this issue. The greatest concern is the potential for large scale slope failure with damage to structures and infrastructure. Marlboro Clay creates a weak zone in the subsurface; areas adjacent to steep slopes have naturally occurring landslides. Grading in the vicinity of Marlboro Clay outcrops on steep slopes can increase the likelihood of a landslide. Water and sewer lines laid within the Marlboro Clay layer require special fittings. Side-slopes of road cut through Marlboro Clay need special treatment. Special stormwater management concerns need to be addressed when Marlboro Clay is present on a site.

Factor of Safety is a theoretical value: the ratio of Resisting Force to Driving Force. As the Resisting Force increases or the Driving Force decreases, Safety increases. As the Resisting Force decreases or the Driving Force increases, Safety decreases. The Prince George=s County Department of Environmental Resources has set a minimum Factor of Safety of 1.5 for development near slopes affected by Marlboro Clay.

A High Risk Area presents a situation of danger to persons or property. A Low Risk Area presents no danger to persons or property. In large lot development, e.g., the R-A and O-S Zones, no development should occur in High Risk Areas, but such areas may occur within a lot. In small-lot development, i.e., lots with less than 40,000 square feet, no High Risk Area should occur on a lot.

Based upon a Factor of Safety of 1.5, a zone in the area of slopes should be reviewed. The purpose of this Evaluation Zone is to establish areas near slopes that constitute a category of Unsafe Land as regulated by 24-131. As a rule-of-thumb in areas with no Marlboro Clay, structures (including parking lots) should be placed no closer to the toe-of-slope than three times the height of the slope. In areas with Marlboro Clay, the setback should be three times the height from the toe-of-slope to the bottom of the Marlboro Clay plus five times the height from the bottom of the clay to the top of the slope (Figure 1.) A site-specific geotechnical report may show that development can be placed closer to the toe-of-slope by better defining the High Risk Area, especially if mitigation measures are taken as part of the development.



The illustration indicating the potential Marlboro Clay outcrop pattern shows a High Risk Area computed by this model. Note that this area is based upon existing conditions. Grading can change the location of the risk area. Grading which removes material at the toe-of-slope or on a Marlboro Clay outcrop can aggravate the situation and cause the risk area to enlarge. Grading which adds material within the risk area above a Marlboro Clay outcrop can enlarge the risk area. Grading which removes material from above the Marlboro Clay can decrease the risk area.

Natural erosion of stream valleys can lead to slope failures. Each of the three streams which are tributaries to the East Branch of the Collington below the proposed dam site have outcrops of Marlboro Clay within the stream bed and active slope failure areas. The existing stream flows, though small, are sufficient that, over time, they can cause enough

erosion to trigger landslides. No additional stormwater flow should be directed into any of these stream valleys.

The overall concept of the Comprehensive Design Plan is not affected by the presence of Marlboro Clay, but certain details are. The envelopes for Residential Uses, Public Facilities and structures (including roads) should be viewed as conceptual on the CDP and the Planning Board directed that a note appended on the CDP plan prior to signature certification:

The envelopes shown on this plan are conceptual and may be modified at time of approval of the Specific Design Plan to minimize risks posed by Marlboro Clay. Prior to the approval of any SDP which contains a High Risk Area, a Geotechnical Study, following the *Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments* prepared by the Prince George=s County Unstable Soils Taskforce, shall be submitted for review and approval by the Natural Resources Division and the Prince George=s County Department of Environmental Resources to satisfy the requirements of Section 24-131 of the Subdivision Regulations and Section 4-297 of the Building Code.®

Prior to the issuance of any grading permit that includes the dam, a Geotechnical Study, following at a minimum the *Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments* prepared by the Prince George=s County Unstable Soils Taskforce, shall be submitted for review and approval by the Natural Resources Division, the Maryland Department of the Environment, WSSC and the Prince George=s County Department of Environmental Resources to satisfy the requirements of Section 24-131 of the Subdivision Regulations and Section 4-297 of the Building Code. No residential lots should contain any portion of unsafe land.

Staff have reviewed 4-00010 and determined that Marlboro Clay is a significant factor with regard to slope stability on portions of the site. In some areas special drainage measures and foundation construction methods may be needed.

All other environment-related conditions and considerations of the Basic and Comprehensive Design Plans have been met. A detailed description of these can be found in the Environmental Planning Section memorandum, dated June 22, 2000, attached to this report.

The property is in Water and Sewer Category 3 and will be served by public systems.

4. Community Planning C The 1984 *Approved Master Plan for Subregion VI* plan places the property within a number of land use categories, including local activity center and medium-suburban residential land use. The approval of A-9863-C, which set the development potential for the property, was deemed to be in conformance with the master

plan recommendations. No master plan issues present themselves. Trails issues, as well as park/school and transportation issues, will be discussed in subsequent sections of this report.

5. Parks and Recreation C In accordance with Section 24-134(a) of the Prince George=s County Subdivision Regulations, the above-referenced subdivision will be dedicating 243.69 acres of property to The Maryland-National Capital Park and Planning Commission for parkland. The applicant will dedicate Parcel T (29.68 acres) and Parcel U (35.81 acres). The remaining 178.20 acres (Parcel G) of parkland will be dedicated for the Collington Branch Stream Valley Park.

The previous approval phases contained conditions for trail development that affect the preliminary subdivision plan:

- a. CIP-9706, Condition 11, states AThe trails system shall be expanded to show links from all residential areas to all commercial and recreational elements and school sites The trails shall be for the most part separated from vehicular rights-of-way.@
- b. CIP-9706, Condition 31, states AThe applicant shall construct an 8- to 10-foot-wide asphalt hiker-biker trail through the stream valley park and the community as shown on the Department of Parks and Recreation (DPR) Exhibit B. The trail shall be located in a linear park at least fifty feet in width or in an easement (to M-NCPPC) through property of similar character. A landscaping plan shall be submitted along with the appropriate Specific Design Plan. The trail shall be 8 feet wide where it is adjacent to public roadways. In all other areas, it shall be 10 feet wide.@
- c. 4-98063, Condition 9, requires APrior to approval of preliminary plans on the outparcels, a 50-foot-wide right-of-way or easement shall be shown through the community to allow the construction of the master plan stream valley park trail from the stream valley to the west side of the planned lake, along the west side of the lake and back to the stream valley, at a location acceptable to the Department of Parks and Recreation.@
- d. CDP-9706, Condition 40, states AThe Master Plan hiker-biker trail shall be constructed in phase with construction and the portion of the trail immediately adjacent to the west side of the lake shall be completed prior to issuance of the 1400th building permit; the balance of the length of the trail in the stream valley and in the community shall be completed prior to issuance of the 2200th building permit. Building permits shall not be approved for units on property adjoining the trail until the trail is under construction.@

- e. 4-99026, Condition 19, states Aa \$80,000 payment-in-lieu of the construction of the trail south of Outparcel H shall be provided to DPR prior to issuance of 1,801st building permit.@

In addition to conditions for trail development the following conditions related to parkland development that affect above preliminary subdivision plan:

- a. CDP-9706, Condition 36, states AThe applicant shall rough grade the land dedicated to the M-NCPPC on the east and west sides of the development, and shall seed and stabilize those sites as needed; and

AConstruct on Parcel T prior to 1200th building permit:

- Aa) Softball field
- Ab) Football/soccer field

AConstruct on Parcel U prior to 600th building permit:

- Aa) (2) softball fields
- Ab) (2) football/soccer fields@

Additionally, the plan shows a WSSC easement through land to be dedicated to M-NCPPC, and a variation is requested to allow the disturbance. Staff supports the variation to allow the sewer connection, but recommends the easement be removed from the preliminary plat and that all work be permitted through the park permit process.

- 6. Trails C Previous approvals have required both public and private trails in and around Beech Tree. The applicant will be required to provide trails in Beech Tree in accordance with the Adopted and Approved Subregion VI Master Plan and the previously approved Comprehensive Design Zone, A-9763-C, Comprehensive Design Plan, CDP-9706, and Preliminary Plats 4-98063, and 4-99026.
- 7. Transportation C On September 9, 1999, the Prince George's County Planning Board approved Preliminary Plat 4-99026 (PGCPB 99-154) which included 698 dwelling units within the Beech Tree subdivision. While that approved application represented 698 dwelling units, the applicant=s traffic study findings and analyses were based on the build-out of the entire 2,400 units. In the transportation staff referral for 4-99026 as well as the traffic study, the findings of adequacy were based primarily on Capital Improvement Program (CIP) funded improvements along US 301 as well as monetary contribution from the applicant. For the subject application, the applicant has not provided any new traffic analyses, but rather relied on the previously submitted traffic study that was used in preliminary plat 4-99026. Since the improvements along US 301 are still listed in the current CIP as fully funded, and the applicant is still willing to make a pro rata contribution toward the improvements along US 301, staff recommends that the subject

application be approved with all the transportation conditions outlined in the Prince George's County Planning Board Resolution 99-154 for Preliminary Plat of Subdivision 4-99026 with the exception of Condition 17(c) and Condition 18.

The two exceptions are based on the following facts and circumstances:

Condition 17c, PGCPB No. 99-154

Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

MD 193/Oak Grove Road Relocated Intersection

- (1) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road**
- (2) The extension of the realigned Oak Grove from the end of Perrywood= construction, to the realigned MD 193. The realignment of MD 193 and Oak Grove Road shall provide a thru- and a right-turn lane at the northbound approach, a thru- and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the westbound approach.**
- (3) Provide for the installation of a traffic signal.**

Based on the County=s CIP Project FD669781, Watkins Park Road (MD 193) is being re-constructed on its master plan alignment from Keverton Drive to Water Fowl Way. This CIP project, which is funded and under construction, will obviate the need for all of the provisions in Condition 17(c) of PGCPB 99-154.

Condition 18, PGCPB No. 99-154.

Prior to approval of the first Specific Design Plan pursuant to this preliminary plat, the applicant shall prepare a report which will identify the number of units and access locations of each phase of development to occur pursuant to this preliminary plat, identify the transportation improvements to be constructed with each phase, and develop a financing plan and construction schedule for the improvements associated with each phase. This report shall be submitted with the first SDP application submitted pursuant to this preliminary plat and reviewed by DPW&T, SHA and Transportation Planning staff, who shall then report to the Planning Board on the status of the staging of transportation improvements with each phase of development. The report shall be revised and resubmitted by the applicant with

any subsequent SDP application where the sequencing of the improvements or development phases is changed from that in the initial report.

On June 8, 2000, the Planning Board approved SDP-9907, which represented the first 130 residential units of the Beech Tree subdivision. As part of that application, the applicant submitted to staff a *Beechtree Staging Report* which identified the number of units and access locations of each phase of development to occur pursuant to PGCPB 99-154. Consequently, Condition 18 of PGCPB 99-154 has been satisfied.

Based on the foregoing discussion, the Transportation Planning Section concludes that adequate transportation facilities will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with similar conditions to those attached to previous approvals.

8. Schools C The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2000) (CR-4-1998).

Projected Impact on Affected Public Schools

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5- Year Enrollment	Adjusted Enrollment	Total Projected Enrollment	State Rated Capacity	Percentage of Capacity
Patuxent Elementary School	1654 SFD	0.22	363.88	739	0	1102.88	516	213.74%
James Madison Middle School	1654 SFD	0.08	132.32	1102	0	1234.32	864	² 142.86%
Frederick Douglass High School	1654 SFD	0.13	215.02	1777	0	1992.02	1200	166.00%

Source: Prince George's County Planning Department, M-NCPPC, January 2000

Since the affected Patuxent Elementary, James Madison Middle and Frederick Douglass High Schools= projected percentage of capacities are greater than 105 percent, the Adequate Public Facilities fee is \$4,240.00 per dwelling unit. The amount of the

² East Center Middle School has been funded by the State as of July 1, 2000. East Central causes the Five-Year Enrollment at James Madison Middle School to fall to 817 students, or 94 percent of the percentage of capacity. The development pupil yield from this project will put the Five-Year Percentage of Capacity of James Madison at 109.8 percent.

Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines.

Section 24-122.02(a)(4) states that if any affected school=s projected percentage of capacity exceeds 130 percent, no permits may be issued until (a) capacity exists below 130 percent in all affected schools; or (b) four (4) years have elapsed since the time of the approval of the preliminary plan of subdivision.

9. Fire and Rescue C The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following.
 - a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Road, has a service response time of 5.25 minutes, which is within the 5.25-minute response time guideline for Parcel V Block Y Lots 1-35; Parcel O Block Z Lots 1-15; Parcel R-4 Block U Lots 1-2, Block P Lots 17-23 Block O Lots 1-11 and Block N Lots 1-14, 50, 57; Parcel R-5 Block V Lots 1-17. All other parcels, blocks and lots are beyond the response time guidelines.
 - b. The existing ambulance service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Road, has a service response time of 6.25 minutes, which is within the 6.25-minute response time guideline for Parcel H Block MM Lots 226-235, Block NN Lots 350-354, 369-372; Parcel R-8 Block X Lots 1-46, Block N Lots 1-179, Block O Lots 1-11, Block P Lots 1-49 Block Q Lots 1-21, Block T Lots 1-87 and Block U Lots 1-18; Parcel R-5 Block V Lots 1-17; Parcel V Block Y Lots 1-35; Parcel O Block Z Lots 1-15; Parcel N Block AA Lots 3-11 and Block Z Lots 16-29; Parcel M Block AA Lots 1,2, 12-19, Block BB Lots 1-17 and Block Z Lots 30-51. All other parcels, blocks and lots are beyond the response time guidelines.
 - c. The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Road, has a service response time of 7.25 minutes, which is within the 7.25-minute response time guideline for Parcel L Block CC Lots 1-32; Parcel M Block BB Lots 1-17, Block Z Lots 30-51, Block AA Lots 1,2, 12-19, Parcel N Block AA Lots 3-11 and Block Z Lots 16-29; Parcel O Block Z lots 1-15; Parcel V Block Y Lots 1-35; Parcel R-5 Block V Lots 1-17; Parcel R-8 Block X 1-46; Parcel R-4 Block N 1-179, Block O Lots 1-11, Block P Lots 1-49, Block Q Lots 1-21, Block T 1-87, Block U Lots 1-18; Parcel H Block NN 1-373, 1-211 and 226-393, Block MM Lots 1-235, Block DD Lots 94-129, Block HH Lots 1-11, Block LL 9-80, Block KK Lots 1-48 and Block JJ 1-39. All other parcels, blocks and lots are beyond the response time guidelines.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

Condition 3 of the approved Comprehensive Design Plan (CDP-9702) requires the Countywide Planning Division to calculate the amount of the contribution required to constitute the applicant's fair share toward the provision of the proposed Leeland Road Fire Station and an ambulance to alleviate the above inadequacies. As established when the Planning Board approved Preliminary Plat 4-98063 for the golf course and Preliminary Plat 4-99026 for the first residential phase, staff recommends that the applicant provide a fee of \$71.76 dollars (which is based upon the \$69 fee established by 4-98063 and four percent inflation factor from November 1998 to June 2000) for each of the 4,647.74 residents proposed in the 1,654 dwelling units. The total payment will be \$333,521.82. As in Preliminary Plat 4-99026, payment may be made prior to the issuance of building permits for each dwelling unit. The payment of \$201.65 (\$333,521.82 / 1,654 dwelling units) per dwelling unit should be provided prior to issuance of building permits. The fee amount is based upon the construction cost of the station (\$2,500,000) and the purchase price of the ambulance (\$120,000) times the inflation factor, divided by the total amount of population and employees (37,767) within the service area at buildout. The service area includes those areas that are currently unserved within the response time standards of the proposed Leeland Road Station.

10. Police Facilities C The proposed development is within the District II-Bowie police service area. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, staff concludes that the existing County police facilities will be adequate to serve the proposed Beech Tree development. This police facility will adequately serve the population generated by the proposed subdivision.
11. Health Department C The Prince George's County Health Department reviewed the application and offered the following comments:

The existing residence/office is served by a well and septic system. When the well and septic system become abandoned, the well must be backfilled and sealed in accordance with Code of Maryland Regulations 26.04.04 by a licensed well driller or witnessed by a representative from the Health Department, Environmental Engineering Program. Verification must be provided to the Health Department indicating the septic tank had been backfilled after being scavenged by a licensed scavenger. Note 26 needs to be changed to correctly identify the existing wells on site. (This note has been changed.)

The golf course will be irrigated from a pond, which will be recharged from a deep drilled well. Please locate the irrigation pond and the well used in its recharge. This is vital to assure that a well head protection area is established around the well.

Existing structures still remain on site. Please locate these structures on the preliminary plan and denote as to whether they will remain or be razed.

Staff concur. If the irrigation pond and well head will affect the lots on the subject portion of the property, their location must be shown on the preliminary plat.

12. Stormwater Management C The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. At the Comprehensive Design Plan stage, Stormwater Management Concept Plan #958009110 was approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
13. Public Utility Easement C The required 10-foot Public Utility Easement is shown on all roads within the subdivision. This easement will be included on the final plat.
14. Historic Preservation C Historic Preservation Section staff has commented on each of the previous development plans:

A-9763 (Basic Plan, December 1988) C Staff pointed out that Beechwood, recommended for Historic Site designation, was located on a 5.6-acre Environmental Setting, adjoining but not included in the developing property. Staff recommended that the developer consider moving the burials from the three cemeteries (of the Hilleary, Hodges and Smith families) located on the larger developing property into one location, if approval can be secured; that archaeological work be undertaken and a report be prepared for the site of Pentland Hills (Historic Site #79-38); and that historic names be incorporated into the development. Basic Plan A-9763 C (with conditions) was approved as Final Conditional Zoning Approval 61-1989 in October 1989.

A-9763 C (Basic Plan revision February 1994) Historic Preservation staff commented that Beechwood, by this time a designated Historic Site (#79-60), was located in the LAC; it was recommended that the cemeteries located on the developing property be consolidated either at the site of one of them (the Hodges family graveyard) or off-site. Staff noted that Phase I and Phase II of the archaeology had been completed (as required in Condition #5 of Zoning Ordinance #61-1989) at Pentland Hills, but that a report must be submitted, with a copy to the Historic Preservation Commission. Staff noted that an Historic Area Work Permit will be required for removal of the Pentland Hills ruins. Finally staff recommended that a security program should be planned for the protection of Beechwood. (This revised Basic Plan was not approved by Council.)

Comprehensive Design Plan 9706 (December 1997) C Staff recommended that the Hilleary, Hodges and Smith family cemeteries be shown on the Beech Tree

plans, and that any plans regarding disposition of these burials be referred to the Historic Preservation Section. Applicants must follow guidelines in Article 27, #267 of Annotated Code of Maryland, and Subdivision Regulations 24-135.2. Applicants must also submit (with a copy to the Historic Preservation Section) a report on Phase I and II archaeology at the Pentland Hills site, and must apply for an Historic Area Work Permit for removal of the Pentland Hills ruins. Regarding the Beechwood Historic Site, applicants must confirm or request change to the Environmental Setting, provide a landscape plan for the Environmental Setting, ensure that the Beechwood house is occupied and secured throughout the development process, and prepare a security plan for future preservation.

SDP-9803 (May 1998) C Staff pointed out several errors and omissions in the Specific Design Plan, and recommended that the following graphic additions be required: that the Pentland Hills Historic Site (79-38) be shown on the SDP plats; that the three cemeteries (Hodges, Smith and Hilleary families) be shown on the SDP plats; and that the Beechwood Environmental Setting be shown on the SDP plats as required. Staff also commented that the Phase I/II Archaeological report on the Pentland Hills Site must be reviewed by the Historic Preservation Section for sufficiency, and that the Historic Preservation Section must be informed of plans for incorporating any of the cemeteries into the development plans; staff also reiterated the requirement that, if the applicants propose to demolish the barn located within the Beechwood Environmental Setting, they must either apply for a demolition permit through the standard Historic Area Work Permit process, or apply to the HPC for a change in the boundaries of the Environmental Setting. **(The Phase I/II Archaeological report on the Pentland Hills Site was reviewed by Historic Preservation Commission staff in May 1998 and determined sufficient.)**

Preliminary Plan 4-98063 (October 1998) C Historic Preservation staff pointed out errors in the identification of two cemeteries within this plan, and made recommendations for correction; the revised plan incorporated these corrections. Staff also pointed out that applicants must apply for an Historic Area Work Permit for the demolition of (a) the Pentland Hills Ruins and (b) the barn within the Beechwood Environmental Setting.

- (a) An Historic Area Work Permit (#13-98) for demolition of the Pentland Hills Ruins was issued by the Historic Preservation Commission on December 15, 1998. Conditions (to which the applicants agreed) are donation to the *Newel Post* of any recyclable features; providing information on historic Pentland Hills through the installation of interpretive plaques and the preparation of a brochure; and structural replication *in situ* of the footprint of the Pentland Hills plantation house.

- (b) An Historic Area Work Permit (#1-99) for demolition of the tobacco barn within the Environmental Setting of the Beechwood Historic Site was issued by the Historic Preservation Commission on February 16, 1999. Conditions (to which the applicants agreed) are before issuance of a grading permit for Hole 13 of the golf course, the owner of Beechwood shall draft and sign an Historic Property Security Agreement for the Beechwood Historic Site; the applicant will complete Phase II archaeology for areas affected by grading and submit findings to the Historic Preservation Commission for review. (A security agreement was drafted and signed by the applicant in August 1999 and awaits action by the M-NCPPC.)

Preliminary Plan 4-99026 (May 1999) C This subdivision showed the large golf course planned for this developing community. In regard to the demolition of the Pentland Hills Historic Site, preservation staff recommended that the applicants work with staff regarding donation to the *Newel Post* of recyclable architectural features from the house and/or outbuildings, prepare an informational plaque and brochure, and install a structural replication of the footprint of the **Pentland Hills** plantation house, all in conformance with HAWP #13-98. Staff also recommended the signing of an Historic Property Security agreement for the Beechwood Historic Site before issuance of a grading permit for Hole 13 of the golf course, and the completion of Phase II archaeological work within Beechwood's Environmental Setting.

SDP-9907 (December 1999) C This SDP involved parts of the larger Beech Tree development that are not close to the Beechwood Historic Site. Historic Preservation staff recommended clearer indications of the boundaries of the Historic Site Environmental Setting and completion of the bufferyard requirements along those boundaries.

With regard to the current application, staff notes that Preliminary Plat Sheet 7 shows Historic Site 79-60 (Beechwood); the proposed development in this area will have no adverse effect on the Historic Site. The Hodges, Smith and Hilleary family graveyards are correctly shown on the plan (on Sheets 5, 6 and 7 respectively). Sheet 10 should indicate the location of the site of Historic Site 79-38 (Pentland Hills), but does not. An Historic Area Work Permit (#13-98) for demolition of the Pentland Hills Ruins was issued by the Historic Preservation Commission on December 15, 1998. Conditions of this permit approval include the installation of an interpretive sign, and the structural replication *in situ* of the footprint of the Pentland Hills plantation house. The location of this planned replication is not shown on the plan.

15. **Urban Design Issues-** The applicant has taken into consideration the design issues specified in Condition 19 regarding views from arterial and collector roadways in

designing the layout of the subdivision. However, special attention must be paid to develop some of the subdivisions according to neotraditional layout patterns.

Lots 222 to 235 are very close to the Leoning property line (Sheet 6). As proposed, sufficient area is not available between the lots and the property line to provide landscape screening and buffering from the adjacent properties. The lots must be setback a sufficient distance from the property line to provide landscape buffering. A landscape buffer must be provided along Presidential Golf Course Drive and the Bowling Heights property line (Sheet 9) for buffering from the adjacent properties.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

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 Brown, seconded by Commissioner Boone, with Commissioners Brown, Boone and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 6, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of July 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:ldg



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-3796

PGCPB No. 00-111

File No. SDP-9907

RESOLUTION

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 June 8, 2000, regarding Specific Design Plan 9907 for Beech Tree, the Planning Board finds:

FINDINGS

1. The following Specific Design Plans have been filed for the Beech Tree project:

- a. SDP-9907 - Infrastructure SDP for the East Village consisting of 130 single-family residential lots. This SDP includes site/grading/landscape plans for the proposed residential development.

The East Village consists of 68.39 acres and is located on the southwest side of Leeland Drive and US 301, Robert Crain Highway. Access to the East Village is through Leeland Drive via Moor's Plain Boulevard. The lot sizes range from 8,000 square feet to 15,000 square feet.

Green areas are proposed throughout the development. Dense landscaping is proposed on the rear of the lots abutting the golf course.

- b. SDP-9908 - Infrastructure SDP for extending the sewer line from the East Village area to Parcel G. This SDP includes site/grading/landscape plans for the proposed sewer line extension. The proposed 8-inch-wide sewer line will extend from Parcel B and Parcel R-5 on the north side of Moor's Plain Boulevard and connect to the existing sewer line on Parcel G. The proposed sewer line will run through portions of the golf course and some outparcels. The sewer line is being extended to connect the sewer system for the East Village to the existing sewer line.

- c. SDP-0001 - Architecture SDP for the Beech Tree project as a whole. This SDP at this time includes only architectural drawings for the proposed single-family residential units in the East Village.

The applicant is proposing the following 16 (sixteen) architectural models:

<u>House Type</u>	<u>Minimum Square Feet</u>
Van Buren	2,870
New Hampshire I&II	2,494
California	3,290
Oregon 2,846	
Buchanan	2,748
Delaware	2,678
Chesterfield	2,938
Rosewood	3,649
Riviera	3,072
Camberly	2,485
Alexander	2,704

These house models are proposed by Washington Homes

St. Louis	4,179
St. Barbara	5,096
St. Michaels	3,634
St. Margaret	4,535
St. Helen	3,437

These house models are proposed by McDaniels Homes

2. The following applications have been approved as of this date for the Beech Tree project:
 - a. Basic Plan Amendment A-9763-C
 - b. CDP-9706
 - c. Preliminary Plat 4-98063 for the golf course
 - d. Preliminary Plat 4-99026 for 458 lots, 24 parcels and 240 multifamily homes
 - e. SDP-9803 for the golf course
 - f. SDP-9905 Special Purpose SDP for community character

Conformance with Basic Plan

3. The proposed Specific Design Plans are in general conformance with the Basic Plan A-9763-C. Finding 6 of CDP-9706 (PGCPB No.98-050) addressed conformance of CDP-9706 with the approved Basic Plan.

Conformance with Comprehensive Design Plan

4. Comprehensive Design Plan CDP-9706 was approved by the Planning Board on February 26, 1998 (PGCPB Resolution 98-050). The proposed Specific Design Plans will be in general conformance with CDP-9706 if the conditions below are fulfilled (Further information regarding conformance with the CDP is provided in Findings 6 and 11 below.) The conditions address architectural issues, landscape elements and some of the previous conditions of approval of CDP-9706 and Preliminary Plat 4-99026 requiring various transportation improvements, land dedication to the homeowners association and the Department of Parks and Recreation and recreational facilities.
5. The Comprehensive Design Plan as approved includes a maximum of 2,400 dwelling units, 1,680 single-family detached, 480 single-family attached and 240 multifamily, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake to be built in the Eastern Branch stream valley will be a central focal point of the golf course and of the development as a whole. The Comprehensive Design Plan for Beech Tree is also proposed to include the following: a club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch Stream Valley Park, 12.5 acres dedicated to M-NCPPC for a Community Park, 211 acres dedicated as homeowners open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education for a middle school site, and a 17-acre site for an elementary school.

Conformance of the Proposed Specific Design Plans with the findings for approval of a Specific Design Plan (Section 27-528, Planning Board Action)

6. *The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual.*

The subject Specific Design Plans conform to the following elements of the Comprehensive Design Plan (CDP-9706) if the conditions below are fulfilled:

- a. Design Intent

CDP-9706 establishes four villages, each with its own unique site features, character and amenities. The entire community will be linked with streets, roads, open space and a system of pathways and trails.

The proposed East Village is one of the four residential villages. Sixteen architectural models are proposed for the East Village development. The East Village will be linked to the golf course and the other residential villages by a network of roads and a system of pathways and trails. The general layout, circulation pattern, road layout, pathway system and the location and number of

the proposed pocket parks in the development conform to the approved CDP-9706.

b. Development Program:

	CDP-9706	SDP-9907
Total Number of Units	2400	130
Townhouses	480 (20%)	0
Single-family houses	1680(70%)	130
Multifamily	240 (10%)	0
Dwelling units per gross acre	2.2	1.91

The proposed density (dwelling units per acre) is lower than the approved density of CDP-9706.

c. Public Benefit Features:

Although public benefit features are proposed, they are not part of the subject SDPs.

d. Site Design Criteria and Guidelines:

The Specific Design Plans are consistent with the design principles established in CDP-9706 for site design, pathway system, vehicular circulation/access, compatibility with the surrounding areas, recreational facilities, landscape features, open space and parking.

e. Transportation Planning:

CDP-9706 established that various intersections in the vicinity of the subject site will operate unacceptably under total traffic conditions. Various conditions were added to require a number of traffic improvements to mitigate the impacts of the proposed development. The required traffic improvements listed in CDP-9706 and Preliminary Plat 4-99026 have been evaluated and conditions of approval have been proposed to address the transportation mitigation measures.

f. Architecture

The applicant in SDP-0001 is proposing 16 architectural models for the East Village development. The location, size and height of the proposed houses and the minimum lot size, the maximum lot coverage and the minimum yard requirements meet the development standards of the CDP. The rear elevations of Lots 19 to 25 along Folkshire Drive will face the proposed golf holes and the rear elevations of Lots 1 to 10 along Folkshire Drive will face Beech Tree Parkway. Although extensive landscaping is provided along the rear of some of these lots, the rear elevation of the houses will be visible from the golf course and Beech Tree Parkway. The rear elevations of these houses should have more design articulation than the rest of the houses in East Village so that they are as attractive as the front elevations. A condition of approval has been added to require that the applicant submit additional rear elevations for these houses that include more articulation and design features.

The architectural features of the proposed houses include optional brick exteriors, low window sills, bay windows, different roof slopes, special window treatments, etc. The proposed features are specifically designed to set a standard of quality and luxury within the entire Beech Tree community. The proposed models may be used throughout the Beech Tree development. However, additional models will also be proposed for the remaining three residential villages.

Conformance of the subject SDPs with the conditions of approval of CDP-9706 are discussed in Finding 11.

The Specific Design Plan SDP-9907 is subject to and conforms to Section 4.1 (Residential Requirements) of the *Landscape Manual*.

Extensive landscape buffers have been provided along the rear elevations of Lots 19 to 25 along Folkshire Drive to screen the rear yards from the golf holes. No landscape buffers have been provided along the rear yards of Lots 1 to 10 along Folkshire Drive to screen the rear yards from Beech Tree Parkway. A condition of approval has been added to require a landscape buffer with extensive planting along the rear yards of these lots to screen them from Beech Tree Parkway.

7. Condition of Approval #12 of CDP-9706 was added because the landscape design elements submitted with the CDP application did not completely identify the proposed concepts or the design vocabulary to be adopted for the Beech Tree development. The purpose of the condition was to require additional "illustrative" design elements to be submitted in the form of sketches, details and photographs that indicated the preliminary landscape concepts and elements envisioned for the Beech Tree development.

The proposed SDPs are consistent with the preliminary design concepts proposed by Special Purpose SDP-9905.

8. *The development will be adequately served within a reasonable period of time with existing or programmed facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.*

The development is consistent with the approved Preliminary Plat 4-99026. Findings for adequate public facilities were made in conjunction with the Preliminary Plat. The Transportation Planning Section and the Growth Policy and Public Facilities Planning Sections have reviewed the proposals for adequacy findings. Conditions of approval for achieving adequacy of public facilities are discussed in Findings 21 and 24 of the Referral Responses section of this report. 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 if the proposed conditions of approval are fulfilled.

9. *Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.*

The Department of Environmental Resources has stated that the proposal is consistent with the approved Stormwater Management Concept Plan, #958009110. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects.

10. *The Plan is in conformance with an approved Tree Conservation Plan.*

The Plan is in conformance with an approved Tree Conservation Plan (TCP/II/49/98). The conformance is discussed in detail in Finding 11.

11. CDP-9706 was approved with 49 conditions of approval. The following conditions are directly applicable to the proposed project and the proposal complies with the conditions as follows:

1. **Prior to certificate approval of the Comprehensive Design Plan, the following revisions shall be made or information supplied:**

- e. **The following note shall be placed on the CDP:**

“The residential building envelopes are conceptual in nature and may be shifted at the approval of the Specific Design Plan when a noise study is approved by the Planning Board. The study shall specify the site and structural mitigation measures incorporated into the development to minimize noise intrusion and prevent noise levels exceeding 65 dBA (Ldn) exterior.”

The applicant has submitted a noise study conducted by Polysonics Corporation. The Study (Harvey to Metzger, November 24, 1999) has concluded that the noise levels will not exceed 65 dBA (Ldn) in the rear yards of the proposed houses and the noise levels will not exceed 45 dBA (Ldn) in the interiors of the proposed houses. The Environmental Planning Section agrees with this conclusion.

- I. **The trails system shall be expanded to show links from all residential areas to all commercial and recreational elements and school sites within the proposed development. The trails shall be for the most part separated from vehicular rights-of-way.**

The proposed trail system has links from all residential areas to all commercial and recreational elements and school sites within the proposed development.

6. **Prior to approval of building or grading permits, the Natural Resources Division shall review all Technical Stormwater Management Plans approved by the Department of Environmental Resources (DER). The Natural Resources Division shall work with DER and the applicant to ensure that water quality is provided at all storm drain outfalls.**

This condition is being carried forward for inclusion in the subject Specific Design Plans.

7. **Every Specific Design Plan for Beech Tree shall include on the cover sheet a clearly legible overall plan of the Beech Tree project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted Specific Design Plan numbers, and all approved or submitted Tree Conservation Plan numbers for Beech Tree.**

The applicant has complied with this condition.

13. **Prior to submission of the first Specific Design Plan for residential areas, the applicant shall submit and obtain Planning Board approval of a special-purpose Specific Design Plan devoted to elements of streetscape including but not limited to street trees, entry monuments, signage, special paving at important facilities and intersections, and design intentions in the "neo-traditional" area of the East Village. This SDP shall also address utilizing distinctive landscape treatments to emphasize important focal points, intersections, and trail heads, and concentrations of particular species as an identifying feature for particular neighborhoods.**

The applicant has complied with this condition.

14. **Prior to approval of the first Specific Design Plan for residential uses, the applicant shall indicate what special privileges will be available to Beech Tree homeowners regarding use of the golf course.**

The applicant has submitted a letter (Silber to Adams, November 12, 1999) listing the special privileges available to the Beech Tree homeowners regarding the use of the golf course. They are as follows:

Use of any available unreserved tee times during any calendar day for residents of the Beech Tree development and their guests. The tee times can be used for parties consisting of four or less people. The Beech Tree residents will be charged a rate equal to 50 percent of the regular undiscounted rate charged to the general public for golf play on the golf course.

15. **Prior to approval of each Specific Design Plan for residential uses, the applicant shall demonstrate to the satisfaction of the Planning Board and the District Council that prices of proposed dwelling units 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+

In order to insure that the prices of proposed dwelling units are reflective of dollar values for the year in which the construction occurs, each Specific Design Plan shall include a condition requiring that, prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than the ranges above (in 1989 dollars).

The applicant has submitted a letter from ERR Economic Consultants (Patz to Adams, December 8, 1999) stating that the base price of the proposed 130 single-family houses to be built in the East Village will not be lower than \$225,000 in 1989 dollar values. The above condition is being retained for subsequent SDPs.

-
18. **The District Council shall review all Specific Design Plans for Beech Tree.**

The District Council will be reviewing the subject SDPs.

20. **The applicant shall address the views from the arterial and collector roadways. Dwelling units shall not be sited in monotonous patterns along the roadways, and driveways shall be minimized along arterial and primary**

collector streets to the extent feasible. In addition, landscaping, screening and berming shall be combined to provide varied streetscapes.

Conditions of approval for additional landscaping have been added.

24. All structures shall 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.

This condition is being carried forward to the subject SDPs.

28. With the submission of each building permit, the applicant shall pay to Prince George's County the following share of costs for improvements to US 301 between MD 725 and MD 214:

- A. A fee calculated as $\$497.84/\text{residential DU} \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$.

The compliance with this condition will be reviewed during the submission of the building permits by the Transportation Planning Section.

30. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100% funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

A. Leeland Road

- (i) Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

B. MD 193/Oak Grove Road Relocated Intersection

- (i) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road; and
- (ii) The extension of the realigned Oak Grove from the end of Perrywood's construction, to the realigned MD 193.

The realignment of MD 193 and Oak Grove Road shall provide a thru and a right turn lane at the northbound approach, a thru and a left turn lane at the southbound approach and a separate left and right turn lane on the west bound approach.

(iii) Provide for the installation of a traffic signal.

The applicant has submitted a traffic study that identifies the staging of the development and the improvements required at each development stage. The report has been reviewed by the Transportation Planning Section, the Department of Public Works and Transportation and the State Highway Administration.

- 48. During the SDP approval process, traditional names of the property, owners and family homes shall be considered for use within the proposed development.**

The street names in the East Village development are based on the traditional names of property owners and family homes.

Referral Responses

12. The Environmental Planning Section (Stasz to Srinivas, May 8, 2000) has offered comments on the revised Tree Conservation Plan and the impacts of SDP-9907 and SDP-9908 on the Tree Conservation Plan. Most of the environmental planning issues and the tree conservation issues have been addressed during the previous approvals for the golf course and the Preliminary Plat applications.

The applicant revised the Tree Conservation Plan TCPII/49/98 according to the previous conditions of approval. The comments (in part) are as follows:

“Staff have reviewed the Specific Design Plan for the East Village and Infrastructure with special regard to A-9763-C and the Considerations, Planning Board Resolution No. 98-50, and the previous recommendations regarding habitat management for the Stripeback Darter. All of the recommendations of Maryland Wildlife and Heritage Division, including a Habitat Management Plan, a Water Quality Plan, an Integrated Pest Management Plan, and a Monitoring Program were adopted and approved as part of SDP- 9803 for the golf course.

“None of the proposed development of SDP-9907 or SDP-9908 modifies the prior approvals.

“The Planning Board considered the issues of performance standards for the Patuxent River Management Preservation Area in detail during the hearings for 4-98063 and

4-99026. Findings regarding the Patuxent River Primary Management Area Preservation Area and specific variation requests are a part of those records.

"None of the proposed development of SDP-9907 or SDP-9908 modifies the prior approvals.

"The Type II Tree Conservation Plan, TCPII/49/98, requires a minimum of 251.33 acres of woodland conservation for the proposed development of the entire site. This figure has been calculated by summing the 20 percent baseline requirement of the R-S Zone (196.99 acres), and 23.10 acres of replacement for proposed disturbance to floodplain woodlands, and a replacement of 31.24 acres for a proposed grading of 124.95 acres of existing woodland. The Plan provides for 251.33 acres of on-site woodland conservation and preserves an additional 290.04 acres of upland woodland at this time. Some of this woodland will be removed when development occurs for later phases of the project.

"None of the proposed development of SDP-9907 or SDP-9908 modifies the prior approval of TCPI/73/97. Staff recommend approval of the revision to TCPII/49/98.

"On May 6, 1998, Reyanaldo DeGuzman of the Prince George's County Department of Environmental Resources approved Stormwater Management Concept #988005250. The approval is based on existing conditions of the 100-year floodplain and covers the construction of the lake, golf course, maintenance building, club house and associated parking.

"The lake is not part of SDP-9907 or SDP-9908. The Stormwater Management Plan has been modified to include forebays that will control stormwater from the East Village.

"Staff believe that appropriate conditions with specific goals and sequencing will permit development to proceed in an orderly fashion, but retain safeguards to halt the process before damage is done to the critical habitat. A Habitat Management Plan, including a Water Quality Monitoring Program, an Integrated Pest Management Plan and a Habitat Management Plan for the Stripeback Darter, have been reviewed and approved.

"None of the proposed development of SDP-9907 or SDP-9908 modifies the prior approvals.

"Staff have reviewed the East Village area and determined that Marlboro Clay is not a significant factor with regard to slope stability. In some areas special drainage measures and foundation construction methods may be needed. Staff recommend the following condition for SDP-9907:

"Prior to the pouring of footings the applicant shall submit a soils report addressing specific remedies and their locations in all areas where Marlboro Clay presents

development problems. The report shall be reviewed and approved by M-NCPPC, Environmental Planning Section and DER.”

The Environmental Planning Section has proposed conditions of approval for requiring special remedies for areas with Marlboro Clay, on-site wetland mitigation areas, submission of geotechnical studies, submission of stormwater management plans and compliance with State wetland permits.

Referral Comments on SDP-9907

13. The Environmental Planning Section (Metzger to Srinivas, February 10, 2000) has stated that no adverse noise impacts are anticipated from the proposal. There will be no significant highway noise impacts from US 301, and therefore no mitigation is required. The noise levels outside the units will not exceed 65 dBA.
14. The Subdivision Section (Del Balzo to Srinivas, January 5, 2000) has stated that the Preliminary Plat 4-99026 for 400+ lots that includes the East Village area is valid until October 14, 2005. Verification of Compliance with the applicable conditions of Preliminary Plat 4-99026 has also been requested.

Condition 18 requires the applicant to prepare a report that identifies the number of units and access locations for each phase of development to occur pursuant to the preliminary plat, and any transportation improvements to be constructed including a financing plan and construction schedule. This report must be referred to DPW&T, SHA and the Transportation Section will report to the Planning Board, as part of its review of this Specific Design Plan, on the status of staging of transportation facilities.

The applicant has submitted a report to comply with this condition. The report will be reviewed by the Transportation Planning Section as part of the review for APF findings.
15. The Washington Suburban Sanitary Commission (Maholtz to Srinivas, December 8, 1999) has stated that there are existing WSSC facilities located on the site.
16. The Permit Review Section (Windsor to Srinivas, December 29, 1999) has requested minor revisions to the Site/Grading Plans and Landscape Plans to show lot coverage details, acreage calculations, building setbacks, setbacks and building restriction lines. A condition of approval has been added to require these minor revisions.
17. The Town of Upper Marlboro (Ford to Srinivas, December 27, 1999) has no comments regarding the subject Specific Design Plans.
18. The Department of Parks and Recreation (Asan to Srinivas, December 15, 1999) has no comments regarding the subject Specific Design Plans.

19. The Community Planning Division (Lord to Srinivas, December 16, 1999) has stated that the proposal is consistent with both the Master Plan and the SMA. There are no additional master plan issues regarding the proposal.
20. The Historic Planning and Preservation Section (Rothrock to Srinivas, December 17, 1999) has requested minor changes to the site/grading plans to correctly indicate the boundary of the Beechwood Environmental Setting.
21. The Growth Policy and Public Facilities Planning Section (Izzo to Srinivas, January 19, 2000) has stated that a public facilities fee is required for all single-family and multifamily dwelling units in the development. No building permits will be issued until the projected capacity at all affected schools is less than 130 percent. If after four years, the projected capacity is still over 130 percent, the building permits may only be issued for elderly housing (age restricted) or housing with a sale price of a minimum of \$300,000. Three conditions of approval of Preliminary Plat 4-99026 address the above issues. The conditions have been carried forward as conditions of approval for SDP-9907.

The memorandum from the Growth Policy and Public Facilities Planning Section states that:

“Section 27-528 (a) (2) of the Zoning Ordinance requires a Planning Board finding for public facilities whereby ‘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.’ The Growth Policy and Public Facilities Planning Section reviewed this Specific Design Plan in accordance with the principles and standards established in the *Regulations to Analyze the Development Impact on Public School Facilities* (CR-4-1998). The Growth Policy and Public Facilities Planning Section, in cooperation with the Board of Education, identified the affected schools as Patuxent Elementary School, James Madison Middle School and Frederick Douglass High School.

“The finding required for specific design plans states that a development be served by adequate public facilities in a ‘reasonable period of time.’ Staff finds that the six-year time period covered by the Capital Improvement Program to be a reasonable period of time.

“The adopted FY 2000-2005 County Capital Improvement Program does not contain any projects that will relieve the potential overcrowding at the Patuxent Elementary School or the Frederick-Douglass-High-School. The adopted FY 2000-2005 County Capital Improvement Program contains the new East-Central Middle School which would meet the need for a new middle school in area. The *Community Schools Education Plan, Prince George's County Board of Education, January 1999*, shows that when the East

Central Middle School is built, 285 students would be moved from the James Madison Middle School to the new school.

"The Growth Policy and Public Facilities Planning Section staff has therefore concluded that this development will be adequately served in a reasonable period of time (six years) by the James Madison Middle School, predicated on the student population being adjusted when the new East-Central Middle School opens. This project is subject to the following conditions contained in Preliminary Plat of Subdivision 4-99026 that address the issue of Patuxent Elementary School and Frederick Douglass High School:

"Prior to the issuance of building permits, the applicant his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$1,740.00 per single-family dwelling unit to Prince George's County, of which \$813.00 shall be placed in an account to relieve overcrowding at Patuxent Elementary School and \$393.00 shall be placed in an account to relieve overcrowding at James Madison Middle School and \$534.00 shall be placed in an account to relieve overcrowding at Frederick Douglass High School.

"Prior to the issuance of building permits, the applicant his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$1,170.00 per multifamily dwelling unit to Prince George's County, of which \$660.00 shall be placed in an account to relieve overcrowding at Patuxent Elementary School and \$191.00 shall be placed in an account to relieve overcrowding at James Madison Middle School and \$319.00 shall be placed in an account to relieve overcrowding at Frederick Douglass High School.

"No building permits shall be issued for this subdivision until the projected percentage of capacity at all affected schools is less than 130 percent or 4 years have elapsed since the date of the adoption of the resolution of approval of this preliminary plat of subdivision. In addition to this ordinance restriction, the applicant has proffered the following restriction: If after 4 years, the projected capacity of the affected elementary school is over 130 percent, building permits may only be issued for elderly (age restricted) housing or homes for which the sale price is a minimum of \$300,000."

22. The State Highway Administration (McDonald to Srinivas, November 30, 1999) has stated that they have no objections to the proposal.
23. The Transportation Planning Section (Shaffer to Srinivas, March 2, 2000) has requested that conditions of approval be added for construction of trail connections and bike lanes. The conditions of approval regarding the trails have been added.
24. The Transportation Planning Section (Burton to Srinivas, May 30, 2000) has stated that the applicant has provided a staging plan to identify the transportation improvements needed for the various development stages of Beech Tree. The section has reviewed the transportation conditions for all the previous approvals along with the staging plan submitted by the applicant. Since most of the improvements required by the conditions

will be within the US 301 right-of-way, the staging report was also reviewed by the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T). SHA analyzed the existing conditions and prioritized the improvements to maximize the operating efficiency and take advantage of the investments available for the improvements. The Transportation Planning Section reviewed the analysis done by SHA and proposed modifications to the staging plan after consultations with the applicant, SHA and DPW&T. The comments from SHA (McDonald to Foster, May 15, 2000) and the comments from DPW&T (Francis to Reed, May 24, 2000) regarding the staging plan have been incorporated in the Transportation Planning Section memorandum.

According to the proposed staging plan, most of the improvements will be required prior to the issuance of the 132nd building permit. Since the subject SDPs are for a total of 130 units, only improvements along Leeland Road will be required at this time. A condition of approval has been added for the required improvements along Leeland Road. A condition of approval has also been added to require compliance with the staging plan for each subsequent SDP and revision of the staging plan in case of modifications to the subsequent development phases. The section has stated that with the improvements identified in the recommended staging plan and the improvements identified in Project FD669161 in the Prince George's County FY2000-2005 CIP, the development will be adequately served within a reasonable period of time with public facilities either provided as part of the development or fully funded in the CIP.

The Transportation Planning Section's memorandum states as follows:

"The site of this application is located on the west side of US 301, south of Leeland Road. This SDP proposes the first 130 dwelling units in a development anticipated to include approximately 2,400 dwelling units and a golf course. As a preliminary plat condition, the applicant was requested to submit a staging plan (with this SDP) to identify the transportation improvements needed for the various development stages of Beechtree. This memorandum recites the previous transportation conditions and provides a review of the applicant's staging report as submitted with the subject application.

"BACKGROUND

~~"ZMA A-9763-C: The District Council approved a Basic Plan under ZMA A-9763-C on October 9, 1989, with conditions and considerations, in Ordinance 60-1989. This enacted a rezoning of 1,194 acres of land from R-A to R-S (1.6 - 2.6). The approval of the basic plan by the District Council was predicated on seventeen (17) conditions and fourteen (14) considerations including the following pertaining to transportation:~~

- “7. The applicant shall continue to demonstrate that adequate transportation facilities will be provided to serve the proposed development. In addition, the applicant shall address the need for the following transportation improvements:
- “a. Widening of northbound US 301 to three through-lanes from a point 1,500 feet south of MD 725 to a point 1,000 feet south of Trade Zone Avenue;
 - “b. Widening of northbound US 301 to four through-lanes from 1,000 feet south of Trade Zone Avenue to Old Central Avenue where one through-lane will become a right-turn lane;
 - “c. Widening of northbound US 301 to three through-lanes from Old Central Avenue to a point north of the interchange of US 301 with MD 214 to be determined by State Highway Administration (SHA);
 - “d. Widening of southbound US 301 from the ramp from westbound MD 214 to the Old Central Avenue intersection;
 - “e. Widening of southbound US 301 to four through-lanes from Old Central Avenue to approximately 1,200 feet north of Trade Zone Avenue;
 - “f. Widening of southbound US 301 to five through-lanes from Trade Zone Avenue to Leeland Road;
 - “g. Widening of southbound US 301 to four through-lanes from Leeland Road to 1,000 feet south of MD 725;
 - “h. Double left-turn lanes and a free right-turn lane on northbound US 301 at MD 725;
 - “i. Double left-turn lane on eastbound MD 725 at US 301;
 - “j. Double left-turn lanes on northbound US 301 at Leeland Road;
 - “k. Double left-turn lane on eastbound Leeland Road MD 725 at US 301;
 - “l. Double left-turn lanes on northbound US 301 at Trade Zone Avenue;
 - “m. Double left-turn lane on southbound US 301 at Village Drive;
 - “n. Modification of the traffic signals at the intersections of US 301 with MD 725 and US 301 with Village Drive;

- “o. Dedication of the area required to construct a grade-separated interchange at US 301 with Village Drive and the access road serving the subject property;
- “p. An agreement to close the proposed access to US 301 and construct eastbound approaches to a new interchange when it is upgraded to a freeway;
- “q. Location of the proposed temporary access to US 301 1,500 feet south of Swanson Road, closure of the Swanson Road median opening or as otherwise determined by the State Highway Administration;
- “r. Two continuous travel lanes on Leeland Road from US 301 to MD 202;
- “s. Erection of a railroad flashing light signal at the Leeland Road crossing of the Conrail line; and
- “t. The applicant shall address the feasibility of revising the T-intersections of the north/south roadway with the west roadway and the north/south roadway with the approach to the US 301 interchange to be realigned and combined to form one four-way intersection.”

“CDP-9706: The Prince George's County Planning Board approved CDP-9706 (PGCPB No. 98-50) on February 26, 1998, with the following conditions:

- “27. With the submission of each building permit, the applicant shall pay to Prince George's County the following share of costs for improvements to US 301 between MD 725 and MD 214:
 - “A. A fee calculated as $\$497.84/\text{residential DU} \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$.
 - “B. In lieu of the payment of fees required in Condition A above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors may be required to construct a third southbound through lane on US 301 from a point 1,000 feet north of Leeland Road to a point 1,500 feet south of Village Drive, the total cost of which improvement shall not exceed an amount calculated as $\$1,194,805.00 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$. If agreed to by DPW&T

and SHA, this improvement shall be constructed upon the first to occur of the following conditions: (1) coincident with the construction by the applicant of its southern access, opposite Village Drive; (2) the issuance of the 500th building permit without full internal access to the Property at Leeland Road; or (3) the issuance of the 700th building permit with full access to the Property at Leeland Road. All contributions collected by DPW&T under condition 28A shall be refunded by agreement with the developer upon bonding and commencement of construction of the improvement.

"28. At the time of preliminary plan, the applicant shall dedicate all rights-of-way for A-61, F-10 and C-58/C-600 (Leeland Road) as identified by the Planning Department.

"29. Prior to the issuance of any building permit, excluding the permit(s) for the golf course clubhouse, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

"A. Leeland Road

"(i) Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

"B. MD 193/Oak Grove Road Relocated Intersection

"(i) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road; and

"(ii) The extension of the realigned Oak Grove from the end of Perrywood's construction, to the realigned MD 193.

"The realignment of MD 193 and Oak Grove Road shall provide a thru and a right-turn lane at the northbound approach, a thru and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the west bound approach.

"(iii) Provide for the installation of a traffic signal.

"C. US 301/Leeland Road

“Construct a fourth southbound through lane along US 301 beginning at a point approximately 500 feet north of Leeland Road and extending to a point approximately 2,600 feet south of Leeland Road (Swanson Road). (This improvement is subject to removal by DPW&T upon a finding that it is included in the CIP.)

“D. US 301/Swanson Road

“Construct a fourth southbound through lane along US 301 from Swanson Road to a point approximately 2,300 feet south of Swanson Road. (This improvement is subject to removal by DPW&T upon a finding that it is included in the CIP.)

“E. US 301/Swanson Road. In conjunction with the development of the golf course, the developer will undertake the construction of the following roadway improvements (in accord with the normal SHA Access Permit procedures):

“(i) Lengthen the northbound US 301 left turn lane at Swanson Road as may be required by the SHA.

“(ii) Construct a 500-foot long southbound deceleration lane along US 301 at Swanson Road as may be required by the SHA.

“(iii) Construct a 500-foot long southbound acceleration lane along US 301 from Swanson Road as may be required by the SHA.

“(iv) When required by the SHA, modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

“On July 14, 1998, the District Council approved CDP-9706 with all of the aforementioned transportation conditions outlined in PGCPB 98-50.

“SDP-9803: The applicant filed a Specific Design Plan (SDP-9803) for the golf course portion of Beechtree on March 10, 1998. The Prince George's County Planning Board approved SDP-9803 on May 21, 1998, with the following (transportation) conditions as set forth in PGCPB no. 98-243:

“3. Prior to the issuance of any building permit for the clubhouse, the developer shall have begun construction of all of the roadway improvements listed below :

“a. Lengthen the northbound US 301 left turn lane at Swanson Road as may be required by the SHA.

- “b. Construct a 500-foot long southbound deceleration lane along US 301 at Swanson Road as may be required by the SHA.
- “c. Construct a 500-foot long southbound acceleration lane along US 301 from Swanson Road as may be required by the SHA;

“Prior to the occupancy of the clubhouse, the preceding roadway improvements shall be completed and open to traffic.

“When required by the SHA, the applicant shall modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

“On October 28, 1998, the District Council affirmed the Prince George’s County Planning Board’s approval of SDP-9803 as set forth in PGCPB 98-243 with all of the Planning Board’s transportation conditions.

“Preliminary Plat 4-98063: On September 15, 1998, a preliminary plat of subdivision for an 18-hole golf course was filed by the applicant. The Prince George’s County Planning Board approved preliminary plat of subdivision 4-98063 on December 3, 1998, with the following (transportation) conditions as set forth in PGCPB no. 98-311:

- “3. Prior to the issuance of any building permit for the clubhouse, the developer shall have begun construction of all of the roadway improvements listed below :
 - “a. Lengthen the northbound US 301 left turn lane at Swanson Road as may be required by the SHA.
 - “b. Construct a 500-foot long southbound deceleration lane along US 301 at Swanson Road as may be required by the SHA.
 - “c. Construct a 500-foot long southbound acceleration lane along US 301 from Swanson Road as may be required by the SHA;

Prior to the occupancy of the clubhouse, the preceding roadway improvements shall be completed and open to traffic.

When required by the SHA, the applicant shall modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

- “4. At the time of final plat, the applicant shall dedicate rights-of-way for A-61, F-10 and C-58/C-600 (Leeland Road) as identified by the Planning Department.

- “5. The applicant shall assume responsibility of re-platting proposed road alignments for the subject application, if deemed necessary by staff, based on the transportation needs of the residential phase of the Beech Tree development.

“Preliminary Plat 4-99026: On May 6, 1999, a preliminary plat of subdivision (4-99026) was filed by the applicant. On September 9, 1999, the Prince George's County Planning Board approved this preliminary plat with the following (transportation) conditions outlined in PGCPB 99-154:

- “17. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

“a. Leeland Road

- “(1) Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

“b. Leeland Road/US 301 Intersection

- “Construct a fourth southbound through lane along US 301 at Leeland Road to SHA standards.

“c. MD 193/Oak Grove Road Relocated Intersection

- “(1) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road

- “(2) The extension of the realigned Oak Grove from the end of Perrywood's construction, to the realigned MD 193. The realignment of MD 193 and Oak Grove Road shall provide a thru- and a right-turn lane at the northbound approach, a thru- and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the westbound approach.

- “(3) Provide for the installation of a traffic signal.

“d. US 301/Swanson Road Intersection

- “(1) The applicant shall re-configure this intersection to the requirements of SHA to prevent left turns from westbound

Swanson Road. This reconfiguration shall occur at such time in the future when the volume at the intersection warrants the need for signalization.

“(2) Construct a fourth southbound through lane along US 301 at Swanson Road to SHA standards’

- “18. Prior to approval of the first Specific Design Plan pursuant to this preliminary plat, the applicant shall prepare a report which will identify the number of units and access locations of each phase of development to occur pursuant to this preliminary plat, identify the transportation improvements to be constructed with each phase, and develop a financing plan and construction schedule for the improvements associated with each phase. This report shall be submitted with the first SDP application submitted pursuant to this preliminary plat and reviewed by DPW&T, SHA and Transportation Planning staff, who shall then report to the Planning Board on the status of the staging of transportation improvements with each phase of development. The report shall be revised and resubmitted by the applicant with any subsequent SDP application where the sequencing of the improvements or development phases is changed from that in the initial report.

“Beech Tree Staging Report

“In November 1999, the applicant filed the subject Specific Design Plan (SDP-9907) application for the first 130 residential units of the subdivision. Pursuant to Condition 18 of PGCPB No. 99-154, the applicant has provided to staff a *Staging Report for Road Improvements*. In this report, the applicant provided level-of-service analyses based on the specified number of units being developed commensurate with specific improvements along US 301 and within the site. Because many of the road improvements will be within the US 301 right-of-way, a copy of the *Staging Report for Road Improvements* was submitted to SHA for their review and comment.

“The SHA, in their analysis of the existing conditions on US 301, prioritized the road improvements in the *Staging Report* to maximize the operating efficiency and take advantage of the investments available at the earliest possible time. Based on this analysis, the SHA determined that a widening of southbound US 301 to provide three exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road shall be provided. These improvements would also eliminate the need for lane changes on southbound US 301 between Trade Zone Avenue and Leeland Road.

“The staging plan and associated road improvements in the *Staging Report* are as follows:

“Phase I: The golf course

- “1. Prior to the issuance of the first building permit for the golf course clubhouse, the developer shall have begun construction of the improvements listed below:
- “a. Lengthen the northbound US 301 left turn lane at Swanson Road as required by the SHA.
 - “b. Construct a 500-foot-long southbound deceleration lane (include taper) along US 301 at Swanson Road as may be required by the SHA.
 - “c. Construct a 500-foot-long southbound acceleration lane (including taper) along US 301 from Swanson Road as may be required by the SHA.

“Phase II: residential development

- “2. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:
- “a. Leeland Road
“Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.
 - “b. MD 193/Oak Grove Road Relocated Intersection
 - “(1) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road
 - “(2) The extension of the realigned Oak Grove from the end of Perrywood’s construction, to the realigned MD 193. The realignment of MD 193 and Oak Grove Road shall provide a thru- and a right-turn lane at the northbound approach, a thru- and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the westbound approach.
 - “(3) Provide for the installation of a traffic signal.

(NOTE: Project FD669781 in the Prince George’s County FY2000-2005 Capital Improvements Program (CIP) includes the improvements at MD 193/Oak Grove

Road and is now under construction; therefore, these improvements will not need to be part of the Recommended Staging Program for BeechTree.)

“Phase III: residential development - building permits # 132 - 1,000

- “3. Prior to the issuance of the one hundred and thirty second (132nd) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
- “a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Trade Zone to 2,000 feet south of Trade Zone Avenue
 - “b. Construct internal site connection from Beech Tree Parkway to Leeland Road.
 - “c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

“Phase IV: residential development - building permits # 1,001- 1,500

- “4. Prior to the issuance of the 1,001st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
- “a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.
 - “b. Widen northbound US 301 to provide three (3) exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road
 - “c. Widen Leeland Road to provide two (2) exclusive left turn lanes and one (1) free flowing right turn lane.

“Phase V: residential development - building permits # 1,501 - 1,992

- “5. Prior to the issuance of the 1,501st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
- “d. Widen southbound US 301 to provide three (3) exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road. This improvement will augment an improvement from a previous phase.

"Based on the above staging, the applicant's report concluded that 'the proposed improvements will allow the development of BeechTree to continue through to 1,992 dwelling units. The balance of Beechtree would be constructed taking the CIP improvements into consideration.'

"Staff Review of Staging Report

"Section 27-528 ((a)2) of the Zoning Ordinance requires that for a Specific Design Plan to be approved, the following finding must be made: **"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 (CIP) or provided as part of the private development"**. With the improvements identified in the Recommended Staging Plan (see below) and the improvements identified in Project FD669161 in the Prince George's County FY2000-2005 CIP, the development will be adequately served within a reasonable period of time with public facilities either provided as part of the development or fully funded in the CIP.

"The CIP improvements would provide adequate levels of service at all of the intersections along US 301 based on full build-out of the Beechtree development (2,400 dwelling units) and approved background development. Because the CIP improvements are fully funded and would provide a transportation facility on US 301, staff would also support an approval of future development thresholds through completion of the 2,400th unit development.

"Recommended Staging Plan

"In reviewing the proposed staging and the associated road improvements, and after further consultation with the applicant, SHA and DPW&T, staff concurs with the proposed staging report, with modifications:

"Phase I: The golf course

- "1. Prior to the issuance of the first building permit for the golf course clubhouse, the developer shall have begun construction of the improvements listed below:
 - "a. Lengthen the northbound US 301 left turn lane at Swanson Road as required by the SHA.
 - "b. Construct a 500-foot-long southbound deceleration lane (include taper) along US 301 at Swanson Road as may be required by the SHA.
 - "c. Construct a 500-foot-long southbound acceleration lane (including taper) along US 301 from Swanson Road as may be required by the SHA.

“Phase II: residential development

- “2. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

“a. Leeland Road

“Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

“Phase III: residential development - building permits # 132 - 1,000

- “3. Prior to the issuance of the one hundred and thirty second (132nd) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

“a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Trade Zone to 2,000 feet south of Trade Zone Avenue.

“b. Construct internal site connection from Beech Tree Parkway to Leeland Road.

“c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

“Phase IV: residential development - building permits # 1,001- 1,500

- “4. Prior to the issuance of the 1,001st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

“a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.

“b. Widen northbound US 301 to provide three (3) exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road

“c. Widen Leeland Road to provide two (2) exclusive left turn lanes and one (1) free flowing right turn lane.

“Phase V: residential development - building permits # 1,501 - 1,992

- “5. Prior to the issuance of the 1,501st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
- “a. Widen southbound US 301 to provide three (3) exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road. This improvement will augment an improvement from a previous phase.

“Phase VI: residential development - building permits # 1,993 - 2,400

- “6. Prior to the issuance of the 1,993rd building permit for any residential unit of the development, a schedule for construction of either (a) the improvements in CIP Project FD669161 or (b) the upgrading of US 301 to a fully controlled access highway between MD 214 and MD 725 shall be provided by the SHA or by DPW&T to the Planning Department.

“As provided in Condition 18 of Preliminary Plat 4-99026, the Recommended Staging Plan shall serve as the basis for determining adequacy of transportation facilities in subsequent SDPs for the development approved in Preliminary Plat 4-99026. In the event that the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan as described above shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

“Otherwise, with each subsequent SDP, the applicant shall provide evidence, in the form of a letter to the Planning Department, of (1) the aggregate number of building permit issuances for residential units, (2) the phase within which the number of units for the proposed SDP would fall, and (3) the status of the associated transportation improvements. This letter shall be compared to the Staging Plan for transportation improvements in effect at that time in order to evaluate the adequacy of transportation facilities for report to the Planning Board.

“CONCLUSIONS

“In closing, based on the Recommended Staging Plan for transportation improvements, staff finds that the development proposed in SDP-9907 will be adequately served within a reasonable period of time if approved with the following conditions:

- “1. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

“a. Leeland Road

“Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.”

25. The Department of Public Works and Transportation (Beckert to Srinivas, May 31, 2000) has stated that the right-of-way widths for internal streets must be consistent with DPW&T standards. The right-of-way widths must be wide enough to accommodate bike paths, trails and other improvements as required by the Transportation Planning Section. The department has also requested minor changes to the site/grading plans. Conditions of approval have been added to ensure these requirements.

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/49/98), and further APPROVED Specific Design Plan 9907 for the above-described land, subject to the following conditions:

1. Prior to certification of the Specific Design Plan,
 - a. the site/grading and landscape plans shall be revised to show the following:
 - (1) A landscape buffer with extensive planting along the rear yards of Lots 1 to 10 on Folkshire Drive to screen the rear yards from Beech Tree Parkway.
 - (2) front, side and rear setbacks for each lot
 - (3) a typical of each house showing dimensions, height and options
 - (4) all homeowners' association trails at least six-feet wide and asphalted
 - (5) future connections to the stream valley trail, the trail on out-parcel H and the future L-A-C.
 - (6) correct boundaries of the Beechwood Environmental setting
 - (7) The roads, Buckingham Green and Bishopstone Terrace, and all cul-de-sacs with a minimum turn around movement for a standard WB-40 vehicle and a standard fire engine or as required by DPW&T standards.

- b. the applicant shall submit cross-sections of the internal streets that are approved by the Department of Public Works & Transportation. The cross-sections shall show adequate right-of-way widths to accommodate, sidewalks and/or trails as required by the Transportation Planning Section and DPW&T.
 - c. The applicant shall propose share-the-road signs according to the requirements of the Transportation Planning Section.
 2. Prior to issuance of residential building permits,
 - a. The applicant shall submit details of the approved light fixtures for the public right-of-ways. The applicant shall make good-faith efforts to obtain approval from appropriate authorities of lights in the right-of-way which reduces light pollution, and direct light downward; and
 - b. The applicant shall submit details for all street light fixtures outside the right-of-way for approval by the Planning Board or designee. These lights shall to the extent practicable and feasible minimize off-site light impacts and reduce light pollution.
 - c. The building permit drawings shall show lot coverage for each individual lot and the house type for the individual lots.
 3. All trails shall be assured dry passage. If wet areas must be traversed, suitable structures shall be constructed.
 4. Prior to the issuance of building permits, the applicant shall submit a soils report addressing specific remedies and their locations in all areas where Marlboro Clay presents development problems. The report shall be reviewed and approved by M-NCPPC, Environmental Planning Section and DER.
 5. Prior to the issuance of any grading permit, the SDP shall be revised to show any additional grading required by State or local permit approvals.
 6. Each grading permit shall show required on-site wetland mitigation areas.
 7. Prior to approval of building or grading permits, the M-NCPPC, Environmental Planning Section shall review all Technical Stormwater Management Plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the Habitat Management Program and that water quality is provided at all storm drain outfalls.

8. Prior to the issuance of any permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC, Environmental Planning Section that all applicable conditions of the state wetland permit have been honored.
9. Prior to issuance of building permits, the applicant his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$1,740 per single family dwelling unit to Prince George's County, of which \$813 shall be placed in an account to relieve overcrowding at James Madison Middle School and \$534 shall be placed in an account to relieve overcrowding at Frederick Douglass High School.
10. No building permits shall be issued for this subdivision until the projected percentage of capacity at all affected schools is less than 130% or four years have elapsed since the date of the adoption of the resolution of approval of this preliminary plat of subdivision. In addition to this Ordinance restriction, the applicant has proffered the following restriction: If after four years, the projected capacity of the affected elementary school is over 130%, the building permits may only be issued for elderly (age restricted) housing or homes for which the sale price is a minimum of \$300,000.
11. If in the future, the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

Otherwise, with each subsequent SDP, the applicant shall provide evidence, in the form of a letter to the Planning Department, of (1) the aggregate number of building permit issuances for residential units, (2) the Phase within which the number of units for the proposed SDP would fall, and (3) the status of the associated transportation improvements. This letter shall be compared to the Staging Plan for transportation improvements in effect at that time in order to evaluate the adequacy of transportation facilities for report to the Planning Board.

12. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100% funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

Leeland Road

Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

13. Prior to approval 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 ranges above (in 1989 dollars).
- | | |
|-------------------------|--------------------|
| Single-Family Detached: | \$225,000-500,000+ |
| Single-Family Attached: | \$150,000-200,000+ |
| Multifamily dwellings: | \$125,000-150,000+ |
14. The applicant shall provide right-of-way dedication and improvements along Leeland Road as required by DPW&T.

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, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

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 McNeill, seconded by Commissioner Brown, with Commissioners McNeill, Brown and Hewlett voting in favor of the motion, and with Commissioner Boone absent, at its regular meeting held on Thursday, June 8, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd day of June 2000.

Trudye Morgan Johnson
Executive Director

Frances J. Guertin

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:ls:ldg

APPROVED AS TO LEGAL SUFFICIENCY.

George Johnson
M-NCPRC Legal Department

Date 6/16/00

"The Staging Plan"

PGCPB No. 00-111

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24. The Transportation Planning Section (Burton to Srinivas, May 30, 2000) has stated that the applicant has provided a staging plan to identify the transportation improvements needed for the various development stages of Beech Tree. The section has reviewed the transportation conditions for all the previous approvals along with the staging plan submitted by the applicant. Since most of the improvements required by the conditions will be within the US 301 right-of-way, the staging report was also reviewed by the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T). SHA analyzed the existing conditions and prioritized the improvements to maximize the operating efficiency and take advantage of the investments available for the improvements. The Transportation Planning Section reviewed the analysis done by SHA and proposed modifications to the staging plan after consultations with the applicant, SHA and DPW&T. The comments from SHA (McDonald to Foster, May 15, 2000) and the comments from DPW&T (Francis to Reed, May 24, 2000) regarding the staging plan have been incorporated in the Transportation Planning Section memorandum.

According to the proposed staging plan, most of the improvements will be required prior to the issuance of the 132nd building permit. Since the subject SDPs are for a total of 130 units, only improvements along Leeland Road will be required at this time. A condition of approval has been added for the required improvements along Leeland Road. A condition of approval has also been added to require compliance with the staging plan for each subsequent SDP and revision of the staging plan in case of modifications to the subsequent development phases. The section has stated that with the improvements identified in the recommended staging plan and the improvements identified in Project FD669161 in the Prince George's County FY2000-2005 CIP, the development will be adequately served within a reasonable period of time with public facilities either provided as part of the development or fully funded in the CIP.

The Transportation Planning Section's memorandum states as follows:

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"The site of this application is located on the west side of US 301, south of Leeland Road. This SDP proposes the first 130 dwelling units in a development anticipated to include approximately 2,400 dwelling units and a golf course. As a preliminary plat condition, the applicant was requested to submit a staging plan (with this SDP) to identify the transportation improvements needed for the various development stages of Beechtree. This memorandum recites the previous transportation conditions and provides a review of the applicant's staging report as submitted with the subject application.

"BACKGROUND

"ZMA A-9763-C: The District Council approved a Basic Plan under ZMA A-9763-C on October 9, 1989, with conditions and considerations, in Ordinance 60-1989. This enacted a rezoning of 1,194 acres of land from R-A to R-S (1.6 - 2.6). The approval of the basic plan by the District Council was predicated on seventeen (17) conditions and fourteen (14) considerations including the following pertaining to transportation:

"7. The applicant shall continue to demonstrate that adequate transportation facilities will be provided to serve the proposed development. In addition, the applicant shall address the need for the following transportation improvements:

"a.. Widening of northbound US 301 to three through-lanes from a point 1,500 feet south of MD 725 to a point 1,000 feet south of Trade Zone Avenue;

"b. Widening of northbound US 301 to four through-lanes from 1,000 feet south of Trade Zone Avenue to Old Central Avenue where one through-lane will become a right-turn lane;

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“c. Widening of northbound US 301 to three through-lanes from Old Central Avenue to a point north of the interchange of US 301 with MD 214 to be determined by State Highway Administration (SHA);

“d. Widening of southbound US 301 from the ramp from westbound MD 214 to the Old Central Avenue intersection;

“e. Widening of southbound US 301 to four through-lanes from Old Central Avenue to approximately 1,200 feet north of Trade Zone Avenue;

“f. Widening of southbound US 301 to five through-lanes from Trade Zone Avenue to Leeland Road;

“g. Widening of southbound US 301 to four through-lanes from Leeland Road to 1,000 feet south of MD 725;

“h. Double left-turn lanes and a free right-turn lane on northbound US 301 at MD 725;

“i. Double left-turn lane on eastbound MD 725 at US 301;

“j. Double left-turn lanes on northbound US 301 at Leeland Road;

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“k. Double left-turn lane on eastbound Leeland Road MD 725 at US 301;

“l. Double left-turn lanes on northbound US 301 at Trade Zone Avenue;

“m. Double left-turn lane on southbound US 301 at Village Drive;

“n. Modification of the traffic signals at the intersections of US 301 with MD 725 and US 301 with Village Drive;

“o. Dedication of the area required to construct a grade-separated interchange at US 301 with Village Drive and the access road serving the subject property;

“p. An agreement to close the proposed access to US 301 and construct eastbound approaches to a new interchange when it is upgraded to a freeway;

“q. Location of the proposed temporary access to US 301 1,500 feet south of Swanson Road, closure of the Swanson Road median opening or as otherwise determined by the State Highway Administration;

“r. Two continuous travel lanes on Leeland Road from US 301 to MD 202;

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“s. Erection of a railroad flashing light signal at the Leeland Road crossing of the Conrail line; and

“t. The applicant shall address the feasibility of revising the T-intersections of the north/south roadway with the west roadway and the north/south roadway with the approach to the US 301 interchange to be realigned and combined to form one four-way intersection.”

“CDP-9706: The Prince George's County Planning Board approved CDP-9706 (PGCPB No. 98-50) on February 26, 1998, with the following conditions:

“27. With the submission of each building permit, the applicant shall pay to Prince George's County the following share of costs for improvements to US 301 between MD 725 and MD 214:

“A. A fee calculated as $\$497.84/\text{residential DU} \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$.

“B. In lieu of the payment of fees required in Condition A above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors may be required to construct a third

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southbound through lane on US 301 from a point 1,000 feet north of Leeland Road to a point 1,500 feet south of Village Drive, the total cost of which improvement shall not exceed an amount calculated as $\$1,194,805.00 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$. If agreed to by DPW&T and SHA, this improvement shall be constructed upon the first to occur of the following conditions: (1) coincident with the construction by the applicant of its southern access, opposite Village Drive; (2) the issuance of the 500th building permit without full internal access to the Property at Leeland Road; or (3) the issuance of the 700th building permit with full access to the Property at Leeland Road. All contributions collected by DPW&T under condition 28A shall be refunded by agreement with the developer upon bonding and commencement of construction of the improvement.

"28. At the time of preliminary plan, the applicant shall dedicate all rights-of-way for A-61, F-10 and C-58/C-600 (Leeland Road) as identified by the Planning Department.

"29. Prior to the issuance of any building permit, excluding the permit(s) for the golf course clubhouse, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

"A. Leeland Road

"(i) Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

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“B. MD 193/Oak Grove Road Relocated Intersection

“(i) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road; and

“(ii) The extension of the realigned Oak Grove from the end of Perrywood’s construction, to the realigned MD 193.

“The realignment of MD 193 and Oak Grove Road shall provide a thru and a right-turn lane at the northbound approach, a thru and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the west bound approach.

“(iii) Provide for the installation of a traffic signal.

“C. US 301/Leeland Road

“Construct a fourth southbound through lane along US 301 beginning at a point approximately 500 feet north of Leeland Road and extending to a point approximately 2,600 feet south of Leeland Road (Swanson Road). (This improvement is subject to removal by DPW&T upon a finding that it is included in the CIP.)

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"D. US 301/Swanson Road

"Construct a fourth southbound through lane along US 301 from Swanson Road to a point approximately 2,300 feet south of Swanson Road. (This improvement is subject to removal by DPW&T upon a finding that it is included in the CIP.)

"E. US 301/Swanson Road. In conjunction with the development of the golf course, the developer will undertake the construction of the following roadway improvements (in accord with the normal SHA Access Permit procedures):

"(i) Lengthen the northbound US 301 left turn lane at Swanson Road as may be required by the SHA.

"(ii) Construct a 500-foot long southbound deceleration lane along US 301 at Swanson Road as may be required by the SHA.

"(iii) Construct a 500-foot long southbound acceleration lane along US 301 from Swanson Road as may be required by the SHA.

"(iv) When required by the SHA, modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

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"On July 14, 1998, the District Council approved CDP-9706 with all of the aforementioned transportation conditions outlined in PGCPB 98-50.

"SDP-9803: The applicant filed a Specific Design Plan (SDP-9803) for the golf course portion of Beechtree on March 10, 1998. The Prince George's County Planning Board approved SDP-9803 on May 21, 1998, with the following (transportation) conditions as set forth in PGCPB no. 98-243:

"3. Prior to the issuance of any building permit for the clubhouse, the developer shall have begun construction of all of the roadway improvements listed below :

"a. Lengthen the northbound US 301 left turn lane at Swanson Road as may be required by the SHA.

"b. Construct a 500-foot long southbound deceleration lane along US 301 at Swanson Road as may be required by the SHA.

"c. Construct a 500-foot long southbound acceleration lane along US 301 from Swanson Road as may be required by the SHA;

"Prior to the occupancy of the clubhouse, the preceding roadway improvements shall be completed and open to traffic.

"When required by the SHA, the applicant shall modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

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"On October 28, 1998, the District Council affirmed the Prince George's County Planning Board's approval of SDP-9803 as set forth in PGCPB 98-243 with all of the Planning Board's transportation conditions.

"Preliminary Plat 4-98063: On September 15, 1998, a preliminary plat of subdivision for an 18-hole golf course was filed by the applicant. The Prince George's County Planning Board approved preliminary plat of subdivision 4-98063 on December 3, 1998, with the following (transportation) conditions as set forth in PGCPB no. 98-311:

"3. Prior to the issuance of any building permit for the clubhouse, the developer shall have begun construction of all of the roadway improvements listed below :

"a. Lengthen the northbound US 301 left turn lane at Swanson Road as may be required by the SHA.

"b. Construct a 500-foot long southbound deceleration lane along US 301 at Swanson Road as may be required by the SHA.

"c. Construct a 500-foot long southbound acceleration lane along US 301 from Swanson Road as may be required by the SHA;

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Prior to the occupancy of the clubhouse, the preceding roadway improvements shall be completed and open to traffic.

When required by the SHA, the applicant shall modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

"4. At the time of final plat, the applicant shall dedicate rights-of-way for A-61, F-10 and C-58/C-600 (Leeland Road) as identified by the Planning Department.

"5. The applicant shall assume responsibility of re-platting proposed road alignments for the subject application, if deemed necessary by staff, based on the transportation needs of the residential phase of the Beech Tree development.

"Preliminary Plat 4-99026: On May 6, 1999, a preliminary plat of subdivision (4-99026) was filed by the applicant. On September 9, 1999, the Prince George's County Planning Board approved this preliminary plat with the following (transportation) conditions outlined in PGCPB 99-154:

"17. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

"a. Leeland Road

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“(1) Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

“b. Leeland Road/US 301 Intersection

“Construct a fourth southbound through lane along US 301 at Leeland Road to SHA standards.

“c. MD 193/Oak Grove Road Relocated Intersection

“(1) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road

“(2) The extension of the realigned Oak Grove from the end of Perrywood’s construction, to the realigned MD 193. The realignment of MD 193 and Oak Grove Road shall provide a thru- and a right-turn lane at the northbound approach, a thru- and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the westbound approach.

“(3) Provide for the installation of a traffic signal.

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“d. US 301/Swanson Road Intersection

“(1) The applicant shall re-configure this intersection to the requirements of SHA to prevent left turns from westbound Swanson Road. This reconfiguration shall occur at such time in the future when the volume at the intersection warrants the need for signalization.

“(2) Construct a fourth southbound through lane along US 301 at Swanson Road to SHA standards’

“18. Prior to approval of the first Specific Design Plan pursuant to this preliminary plat, the applicant shall prepare a report which will identify the number of units and access locations of each phase of development to occur pursuant to this preliminary plat, identify the transportation improvements to be constructed with each phase, and develop a financing plan and construction schedule for the improvements associated with each phase. This report shall be submitted with the first SDP application submitted pursuant to this preliminary plat and reviewed by DPW&T, SHA and Transportation Planning staff, who shall then report to the Planning Board on the status of the staging of transportation improvements with each phase of development. The report shall be revised and resubmitted by the applicant with any subsequent SDP application where the sequencing of the improvements or development phases is changed from that in the initial report.

“Beech Tree Staging Report

“In November 1999, the applicant filed the subject Specific Design Plan (SDP-9907) application for the first 130 residential units of the subdivision. Pursuant to Condition 18 of PGCPB No. 99-154, the applicant has provided to staff a *Staging Report for Road Improvements*. In this report, the

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applicant provided level-of-service analyses based on the specified number of units being developed commensurate with specific improvements along US 301 and within the site. Because many of the road improvements will be within the US 301 right-of-way, a copy of the *Staging Report for Road Improvements* was submitted to SHA for their review and comment.

“The SHA, in their analysis of the existing conditions on US 301, prioritized the road improvements in the *Staging Report* to maximize the operating efficiency and take advantage of the investments available at the earliest possible time. Based on this analysis, the SHA determined that a widening of southbound US 301 to provide three exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road shall be provided. These improvements would also eliminate the need for lane changes on southbound US 301 between Trade Zone Avenue and Leeland Road.

“The staging plan and associated road improvements in the *Staging Report* are as follows:

“Phase I: The golf course

“1. Prior to the issuance of the first building permit for the golf course clubhouse, the developer shall have begun construction of the improvements listed below:

“a. Lengthen the northbound US 301 left turn lane at Swanson Road as required by the SHA.

“b. Construct a 500-foot-long southbound deceleration lane (include taper) along US 301 at Swanson Road as may be required by the SHA.

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"c. Construct a 500-foot-long southbound acceleration lane (including taper) along US 301 from Swanson Road as may be required by the SHA.

"Phase II: residential development

"2. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

"a. Leeland Road

"Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

"b. MD 193/Oak Grove Road Relocated Intersection

"(1) The applicant shall provide a half section of realigned MD 193 from the northern end of the proposed half section within Perrywood to connect to the existing MD 193 north of the realigned Oak Grove Road

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“(2) The extension of the realigned Oak Grove from the end of Perrywood’s construction, to the realigned MD 193. The realignment of MD 193 and Oak Grove Road shall provide a thru- and a right-turn lane at the northbound approach, a thru- and a left-turn lane at the southbound approach and a separate left- and right-turn lane on the westbound approach.

“(3) Provide for the installation of a traffic signal.

(NOTE: Project FD669781 in the Prince George’s County FY2000-2005 Capital Improvements Program (CIP) includes the improvements at MD 193/Oak Grove Road and is now under construction; therefore, these improvements will not need to be part of the Recommended Staging Program for BeechTree.)

“Phase III: residential development - building permits # 132 - 1,000

“3. Prior to the issuance of the one hundred and thirty second (132nd) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

- a. “Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Trade Zone to 2,000 feet south of Trade Zone Avenue

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- a. "Construct internal site connection from Beech Tree Parkway to Leeland Road.

- a. "Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

"Phase IV: residential development - building permits # 1,001- 1,500

"4. Prior to the issuance of the 1,001st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

"a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.

"b. Widen northbound US 301 to provide three (3) exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road

"c. Widen Leeland Road to provide two (2) exclusive left turn lanes and one (1) free flowing right turn lane.

"Phase V: residential development - building permits # 1,501 - 1,992

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"5. Prior to the issuance of the 1,501st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

- a. "Widen southbound US 301 to provide three (3) exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road. This improvement will augment an improvement from a previous phase.

"Based on the above staging, the applicant's report concluded that 'the proposed improvements will allow the development of BeechTree to continue through to 1,992 dwelling units. The balance of Beechtree would be constructed taking the CIP improvements into consideration.'

"Staff Review of Staging Report

"Section 27-528 ((a)2) of the Zoning Ordinance requires that for a Specific Design Plan to be approved, the following finding must be made: **"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 (CIP) or provided as part of the private development"**. With the improvements identified in the Recommended Staging Plan (see below) and the improvements identified in Project FD659161 in the Prince George's County FY2000-2005 CIP, the development will be adequately served within a reasonable period of time with public facilities either provided as part of the development or fully funded in the CIP.

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"The CIP improvements would provide adequate levels of service at all of the intersections along US 301 based on full build-out of the Beechtree development (2,400 dwelling units) and approved background development. Because the CIP improvements are fully funded and would provide a transportation facility on US 301, staff would also support an approval of future development thresholds through completion of the 2,400th unit development.

"Recommended Staging Plan

"In reviewing the proposed staging and the associated road improvements, and after further consultation with the applicant, SHA and DPW&T, staff concurs with the proposed staging report, with modifications:

"Phase I: The golf course

"1. Prior to the issuance of the first building permit for the golf course clubhouse, the developer shall have begun construction of the improvements listed below:

"a. Lengthen the northbound US 301 left turn lane at Swanson Road as required by the SHA.

"b. Construct a 500-foot-long southbound deceleration lane (include taper) along US 301 at Swanson Road as may be required by the SHA.

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"c. Construct a 500-foot-long southbound acceleration lane (including taper) along US 301 from Swanson Road as may be required by the SHA.

"Phase II: residential development

"2. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

"a. Leeland Road

"Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

"Phase III: residential development - building permits # 132 - 1,000

"3. Prior to the issuance of the one hundred and thirty second (132nd) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

"a Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Trade Zone to 2,000 feet south of Trade Zone Avenue.

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- b. "Construct internal site connection from Beech Tree Parkway to Leeland Road.

- b. "Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

"Phase IV: residential development - building permits # 1,001- 1,500

"4. Prior to the issuance of the 1,001st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

- "a. Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.

- b. "Widen northbound US 301 to provide three (3) exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road

- b. "Widen Leeland Road to provide two (2) exclusive left turn lanes and one (1) free flowing right turn lane.

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"Phase V: residential development - building permits # 1,501 - 1,992

"5. Prior to the issuance of the 1,501st building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

"a. Widen southbound US 301 to provide three (3) exclusive through lanes from 2,000 feet south of Trade Zone Avenue to 1,000 feet north of Leeland Road. This improvement will augment an improvement from a previous phase.

"Phase VI: residential development - building permits # 1,993 - 2,400

"6. Prior to the issuance of the 1,993rd building permit for any residential unit of the development, a schedule for construction of either (a) the improvements in CIP Project FD669161 or (b) the upgrading of US 301 to a fully controlled access highway between MD 214 and MD 725 shall be provided by the SHA or by DPW&T to the Planning Department.

"As provided in Condition 18 of Preliminary Plat 4-99026, the Recommended Staging Plan shall serve as the basis for determining adequacy of transportation facilities in subsequent SDPs for the development approved in Preliminary Plat 4-99026. In the event that the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan as described above shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

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“Otherwise, with each subsequent SDP, the applicant shall provide evidence, in the form of a letter to the Planning Department, of (1) the aggregate number of building permit issuances for residential units, (2) the phase within which the number of units for the proposed SDP would fall, and (3) the status of the associated transportation improvements. This letter shall be compared to the Staging Plan for transportation improvements in effect at that time in order to evaluate the adequacy of transportation facilities for report to the Planning Board.

“CONCLUSIONS

“In closing, based on the Recommended Staging Plan for transportation improvements, staff finds that the development proposed in SDP-9907 will be adequately served within a reasonable period of time if approved with the following conditions:

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"1. Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:

"a. Leeland Road

"Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards."

Case No. SDP-9907

Applicant: VOB L.P.

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

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the entire record, that the Planning Board's decision in Resolution PGCPB No. 00-111, to approve Specific Design Plan 9907 for infrastructure and for site planning/grading/landscaping for 130 lots on property described as approximately 68.39 acres of land in the R-S Zone, southwest of the intersection of US 301 and Leeland Road, in Upper Marlboro, Maryland, is hereby:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, whose findings and conclusions are hereby adopted as the findings of fact and conclusions of law of the District Council. In addition, the District Council concludes that two additional conditions, as suggested by other parties to this case, should be added to this approval.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to issuance of any residential building permits:
 - a. The applicant shall submit details for light fixtures for the public rights-of-way. The applicant shall obtain approval of all right-of-way lighting from the Planning Board or its designee or other appropriate authority, to assure that the lighting fixtures reduce light pollution and direct light downward.
 - b. The applicant shall submit details for all street lighting fixtures outside the right-of-way, for approval by the Planning Board or its designee, to assure that the fixtures minimize off-street lighting impacts and reduce light pollution, to the extent practical and feasible.
2. The applicant shall correct the spelling of "Moore's Plains" wherever this historical name appears, on signs and in plans, drawings, and other papers.

Ordered this 30th day of October, 2000, by the following vote:

In Favor: Council Members Bailey, Hendershot, Maloney, Russell,
Scott, Shapiro and Wilson

Opposed:

Abstained:

Absent: Council Members Estapp and Gourdine

Vote: 7-0

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: Dorothy F. Bailey
Dorothy F. Bailey, Chair

ATTEST:

Joyce T. Sweeney
Joyce T. Sweeney, Clerk

RESOLUTION

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 July 7, 2005, regarding Specific Design Plan SDP-0410 for Beech Tree North Village, Section 6, the Planning Board finds:

FINDINGS

Based upon the evaluation and analysis of the subject specific design plan, the Urban Design Review staff recommends the following findings:

1. **Request:** The subject application is for approval of 158 single-family attached dwelling (townhouse) units in the R-S Zone.
2. **Development Data Summary:**

	Existing	Proposed
Zones	R-S	R-S
Uses	Vacant	Single-family attached (townhouse)
Acreage (in the subject SDP)	22.74	22.74
Lots	158	158

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total Parking Spaces (2.04/Unit)	324	332
Of which are Handicapped Spaces	8	8
Number of Building Sticks	-	32

3. **Location:** The larger Beech Tree project site is located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by SDP-0410, North Village, Section 6, is in the north-central area of the Beech Tree development and is located around the T-intersection of Lake Forest Drive and Turleygreen Place.
4. **Surroundings and Use:** The subject site (of SDP-0410) is located along an internal street, Lake Forest Drive, of Beech Tree development. The site is bounded to the north and west by single-family detached houses in North Village, Section 1, to the south by the single-family detached houses in North Village, Section 3, to the southeast by the future golf course; and to the northeast by a R-A-zoned property outside of the Beech Tree project.

The Beech Tree development, as a whole, is bounded on the north by Leeland Road, on the east by Robert Crain Highway (US 301); on the south and west by various residentially zoned (including R-A, Residential-Agricultural; R-E, Residential-Estate; and R-U, Residential Urban Development) properties.

5. **Previous Approvals:** The subject site covers 158 single-family attached dwelling (townhouse) units of a larger project with a gross residential acreage of 1,194 known as Beech Tree, which was rezoned from R-A Zone to R-S (2.7-3.5) Zone through Zoning Map Amendments A-9763 and A-9763-C, for 1,765 to 2,869 dwelling units. A-9763-C was approved (Zoning Ordinance No. 61-1989) by the District Council on October 9, 1989, subject to 17 conditions and 14 considerations. On July 14, 1998, Comprehensive Design Plan CDP-9706 for the entire Beech Tree development was approved by the District Council, subject to 49 conditions. Following the approval of CDP-9706, three preliminary plans of subdivisions have been approved. They are 4-98063 for the golf course; 4-99026 for 458 lots and 24 parcels (PGCPB No 99-154); and 4-00010 (PGCPB No 00-127) for 1,653 lots and 46 parcels.

Two specific design plans for the entire site also have been approved for the Beech Tree development. Specific Design Plan SDP-9905, which was approved by the District Council on October 22, 2000, is a special-purpose SDP for community character. Specific Design Plan SDP-0001, which was approved by the District Council on October 30, 2000, is an umbrella approval for architecture for the entire Beech Tree development. So far, SDP-0001 has been revised three times. In addition, there are another 11 approved specific design plans for the Beech Tree development. They are SDP-9803 for the golf course; Infrastructure SDP-9907 for the East Village for 130 single-family residential lots; Infrastructure SDP-9908 for extending the sewer line from the East Village area to Parcel G; SDP-0111 for the East Village, Phase II, Section I, for 129 single-family residential lots; SDP-0112 for the East Village, Phase II, Section II, for 49 single-family residential lots; SDP-0113 for the South Village, Phase I, Sections 1, 2, and 3 for 93 single-family residential lots; SDP-0314 for 46 townhouse units on 7.3 acres of land known as East Village Section 10; SDP-0315 for 39 townhouse units on 11 acres of land known as East Village Section 4; SDP-0316 for East Village, Section 9 for 49 single-family detached residential lots; SDP-0406 for North Village, Sections 1, 2 & 3, for 106 single-family detached residential lots and 60 townhouse units; SDP-0409 for North Village, Sections 4 & 5, for 65 single-family detached residential lots. The subject application is the 14th SDP for the Beech Tree development.

Various types of tree conservation plans also have been approved for the above-mentioned preliminary plans of subdivision and specific design plans. This SDP has an approved Stormwater Management Concept Plan 8004950-2000-00, which covers the entire Phase 3 of the Beech Tree development.

6. **Design Features:** The SDP proposes to develop 158 townhouse units on a roughly triangular site, which is accessed from Lake Forest Drive at its intersection with Turleygreen Place. The proposed 158 townhouses are shown in 32 building sticks. Thirteen sticks sit in the middle of the site in three clusters around three interior green open spaces. The rest of the building sticks are located around the central clusters along the main loop street, which eventually returns to Lake Forest Drive. The

northeast corner of the site is largely retained as reforested wetland mitigation area.

The townhouse models included with this SDP are those approved in SDP-0134 and SDP-0315 for East Village, Sections 4 and 10, including Fairfield, Fairmount, and Hazelton townhouses by Ryan Homes and Williamson and Stevenson townhouses by the Haverford Homes. The proposed models have various options like brick facades, shutters, windows, window trim, bay windows and entrance porches. The proposed design features contribute to the overall superior quality of architecture proposed for this development. A condition of approval has been added to ensure that at least 60 percent of the total numbers of units have brick front facades. The proposed lot sizes for townhouses vary from 1,800 to 2,800 square feet. The maximum height of the townhouses is three stories and the maximum lot coverage is 40 percent. The proposed layout of the townhouses ensures that the fronts of the townhouses face the streets and there are no rear-loaded garages. Detailed information, such as types of model and specific building footprints, will be shown at time of building permit.

Since the subject development is located in the interior of a larger project, there is no entrance feature proposed with this SDP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9763-C:** On October 9, 1989, the District Council approved Zoning Map Amendment A-9763-C, subject to 17 conditions and 14 considerations. Of the considerations and conditions attached to the approval of A-9763, the following are applicable to the review of this SDP:

7. **Build-out of residential units within the first six years shall generally be reduced to 1,500 units. After construction of the 1,500th dwelling units, all building permit applications shall be referred to the Prince George's County Public Schools to determine, prior to issuance of building permits, that adequate capacity in public school facilities is available to serve the proposed development or in the alternative, there are schools programmed and funded for construction which will accommodate the development.**

Comment: With the approval of this SDP, the total approved dwelling units through the specific design plan process will be reaching 927 units. The Urban Design staff will closely monitor the dwelling unit number in the future SDP approval and enforce this condition when the cumulative approved dwelling unit number reaches 1,500.

Condition 14. Housing prices in 1989 dollars shall not be lower than the ranges of:

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

Since these figures reflect 1989 dollars, construction after 1989 requires that the District Council review and approve dollar amounts for construction to be constructed at any later year. These dollar amounts shall be reflective of the dollars for the year in which the construction occurs.

Comment: This condition has been carried forward in modified form in Condition 15 of Comprehensive Design Plan CDP-9706. The applicant has previously submitted a letter from ERR Economic Consultants (Patz to Adams, December 8, 1999) stating that the base price of the proposed 130 single-family houses to be built in the East Village will not be lower than \$225,000 in 1989 dollar values. Per the application, the similar assessment for other parts of Beech Tree will be updated annually. Since no information regarding the proposed townhouses in this SDP has been provided, the applicable parts of the above condition have been carried forward as Condition 2 of approval for this SDP.

Condition 16. The District Council shall review all Specific Design Plans for Beech Tree.

Comment: The District Council will be reviewing the subject SDP.

Consideration 3. A minimum 50-foot-wide undisturbed buffer shall be retained along all streams. This area shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and areas of erodible soils.

Consideration 5. The applicant shall demonstrate that the proposed development complies with the Patuxent River Policy Plan criteria.

Comment: The subject SDP is in general compliance with the two conditions according to the review undertaken by the Environmental Planning Section.

Consideration 6. The applicant shall prepare a detailed soils study to demonstrate that the property is geologically suitable for the proposed development.

Comment: A soils study has been submitted for the development contained in this SDP. Per the review by the Environmental Planning Section, the above condition has been fulfilled. The environmental planner indicates that high-risk areas do occur on this portion of the Beech Tree site.

Consideration 12. Traditional names of the property, owner and family homes shall be considered for use within the proposed development.

Comment: The street names in the Beech Tree development are based on the traditional names of property owners and family homes.

8. **Comprehensive Design Plan CDP-9706:** Comprehensive Design Plan CDP-9706 as approved

includes a maximum of 2,400 dwelling units, of which 1,680 are single-family detached, 480 are single-family attached, and 240 are multifamily units, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake, to be built in the Eastern Branch stream valley, will be a central focal point of the golf course and of the development as a whole. The comprehensive design plan for Beech Tree is also proposed to include the following: A club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park, 12.5 acres dedicated to M-NCPPC for a community park, which is located to the west of the subject site, 211 acres dedicated as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education for a middle school site, and a 17-acre site for an elementary school. None of the above amenities is included in the subject SDP. These amenities will be the subject of future SDP.

Comprehensive Design Plan CDP-9706 was approved with 49 conditions, of which the following are applicable to the subject SDP and warrant discussion as follows:

- 5. Prior to approval of building or grading permits, the Natural Resources Division shall review all Technical Stormwater Management Plans approved by the Department of Environmental Resources (DER). The Natural Resources Division shall work with DER and the applicant to ensure that water quality is provided at all storm drain outfalls.**

Comment: This condition has been carried forward as a condition of approval.

- 6. Every Specific Design Plan for Beech Tree shall include on the cover sheet a clearly legible overall plan of the Beech Tree project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted Specific Design Plan numbers, and all approved or submitted Tree Conservation Plan numbers for Beech Tree.**

Comment: The SDP is in compliance with this condition. However, the notes regarding the number of dwelling units approved for the Beech Tree development are not adequate (see below Finding 15(d) for a detailed discussion). A condition of approval has been proposed in the recommendation section of this report.

- 7. Every Specific Design Plan for Beech Tree shall adhere to Stormwater Management Plan # 958009110 or any subsequent revisions. The applicant shall obtain separate Technical Stormwater Plan approvals from DER for each successive stage of development in accordance with the requirements set forth in Concept Plan # 958009110 prior to certificate approval of any SDP.**

Comment: This condition has been met by the applicant with the submission of the

approved stormwater management concept plan 8004950-2000-00 for this SDP.

14. **Prior to approval of each Specific Design Plan for residential use, the applicant shall demonstrate to the satisfaction of the Planning Board and the District Council that prices of proposed dwelling units 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+

In order to ensure that the prices of proposed dwelling units are reflective of dollar values for the year in which the construction occurs, each Specific Design Plan shall include a condition requiring that, prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than the ranges above (in 1989 dollars).

Comment: See above Finding 7 for discussion.

17. **The District Council shall review all Specific Design Plans for Beech Tree.**

Comment: The District Council will be reviewing the subject SDP.

45. **No grading or cutting of trees or tree removal shall occur until after approval of the Specific Design Plan by the District Council.**

Comment: This condition has been carried forward as a condition of approval.

48. **During the SDP approval process, traditional names of the property, owners and family homes shall be considered for use within the proposed development.**

Comment: The street names in the Beech Tree development are based on the traditional names of property owners and family homes.

9. **Preliminary Plan of Subdivision 4-00010:** The Preliminary Plan of Subdivision 4-00010, which covers the subject site, was approved (PGCPB No. 00-127) by the Planning Board on July 6, 2002, subject to 30 conditions. The following conditions of approval attached to 4-00010 are applicable to this specific design plan review:

8. **As part of the submission of a Specific Design Plan (SDP) for any High Risk Area, the applicant, his heirs, successors and/or assigns shall submit a geotechnical report for approval of M-NCPPC Environmental Planning Section, the Prince George's County Department of Public Works and Transportation, and the Prince George's County Department of Environmental Resources. The SDP shall show the proposed**

1.5 Safety Factor Line. Adjustments to lot lines and the public rights-of-way shall be made during the review of the SDP. No residential lot shall contain any portion of unsafe land.

Comment: A geotechnical report for this portion of the Beech Tree site has been reviewed and found by the Environmental Planning Section to meet all requirements. The Environmental Planning staff have reviewed SDP-0410 and determined that high-risk areas do occur on this portion of the Beech Tree site.

10. **Special Purpose Specific Design Plan SDP-9905 for Community Character:** SDP-9905 is a special purpose specific design plan pursuant to Condition 12 of Comprehensive Design Plan CDP-9706 that was devoted to elements of streetscape including but not limited to street trees, entry monuments, signage, special paving at important facilities and intersections, and design intentions in the neotraditional area of the East Village. The SDP also addressed utilizing distinctive landscape treatments to emphasize important focal points, intersections and trail heads, and a concentration of particular species as an identifying feature for particular neighborhoods. The SDP was approved by the Planning Board on October 14, 1999. The subject SDP is in general compliance with Special Purpose Design Plan SDP-9905 for community character.
11. **Infrastructure Specific Design Plan SDP-9907:** SDP-9907 is an infrastructure specific design plan for the East Village consisting of 130 single-family detached residential lots. However, SDP-9907 included, for the first time, a staging plan and the accompanying transportation improvements needed for the various development stages of Beech Tree. The Planning Board approved SDP-9907 on June 8, 2000, subject to 14 conditions, of which only the staging and transportation improvements related conditions are applicable to the review of this SDP, as follows:
 11. **If in the future, the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.**

Otherwise, with each subsequent SDP, the applicant shall provide evidence, in the form of a letter to the Planning Department, of (1) the aggregate number of building permit issuances for residential units, (2) the Phase within which the number of units for the proposed SDP would fall, and (3) the status of the associated transportation improvements. This letter shall be compared to the Staging Plan for transportation improvements in effect at that time in order to evaluate the adequacy of transportation facilities for report to the Planning Board.

Comment: By a letter dated March 11, 2005 (Stoves to Burton), the applicant provided the evidence to fulfill the above three specific requirements. The review by the Transportation Planning Section indicates that the proposed development will be adequately served within a reason period of time with transportation facilities.

12. **Prior to the issuance of any residential building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100% funded in a CIP/CTP or otherwise provided by the applicant, heirs, successors or assigns:**

Leeland Road

Widen the one-lane bridge approximately 3,500 feet west of US 301 to 22 feet of paving in accordance with DPW&T standards.

13. **The applicant shall provide right-of-way dedication and improvements along Leeland Road as required by DPW&T.**

Comment: According to the applicant, the above-mentioned improvement is included in Phase II residential development and has been bonded with the Prince George's County Department of Public Works and Transportation.

The applicant also indicates in the letter that the proposed dwelling units will be developed at Phase III residential development and will be falling into the building permit range of 132–1,000. Per the staging plan as approved with SDP-9907, the following improvements are required:

3. **Prior to the issuance of the one hundred and thirty second (132nd) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:**
- a. **Widen southbound US 301 to provide three (3) exclusive through lanes from 1,000 feet north of Trade Zone to 2,000 feet south of Trade Zone Avenue.**
 - b. **Construct internal site connection from Beech Tree Parkway to Leeland Road.**
 - c. **Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.**

The above requirements have been incorporated into the conditions of approval for this SDP, specifically as Condition 6 in the recommendation section of this report.

12. **Umbrella Specific Design Plan SDP-0001 for Architecture:** SDP-0001 is an umbrella specific design plan for architecture for the entire Beech Tree development. The SDP was approved by the Planning Board on June 8, 2000, subject to three conditions. Original SDP-0001 was approved with 16 architectural models for the proposed single-family detached units in the East Village, but the approved models can be used in any other portions of the Beech Tree development. Since the

approval of SDP-0001, three revisions to the original approval have been approved. Of the three conditions attached to the approval of SDP-0001, none is applicable to the review of this SDP because this SDP does not include any single-family detached residential units. The townhouse models used in this SDP will be chosen from the townhouse models as approved with SDP-0134 and SDP-0315 for East Village, Sections 4 and 10.

13. **Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of Zoning Ordinance as follows:

- a. The proposed 158 single-family attached dwelling (townhouse) units are part of a larger project known as Beech Tree, which is the subject of numerous approvals. Therefore, the subject SDP is in general compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 with regards to permitted uses and other regulations such as general standards and minimum size of property.
- b. The proposed single-family attached portion of this application will use townhouse models approved under Specific Design Plans SDP-0314 and 0315. For the general layout and other design considerations, the subject specific design plan must conform to the following design guidelines for townhouses in the Zoning Ordinance. Section 27-274(a)(1)(B), Design Guidelines, of the Zoning Ordinance states that the plan shall be designed in accordance with the following guidelines:

(B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.

(11) Townhouses and three-family dwellings.

(A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.

Comment: Type II Tree Conservation Plan TCP/II/49/98-07 recommends preservation of the existing wooded areas only along the perimeter of the site, specifically along the site's western and southern boundaries and part of the eastern boundary. No woodland preservation area has been shown within the

subject site due to the poor quality of the woodland. The subject SDP is consistent with Type II Tree Conservation Plan.

- (B) **Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**

Comment: All the townhouse units are fronting on the internal streets. The 158 townhouses are distributed in 32 buildings. The layout is acceptable and generally conforms with this requirement.

- (C) **Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

Comment: The recreational facilities are not located immediately adjacent to the proposed townhouses but are within walking distance of the townhouses.

- (D) **To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

Comment: The designs of the abutting units to the extent possible avoid using repetitive architectural elements. A variety of architectural features and design treatments such as rooflines, window and door treatments, projections, colors, and materials have been employed in the elevation designs.

- (E) **To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively,**

the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.

Comment: The above requirement is not readily applicable to this SDP because there are no parking lots or public rights-of-way adjacent to the rears of the proposed townhouse units. The layout of the townhouses ensures that the fronts of the townhouses face the streets; the rears back up to the floodplain and the park to the extent possible.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

Comment: Various design elements like bay windows, trims, building projections, and porches have been used to create offsets for the buildings and to give them an aesthetically pleasing appearance.

- c. The proposed 158 townhouse units are in general compliance with the requirements of Section 27-480, General development regulations. The proposed townhouses are shown in five or six units per building stick. The proposed minimum width of the internal dwellings is 24 feet, which is well above the required 20 feet for internal dwellings. The minimum base finished area for each townhouse unit is 1,920 square feet, which is also much larger than the required 1,250 square feet. All the townhouse units have a full front façade of brick.

In addition, Section 27-480 requires a minimum of 60 percent of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Per the applicant, the models to be used in this SDP are those models approved previously. However, since no elevations have been provided with this SDP, a condition of approval has been added to ensure that a minimum of 60 percent of the total number of units has a brick front façade.

- d. Section 27-528, requires the following findings for approval of a specific design plan:

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

(1) The plan conforms to the approved Comprehensive Design Plan and the applicable standards of the Landscape Manual.

Comment: As stated in Findings 8 and 14, the proposed specific design plan conforms to the approved comprehensive design plan and the applicable standards of the *Landscape Manual*.

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

Comment: Findings for adequate public facilities including fire rescue, police, and transportation have been normally made in conjunction with the preliminary plan of subdivision. In this case, a complete staging plan and the accompanying transportation improvements for the entire Beech Tree development were not approved until the Planning Board approved SDP-9907 on June 8, 2000. Per a review by the Transportation Planning Section (June 7, 2005, Burton to Zhang), the subject SDP proposal is consistent with the previous transportation adequacy findings. The staff finds that the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future.

- (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 Department of Environmental Resources has stated that the proposal is consistent with approved stormwater management concept plan 008004950. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

Comment: As indicated in Finding 15 below, Type II Tree Conservation Plan TCPII/49/98-07 has been submitted with this SDP. TCPII/49/98-07 has been found to meet the requirements of the Woodland Conservation Ordinance according to the review by the Environmental Planning Section. The Environmental Planning Section recommended approval of the subject SDP and TCPII/49/98-07 subject to three conditions that have been incorporated into the recommendation section of this report.

14. **Landscape Manual:** The proposed construction of single-family detached and attached houses in R-S Zone is subject to Section 4.1, Residential Requirements, and not subject to Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*. But the *Landscape Manual* should be used as a guide to appropriate standards in the Comprehensive Design Zone.
- a. The subject SDP includes 158 townhouse units. Per Section 4.1(f), a minimum of 1.5 major shade trees and one ornamental or evergreen tree per dwelling unit are required to

be either planted on individual lots or in common open space. The landscape plan provides 237 shade trees, 158 ornamental trees and evergreen trees and thus complies with the *Landscape Manual*.

- b. The proposed townhouse units are adjacent to the west and to the south to the rear yards of single-family detached houses in other sections of the North Village. But per Section 4.7, Buffering Incompatible Uses, the regulations to buffer incompatible uses are not applicable to this SDP. The landscape plan proposes a mixture of a landscaped strip and existing woodland along the aforementioned boundary lines with the plant units based on the requirements of a Type B bufferyard, which is a 20-foot-wide landscaped strip with 80 plant units per each 100 linear feet of the property line, of Section 4.7. The proposed landscaped treatment is equal to the minimum requirements of Section 4.7. However, the landscape plan should be revised to graphically label the landscaped strip and to delete any reference to Section 4.7. A condition of approval has been proposed in the recommendation section of this report.
15. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and there is a previously approved Tree Conservation Plan, TCP I/73/97.
- a. The detailed forest stand delineation (FSD) was previously reviewed with the approval of CDP-9407 and Type I Tree Conservation Plan, TCP I/73/97, and was found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. No further information is required with respect to the FSD at this time.
 - b. A Type II Tree Conservation Plan, TCP II/49/98, was initially approved with SDP-9803 for the golf course, which covers the entire site. As each specific design plan is approved for the Beech Tree development, TCP II/49/98 will be revised. The Type II Tree Conservation Plan, TCP II/49/98-07, submitted with this application has been reviewed and was found to be in compliance with the previously approved Type I tree conservation plan and to address the requirements of the Woodland Conservation Ordinance, subject to certain conditions.
16. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. The Community Planning Division (Foster to Zhang, May 27, 2005) has stated that there are no master plan or General Plan issues related to this specific design plan. General Plan and master plan issues were addressed during the review of the preliminary plan of subdivision application.
 - b. The Transportation Planning Section (Burton to Zhang, June 7, 2005) has listed all the

required transportation improvements accompanying the staging plan for the entire Beech Tree project as approved with Infrastructure Specific Design Plan SDP-9907. The transportation planner concludes that the subject development as proposed in SDP-0410 will be adequately served within a reasonable period of time. The transportation improvements that are applicable to the subject SDP have been identified and incorporated into the conditions of approval of this SDP.

In a separate memorandum (Shaffer to Zhang, May 31, 2005) on specific design plan review for master plan trail compliance, the Transportation Planning Section has noted that there are no master plan trails issues with this case because no trails are included in this SDP proposal. The sidewalks, as reflected on the site plan along both sides of all internal streets, should accommodate internal pedestrian movement through the North Village and to the nearby internal trails and master plan trail.

- c. The Environmental Planning Section (Stasz to Zhang, May 3, 2005) has provided a comprehensive review of both the larger Beech Tree project and the subject SDP. The planner has recommended approval of Specific Design Plan SDP-0410 and TCP II/49/98-07 subject to three conditions, which have been incorporated into the recommendation section of this report.
- d. The Subdivision Section (Chellis to Zhang, April 26, 2005) has indicated that the property is the subject of Preliminary Plan of Subdivision 4-00010 and listed the conditions of approval that are applicable to this SDP. See above Finding 9 for a discussion on the conditions attached to the approval of 4-00010 that are applicable to the review of this SDP. The Subdivision reviewer also has a discussion on the total dwelling units and unit mix of the Beech Tree project.

Comment: On October 9, 1989, the Prince George's County District Council approved Zoning Map Amendment A-9763-C and accompanying basic plan for the subject site (Zoning Ordinance 61-1989) with 17 conditions and 14 considerations, and with the following land use quantities and dwelling unit distribution:

Land Use Quantities*

Gross Residential Acreage:	1,194 acres
Less Half-floodplain Acreage:	<u>91 acres</u>
Base Residential Acreage:	1,103 acres
Base Residential Intensity (1,103 x 1.6)	1,765 units
Max. Residential Intensity (1,103 x 2.6)	2,869 units

(*Detailed surveys of the northern portion of the site have resulted in a more accurate determination of the amount of floodplain along the Collington Branch. The applicant has now determined that there are 220 total acres of flood plain in

the R-S Zone. Thus, half of the floodplain acreage would amount to 110 acres, and the base residential acreage would be $1,194 - 110 = 1,084$ acres, not 1,103 acres. Similarly, the base residential intensity would be 1,734 dwelling units and the maximum residential intensity would be 2,818 dwelling units.)

Dwelling Unit Percentages*

Minimum Single Family Detached:	37%
Maximum Townhouses (Attached):	37%
Maximum Multifamily:	26%

(*The percentage distribution of different dwelling unit types described above is no longer allowed by the Zoning Ordinance. CB-56-1996 revised Section 27-515 of the Zoning Ordinance to require the following distribution in the R-S Zone, which is codified in Section 27-515(b) Footnote 29: Townhouses—no more than 20 percent; Multifamily—no more than 10 percent; Single-Family Detached—no less than 70 percent.)

At the time of Comprehensive Design Plan CDP-9706 approval, the applicant proposed a total of 2,400 dwelling units with the following unit mix:

Single-family detached	1,680 units	70%
Single-family attached (townhouse)	480 units	20%
Multifamily	240 units	10%

So far three preliminary plans of subdivision have been approved with a total of 2,351 units, of which 240 are multifamily units, 377 are single-family attached (townhouses), and 1,734 are single-family detached units. Based on the SDP notes on the subject SDP provided with this application and the Development Review Division Beech Tree record, a total of 624 single-family detached and 145 single-family attached (townhouses) units have been approved. With the approval of 158 townhouse units as proposed in the subject SDP, the total of townhouse units will be 303, and total of the approved units for the Beech Tree Project will be 927. The site plan notes regarding the approved dwelling units for the Beech Tree Project are inadequate. A condition of approval has been proposed in the recommendation section of this report.

- e. The Permit Section (Stone to Zhang, April 27, 2005) has made five comments on the subject SDP regarding the plan's compliance with the Zoning Ordinance. The relevant comments have been incorporated into the conditions of approval of this SDP.
- f. The Department of Environmental Resources (Nicol to Zhang, May 5, 2005) has stated that the site plan for Beech Tree, North Village, Section 6, SDP-0410 is consistent with approved stormwater concept plan 4004-2005.

- g. The Department of Parks and Recreation (DPR) (Asan to Zhang, 2005) has recommended four conditions of approval that have been incorporated into the recommendation section of this report.
- h. The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Zhang, June 14, 2005) has reviewed the subject SDP for adequacy of public facilities and found that the existing fire engine and ambulance service are beyond the respective response time guidelines. In order to alleviate the negative impact on fire and rescue services due to the inadequate services listed, the planners recommend one condition that has been incorporated into the recommendation section of this report.

The planners also have reviewed the existing police facilities and concluded that the police facility will adequately serve the population generated by the proposed development.

- i. The Department of Public Works and Transportation (DPW&T) (Hijazi to Zhang, May 4, 2005) has provided a standard referral commenting on street trees, lighting, sidewalks, frontage improvement, storm drainage system and soil investigation for public streets. The requirements of DPW&T will be enforced at time of road permits review by the DPW&T.

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 11 Tree Conservation Plan (TCP11/49/98-07), and further APPROVED Specific Design Plan SDP-0410 for the above-described land, subject to the following conditions:

- 1. Prior to certificate approval of this specific design plan, the applicant shall
 - a. Revise site plans and landscape plans as follows:
 - (1) Provide parking calculations including all garages, on-street parking spaces, and parking for the physically handicapped; and dimensions of all types of parking spaces.
 - (2) Revise the cover sheet of the plan to correctly state that the total number of the proposed townhouse units in this SDP is 158.
 - (3) Label the parking space(s) for the physically handicapped on the site plans.
 - (4) Add a site plan note as follows:

“At least 60 percent of the total number of units shall have brick or other masonry front facades.”
 - (5) Label PUE on all applicable site plan sheets.

- (6) Delete any reference to Section 4.7 bufferyards and the respective schedules from the landscape plan.
 - (7) Revise the site plan notes to provide the most recent information regarding total cumulative approved dwelling units on specific design plans for Beech Tree.
 - (8) Add a brick elevation tracking table to the site plan.
 - b. Revise Type II Tree Conservation Plan, TCPII/49/98-07, as follows:
 - (1) Replace the worksheet on sheet 46 with a TCPII phased worksheet that shows the acreage of each phase.
 - (2) Have the revised plan signed and dated by the qualified professional who prepared the plan.
2. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than \$150,000.00 for a single-family attached house (in 1989 dollars).
3. Prior to approval of building or grading permits, the M-NCPPC Environmental Planning Section shall review all technical stormwater management plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the Habitat Management Program and that water quality is provided at all stormdrain outfalls. If revisions to the TCPII are required due to changes to the technical stormwater management plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.
4. Prior to issuance of any building permit, a soils report addressing specific remedies and their locations in all areas where Marlboro clay presents development problems shall be reviewed and approved by the M-NCPPC Environmental Planning Section and the Prince George's County Department of Environmental Resources. The report shall include a map showing all borehole locations, logs of all of the boreholes, and shall identify individual lots where Marlboro clay poses a problem.
5. At the time of building permit, exact building footprints shall be shown on the site plan and height information for each townhouse model also shall be provided on the building elevations.
6. Prior to issuance of the 132nd building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - a. Widen southbound US 301 to provide three exclusive through lanes from 1,000 feet north of Trade Zone Avenue to 2,000 feet south of Trade Zone Avenue.

- b. Construct internal site connection from Beech Tree Parkway to Leeland Road.
 - c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.
7. Prior to issuance of any permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.
 8. At time of issuance of building permit, the applicant shall pay the fair share of \$201.65 per unit for ambulance service for 158 units in this SDP to the Treasury of Prince George's County toward the provision of the Leeland Road Fire Station and ambulance services to alleviate the existing inadequacy of services.
 9. No grading or cutting of trees or tree removal on the site (covered by SDP-0410) shall occur until after approval of the specific design plan by the District Council.

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 Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 7, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:mas

CERTIFICATE OF APPROVAL

BEECH TREE, NORTH VILLAGE, SECTION 6
SDP-0410/01

This revision to a Specific Design Plan was approved on November 25, 2008 by the Development Review Division as designee of the Planning Director in accordance with Subtitle 27, Part 8, Division 4 of the Prince George's County Code.

This revision is for the purpose of revising interior lot lines affecting 34 lots in order to reduce interior lot widths to 22 feet and to approve architectural models, Hazelton and Norwood.

The Planning Director's approval of this Specific Design Plan is consistent with the required findings in Section 27-530(b) of the Prince George's County Zoning Ordinance. Conditions of the original approval shall remain in full force and effect.

This approval includes:

- 1 Cover Sheet
- 1 Approval Sheet
- 1 Specific Design Plan
- 2 Landscape Plans
- 1 Template Sheet
- 7 Architectural Elevations

Any departure from this Plan shall be resubmitted to the Planning board for approval

APPROVED BY AUTHORITY OF: Fern V. Piret, Planning Director

By

Steven D. Adams
Urban Design Supervisor, Development Review Division

Case No.: SDP-0410/02

Applicant: VOB L.P.

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

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision in Resolution PGCPB No. 09-154, approving with conditions a specific design plan for the addition of one single-family attached architectural model to previously approved SDP 0410, in the Beech Tree community, located on the west side of MD 301, south of Leeland Road, in the north-central area of the Beech Tree development, Upper Marlboro, is hereby:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building groups containing three units.
2. Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:

- a. Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features;
or
 - b. Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side entry door.
3. Prior to the approval of each dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than \$150,000 (in 1989 dollars) for a single-family attached house.
 4. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan cover sheet to provide the most recent information regarding all approved and submitted specific design plans for Beech Tree. All phase or section numbers shall also be labeled on the overall plan on the cover sheet.
 5. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan to indicate that a one-story stone or brick watertable will be standard on all side elevations.
 6. The following number of 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):
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building group containing three units.
 7. The following lots which back to either the golf course or to single family detached homes, shall have a rear deck:

Lots 1 through 6
Lots 24 through 27
Lots 28 through 33
Lots 34 through 39
Lots 40 through 43
Lots 44 through 47
Lots 48 through 51
Lots 52 through 57
Lots 75 through 80
Lots 81 through 85
Lots 86 through 89
Lots 90 through 94

Lot 101
Lots 102 through 103
Lots 111, 112, 113, 120, 121, 129, 130, 140, 146, 150

8. The following lots shall have side entry units:

Lots 1, 6, 7, 12, 13, 23, 24, 27, 28, 33, 34, 39, 40, 43, 44, 51, 52, 89, 93,
94, 101, 102, 112, 113, 120, 121, 125, 126, 129, 130, 135, 136,
140, 145, 146, 150

9. The following lots shall have fenced rear yards with full private patios:

Lots 1 through 6
Lots 24 through 27
Lots 28 through 33
Lots 34 through 39
Lots 40 through 43
Lots 44 through 47
Lots 48 through 51
Lots 52 through 57
Lots 75 through 80
Lots 81 through 85
Lots 86 through 89
Lots 90 through 93
Lots 94 through 97
Lots 98 through 101
Lots 102 through 107
Lots 108 through 112
Lots 113 through 116
Lots 117 through 120
Lots 121 through 125
Lots 126 through 129
Lots 130 through 135
Lots 136 through 140
Lots 141 through 145
Lots 146 through 150
Lots 151 through 154
Lots 155 through 158

10. The area of basements and garages shall not be counted, in calculating the total living area of a residential unit.

Ordered this 25th day of January, 2010, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Exum, Knotts, Olson and Turner

Opposed:

Abstained:

Absent: Council Member Harrison

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: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

RESOLUTION

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 October 22, 2009, regarding Specific Design Plan SDP-0410/02 for Beech Tree, North Village, Section 6, Architecture, the Planning Board finds:

1. **Request:** The subject application is for the addition of one single-family attached architectural model to the previously approved Specific Design Plan SDP-0410. The architecture can be built on any townhouse lot, with a minimum width of 24 feet, within the area covered by SDP-0410 which consists of a total of 158 single-family attached lots in the R-S Zone.

2. **Development Data Summary**

	EXISTING	APPROVED
Zone(s)	R-S	R-S
Use(s)	Single-family attached (townhouse)/Vacant	Single-family attached (townhouse)
Acreage	22.74	22.74
Lots	158	158

3. **Location:** The larger Beech Tree project site is located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by SDP-0410, North Village, Section 6, is in the north-central area of the Beech Tree development and is located around the T-intersection of Lake Forest Drive and Turleygreen Place.

4. **Surroundings Uses:** The subject site of Specific Design Plan SDP-0410/01 is located along an internal street, Lake Forest Drive, of the Beech Tree development. The site is bounded to the north and west by single-family detached houses in North Village, Section 1; to the south by the single-family detached houses in North Village, Section 3; to the southeast by the golf course; and to the northeast by R-A-zoned property outside of the Beech Tree project.

The Beech Tree development, as a whole, is bounded on the north by Leeland Road; on the east by Robert Crain Highway (US 301); on the south and west by various residentially zoned (including R-A, Residential-Agricultural; R-E, Residential-Estate; and R-U, Residential Urban Development) properties.

5. **Previous Approvals:** The subject site covers 158 single-family attached dwelling units (townhouses) within the larger Beech Tree project, which was rezoned from the R-A Zone to the

R-S (2.7-3.5) Zone through Zoning Map Amendments A-9763 and A-9763-C, for 1,765 to 2,869 dwelling units. Zoning Map Amendment A-9763-C was approved (Zoning Ordinance No. 61-1989) by the District Council on October 9, 1989, subject to 17 conditions and 14 considerations. On July 14, 1998, Comprehensive Design Plan CDP-9706 for the entire Beech Tree development was approved by the District Council, subject to 49 conditions. Following the approval of CDP-9706, three Preliminary Plans of Subdivision were approved: 4-98063 for the golf course; 4-99026 for 458 lots and 24 parcels; and 4-00010 for 1,653 lots and 46 parcels.

Two specific design plans for the entire site have also been approved for the Beech Tree development. Specific Design Plan SDP-9905, which was approved by the District Council on October 22, 2000, is a special-purpose SDP for community character. Specific Design Plan SDP-0001, which was approved by the District Council on October 30, 2000, is an umbrella approval for single-family detached architecture for the entire Beech Tree development. SDP-0001 has been revised ten times and three other revisions are currently under review. In addition, there are another 20 approved specific design plans for various sections of the Beech Tree development.

One revision has been made to SDP-0410 since it was approved by the Planning Board in 2005, Specific Design Plan SDP-0410/01, which revised 34 lot lines and added two architectural models. The subject SDP is the second revision to SDP-0410.

6. **Design Features:** The subject SDP approves the addition of one single-family attached (townhouse) architectural model by Ryan Homes to previously approved SDP-0410, which covers Section 6 in the North Village of Beech Tree and consists of 158 front-loaded townhouse lots.

Model	Base Square Footage
Lafayette	2,156

Townhouse models Fairfield, Fairmount, and Hazelton by Ryan Homes and Williamson and Stevenson by Haverford Homes were previously approved for this site under Specific Design Plan SDP-0410. The approved model has various options such as partial and full brick façades, paneled shutters, and specialty windows, including optional bay windows accented with standing seam metal roofing. All units feature high-quality detailing such as brick jack arch with keystone or other crosshead treatments above windows and garages, front entries defined with pilasters, and first floor brick façades are capped with a brick rowlock and soldier course. The approved elevations feature architectural shingles on all roofs. Previously approved models have base square footages of 1,250 square feet to 2,109 square feet. The approved model is three stories, 24 feet wide, and has a base square footage of 2,156 square feet. The construction materials and detailing used for the Lafayette model are consistent with models previously approved in the Beech Tree development. No new materials are being introduced. The design features contribute the overall superior quality of architecture proposed for this development and are in keeping with previously approved architectural models.

At the Planning Board hearing, the applicant proffered two conditions that will require a standard one-story brick or stone watertable on all side elevations and standard reverse gables or dormers on

four dwelling units in a continuous building group containing five or six units, three dwelling units in a building group containing four units, or two dwelling units in any building group containing three units.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9763-C:** On October 9, 1989, the District Council approved Zoning Map Amendment A-9763-C, subject to 17 conditions and 14 considerations. Of the considerations and conditions attached to the approval of A-9763, the following are applicable to the review of this SDP:

14. **Housing prices in 1989 dollars shall not be lower than the ranges of:**

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

Since these figures reflect 1989 dollars, construction after 1989 requires that the District Council review and approve dollar amounts for construction to be constructed at any later year. These dollar amounts shall be reflective of the dollars for the year in which the construction occurs.

This condition has been carried forward in modified form in Condition 15 of Comprehensive Design Plan CDP-9706. The applicable parts of the above condition have been carried forward as Condition 3 of approval for this SDP and will be enforced prior to the issuance of building permits.

16. **The District Council shall review all Specific Design Plans for Beech Tree.**

The District Council will be reviewing the subject SDP.

8. **Comprehensive Design Plan CDP-9706:** Comprehensive Design Plan CDP-9706, as approved, includes a maximum of 2,400 dwelling units, of which 1,680 are single-family detached, 480 are single-family attached, and 240 are multifamily units, located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course is integrated into the residential communities. A 30-acre lake, located in the Eastern Branch stream valley, is a central focal point of the golf course and of the development as a whole. The comprehensive design plan for Beech Tree also includes the following: A club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park, 12.5 acres dedicated to M-NCPPC for a community park, which is located to the west of the subject site, 211 acres dedicated as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be

conveyed to the Board of Education (BOE) for a middle school site, and a 17-acre site for an elementary school. The above amenities are not included in the subject SDP.

Comprehensive Design Plan CDP-9706 was approved with 49 conditions, of which the following are applicable to the subject SDP and warrant discussion as follows:

6. **Every Specific Design Plan for Beech Tree shall include on the cover sheet a clearly legible overall plan of the Beech Tree project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted Specific Design Plan numbers, and all approved or submitted Tree Conservation Plan numbers for Beech Tree.**

Since the approval of SDP-0410, a number of Beech Tree projects have been approved that are not reflected on the existing cover sheet. A condition has been included which requires the applicant to update the cover sheet prior to certification of the specific design plan.

7. **Every Specific Design Plan for Beech Tree shall adhere to Stormwater Management Plan #958009110 or any subsequent revisions. The applicant shall obtain separate Technical Stormwater Plan approvals from DER for each successive stage of development in accordance with the requirements set forth in Concept Plan #958009110 prior to certificate approval of any SDP.**

The approval of one additional architectural model will have no effect on previous findings of conformance to Stormwater Management Concept Plan 8004950-2000-00, made with the approval of SDP-0410.

14. **Prior to approval of each Specific Design Plan for residential use, the applicant shall demonstrate to the satisfaction of the Planning Board and the District Council that prices of proposed dwelling units 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+**

In order to ensure that the prices of proposed dwelling units are reflective of dollar values for the year in which the construction occurs, each Specific Design Plan shall include a condition requiring that, prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than the ranges above (in 1989 dollars).

See Finding 7 above for discussion.

17. **The District Council shall review all Specific Design Plans for Beech Tree.**

The District Council will be reviewing the subject SDP.

9. **Umbrella Specific Design Plan SDP-0001 for Architecture:** Specific Design Plan SDP-0001 is an umbrella specific design plan for single-family detached architecture for the entire Beech Tree development. The SDP was approved by the Planning Board on June 8, 2000, subject to three conditions. Of the three conditions attached to the approval of SDP-0001, none are applicable to the review of this SDP because this SDP does not include any single-family detached residential units.

10. **Specific Design Plan SDP-0410:** Specific Design Plan SDP-0410 is a specific design plan for the development of 158 single-family attached lots for Beech Tree North Village, Section 6. The SDP was approved by the District Council on November 28, 2005, subject to nine conditions. Five architectural models were approved with SDP-0410. One revision to SDP-0410 has been approved. The subject SDP is the second revision. Of the nine conditions attached to the original approval of SDP-0410, the following are applicable to the review of this SDP and warrant discussion as follows:

(1)(d) Add a site plan note as follows:

- A. **“At least the following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade of (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:**
 - “(1) Four dwelling units in any building group containing five or six units; or
 - “(2) Three dwelling units in any building group containing four units; or
 - “(3) Two dwelling units in any building groups containing three units.

- B. **“Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:**
 - “(1) Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features; or
 - “(2) Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side entry door.”

These notes were added to the cover sheet with the approval of SDP-0410. This condition has been carried forward as a condition of approval of this specific design plan to ensure that all units are built in conformance with these requirements.

11. **Zoning Ordinance:** The subject SDP is in compliance with the applicable requirements of the Zoning Ordinance as follows:
 - a. The approved 158 single-family attached dwelling (townhouse) units are part of a larger project known as Beech Tree, which is the subject of numerous approvals. The subject SDP is in compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 of the Zoning Ordinance with regard to permitted uses and other regulations such as General Standards and minimum size of property.
 - b. Section 27-528 requires the following findings for approval of a specific design plan:
 - (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**
 - (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), 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);**

As stated in Findings 8 and 15, the proposed specific design plan conforms to the approved comprehensive design plan and the applicable standards of the *Prince George's County Landscape Manual*.

Section 27-274(a), Design Guidelines, states that the plan shall be designed in accordance with the following guidelines:

- (1)(B) **The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.**
- (11) **Townhouses and three-family dwellings.**

- (A) **Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**

The approved Type II Tree Conservation Plan, TCPII/49/98-07, shows preservation of the existing wooded areas only along the perimeter of the site, specifically along the site's western and southern boundaries and part of the eastern boundary. No woodland preservation area has been shown within the subject site due to the poor quality of the woodland. The subject SDP does not propose any changes that affect the previously approved Type II tree conservation plan.

- (B) **Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**

Previously approved SDP-0410 was found to be in conformance with this requirement. All the townhouse units are fronting on the internal streets and the 158 townhouses are distributed in 33 buildings. The subject SDP does not propose any changes to the existing approved layout.

- (C) **Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**

The recreational facilities are not located immediately adjacent to the proposed townhouses but are within walking distance of the townhouses.

- (D) **To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

The designs of the abutting units avoid the use of repetitive architectural elements. A variety of architectural features and design treatments such as rooflines, window and door treatments, projections, colors, and materials have been employed in the elevation designs.

- (E) **To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.**

The above requirement is not applicable to this SDP because there are no parking lots or public rights-of-way adjacent to the rears of the townhouse units. The previously approved layout of the townhouses ensures that the fronts of the townhouses face the streets; the rears back up to the floodplain and the park to the extent possible. The subject SDP does not propose any changes to the existing layout.

- (F) **Attention should be given to the aesthetic appearance of the offsets of buildings.**

Various design elements like bay windows, trims, and building projections have been used to create offsets for the buildings and to give them an aesthetically pleasing appearance.

The approved townhouse model is in compliance with the requirements of Section 27-433(d) of the Zoning Ordinance regarding regulations for townhouse developments. The townhouse units are shown in four, five, or six-building sticks. The width of the architectural model is 24 feet, which is greater than the required 20 feet for internal dwellings. The minimum based finished area for the townhouse unit is 2,156 square feet, which exceeds the required 1,250 square feet. End and rear wall elevations for the approved model also exceed the minimum requirement of two architectural features. Side elevations show a brick first floor as a standard feature and windows with trim and shutters.

In addition, Section 27-433(d)(7) requires that a minimum of 60 percent of all townhouse units in a development have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. A condition attached to the approval of SDP-0410, regarding minimum brick requirements, has been carried forward to the subject Specific Design Plan, SDP-0410/02.

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

Findings for adequate public facilities including fire and rescue, police, and transportation have been normally made in conjunction with the preliminary plan of subdivision. In this case, a complete staging plan and the accompanying transportation improvements for the entire Beech Tree development were not approved until the Planning Board approved SDP-9907 on June 8, 2000. SDP-0410 was found to be consistent with the previous transportation adequacy findings. The Planning Board found that the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future. The subject SDP does not propose any changes that will affect the above findings.

- (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.**

The Department of Environmental Resources (DER) found SDP-0410 to be consistent with approved Stormwater Management Concept Plan 008004950. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties. The subject SDP does not propose any changes that would affect the above findings.

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

A Type II Tree Conservation Plan, TCPII/49/98-07, was approved with Specific Design Plan SDP-0410 and found to meet the requirements of the Woodland Conservation and Tree Preservation Ordinance. No changes to that plan are proposed as a part of the subject SDP.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building groups containing three units.
2. Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:
 - a. Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features; or
 - b. Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side entry door.
3. Prior to the approval of each dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than \$150,000 (in 1989 dollars) for a single-family attached house.
4. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan cover sheet to provide the most recent information regarding all approved and submitted specific design plans for Beech Tree. All phase or section numbers shall also be labeled on the overall plan on the cover sheet.
5. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan to indicate that a one-story stone or brick watertable will be standard on all side elevations.
6. The following number of 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):

- a. Four dwelling units in any building group containing five or six units; or
- b. Three dwelling units in any building group containing four units; or
- c. Two dwelling units in any building group containing three units.

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 Cavitt, with Commissioners Squire, Cavitt and Parker voting in favor of the motion, and with Commissioners Clark and Vaughns absent at its regular meeting held on Thursday, October 22, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of November 2009.

Patricia Colihan Barney
Acting Executive Director

By Frances J. Guertin
Planning Board Administrator

PCB:FJG:SM:arj

Case No.: SDP-0410/04

Applicant: VOB L.P.

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

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision in Resolution PGCPB No. 10-88, approving with conditions a specific design plan for the addition of one single-family attached architectural model, to the previously approved Specific Design Plan SDP-0410, for property in the Beech Tree, North Village (Section 6) community, located on the west side of Robert Crain Highway (US 301), just south of the intersection of Leeland Road and US 301, Upper Marlboro, is:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council.

1. The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building groups containing three units.

2. Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:
 - a. Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features; or
 - b. Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side entry door.

3. Prior to the approval of each building permit for a dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than \$150,000 (in 1989 dollars) for a single-family attached house.
4. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan cover sheet to provide the most recent information regarding all approved and submitted specific design plans for Beech Tree. All phase or section numbers shall also be labeled on the overall plan on the cover sheet.
5. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan to indicate that a one-story stone or brick water table will be standard on all side elevations.
6. The following number of 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):
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building group containing three units.
7. The following lots which back to either the golf course or to single family detached homes, shall have a rear deck:
 - Lots 1 through 6
 - Lots 24 through 27
 - Lots 28 through 33
 - Lots 34 through 39
 - Lots 40 through 43
 - Lots 44 through 47
 - Lots 48 through 51
 - Lots 52 through 57
 - Lots 75 through 80
 - Lots 81 through 85
 - Lots 86 through 89
 - Lots 90 through 94
 - Lot 101
 - Lots 102 through 103
 - Lots 111, 112, 113, 120, 121, 129, 130, 140, 146, 150

8. The following lots shall have side entry units:

Lots 1, 6, 7, 12, 13, 23, 24, 27, 28, 33, 34, 39, 40, 43, 44, 51, 52, 89, 93, 94, 101, 102, 112, 113, 120, 121, 125, 126, 129, 130, 135, 136, 140, 145, 146, 150

9. The following lots shall have fenced rear yards with full private patios:

Lots 1 through 6
 Lots 24 through 27
 Lots 28 through 33
 Lots 34 through 39
 Lots 40 through 43
 Lots 44 through 47
 Lots 48 through 51
 Lots 52 through 57
 Lots 75 through 80
 Lots 81 through 85
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 Lots 90 through 93
 Lots 94 through 97
 Lots 98 through 101
 Lots 102 through 107
 Lots 108 through 112
 Lots 113 through 116
 Lots 117 through 120
 Lots 121 through 125
 Lots 126 through 129
 Lots 130 through 135
 Lots 136 through 140
 Lots 141 through 145
 Lots 146 through 150
 Lots 151 through 154
 Lots 155 through 158

10. The area of basements and garages shall not be counted, in calculating the total living area of a residential unit.

11. Prior to certificate of approval for this specific design plan:

- a. Each stick of townhouse elevations shall be revised to include a minimum of three different window trim styles such as shutters, pilasters, Juliet balconies, brick rowlock, or utilize bay or specialty windows to be reviewed and approved by the Urban Design Section as a designee of the Planning Board.

- b. Front entrances shall be defined with pilasters or brick rowlock with a variety of decorative headers or transom lights.
- c. High-visibility side elevations shall be revised to include shutters on all non-specialty windows. All other side elevations shall be revised to include enhanced trim or shutters on all windows.
- d. A materials palette shall be provided to the Urban Design Section as a designee of the Planning Board. These materials shall be clearly labeled on all elevations.
- e. The window in the stairwell on the side elevations of the Lismore model, which interrupts the brick soldier course, shall be replaced with a specialty window that is appropriate in size.
- f. All garage doors shall have a carriage style appearance.

Ordered this 27th day of September, 2010, by the following vote:

In Favor: Council Members Bland, Dean, Dernoga, Exum, Harrison, Knotts and Olson.

Opposed:

Abstained:

Absent: Council Members Campos and Turner.

Vote: 7-0

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: _____
Thomas E. Dernoga, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

RESOLUTION

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 July 22, 2010, regarding Specific Design Plan SDP-0410/04 for Beech Tree, North Village, Section 6, Architecture, the Planning Board finds:

1. **Request:** The subject application is for the addition of one single-family attached architectural model to the previously approved Specific Design Plan SDP-0410. The approved model could be built on any townhouse lot, with a minimum width of 24 feet, within the area covered by SDP-0410 which consists of a total of 158 single-family attached lots in the R-S Zone.

2. **Development Data Summary**

	EXISTING	APPROVED
Zone(s)	R-S	R-S
Use(s)	Single-family attached (townhouse)/Vacant	Single-family attached (townhouse)
Acreage	22.74	22.74
Lots	158	158

3. **Location:** The larger Beech Tree project site is located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by Specific Design Plan SDP-0410, North Village, Section 6, is in the north-central area of the Beech Tree development and is located around the T-intersection of Lake Forest Drive and Turleygreen Place.
4. **Surroundings Uses:** The subject site of Specific Design Plan SDP-0410-04 is located along an internal street, Lake Forest Drive, of the Beech Tree development. The site is bounded to the north and west by single-family detached houses in North Village, Section 1; to the south by the single-family detached houses in North Village, Section 3; to the southeast by the golf course; and to the northeast by R-A-zoned property outside of the Beech Tree project.

The Beech Tree development, as a whole, is bounded on the north by Leeland Road; on the east by Robert Crain Highway (US 301); on the south and west by various residentially zoned (including R-A, Residential-Agricultural; R-E, Residential-Estate; and R-U, Residential Urban Development) properties.

5. **Previous Approvals:** The subject site covers 158 single-family attached dwelling units (townhouses) within the larger Beech Tree project, which was rezoned from the R-A Zone to the R-S (2.7-3.5) Zone through Zoning Map Amendments A-9763 and A-9763-C, for 1,765 to 2,869 dwelling units. Zoning Map Amendment A-9763-C was approved (Zoning Ordinance No. 61-1989) by the District Council on October 9, 1989, subject to 17 conditions and 14 considerations. On July 14, 1998, Comprehensive Design Plan CDP-9706 for the entire Beech Tree development was approved by the District Council, subject to 49 conditions. Following the approval of CDP-9706, three Preliminary Plans of Subdivision were approved: 4-98063 for the golf course; 4-99026 for 458 lots and 24 parcels; and 4-00010 for 1,653 lots and 46 parcels.

Two specific design plans for the entire site have also been approved for the Beech Tree development. Specific Design Plan SDP-9905, which was approved by the District Council on October 22, 2000, is a special-purpose SDP for community character. Specific Design Plan SDP-0001, which was approved by the District Council on October 30, 2000, is an umbrella approval for single-family detached architecture for the entire Beech Tree development. SDP-0001 has been revised eleven times and two other revisions are currently under review. In addition, there are another 20 approved specific design plans for various sections of the Beech Tree development.

Two revisions have been approved for SDP-0410 since it was approved by the Planning Board in 2005. Specific Design Plan SDP-0410-01 revised 34 lot lines and added two architectural models and Specific Design Plan SDP-0410-02 added one architectural model. The third revision is currently under review and subject SDP is the fourth revision to SDP-0410.

6. **Design Features:** The subject SDP approves the addition of one single-family attached (townhouse) architectural model by Lennar to the previously approved SDP-0410, which covers Section 6 in the North Village of Beech Tree and consists of 158 front-loaded townhouse lots.

Model	Base Square Footage
Lismore	2,468

Townhouse models Fairfield, Fairmount, and Hazelton by Ryan Homes and Williamson and Stevenson by Haverford Homes were previously approved for this site under Specific Design Plan SDP-0410. The approved subject model features some attractive detailing such as brick jack arch with keystone headpieces above windows and garages, a minimum of first floor brick on front and side façades, and side entry porches with standing seam metal roof on end units. The subject model elevations feature standard dormers or reverse gables with louvers and raised panel garage doors. Previously approved models have base square footages of 1,250 square feet to 2,109 square feet. The approved subject model is three stories, 24 feet wide, and has a base square footage of 2,468 square feet.

Several architectural conditions have been included with the approval of this SDP to ensure that the Lismore model maintains the high quality of architecture consistent with previously approved models in the Beech Tree development and in accordance with the requirements of the Zoning Ordinance. A variety of architectural features and design treatments around windows and doors

shall be provided. Various design elements like trims, shutters, balconies, and bay windows shall be used to create offsets for the buildings and to give them an aesthetically pleasing appearance. Conditions requiring the applicant to present a palette of the proposed building materials and to label the materials on each elevation have also been included with the approval of this SDP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9763-C:** On October 9, 1989, the District Council approved Zoning Map Amendment A-9763-C, subject to 17 conditions and 14 considerations. Of the considerations and conditions attached to the approval of A-9763, the following are applicable to the review of this SDP:

14. **Housing prices in 1989 dollars shall not be lower than the ranges of:**

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

Since these figures reflect 1989 dollars, construction after 1989 requires that the District Council review and approve dollar amounts for construction to be constructed at any later year. These dollar amounts shall be reflective of the dollars for the year in which the construction occurs.

This condition was carried forward in modified form in Condition 15 of Comprehensive Design Plan CDP-9706. The applicable parts of the above condition have been carried forward as Condition 3 of approval for this SDP and will be enforced prior to the issuance of building permits.

16. **The District Council shall review all Specific Design Plans for Beech Tree.**

The District Council will be reviewing the subject SDP.

8. **Comprehensive Design Plan CDP-9706:** Comprehensive Design Plan CDP-9706, as approved, includes a maximum of 2,400 dwelling units, of which 1,680 are single-family detached, 480 are single-family attached, and 240 are multifamily units, located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course is integrated into the residential communities. A 30-acre lake, located in the Eastern Branch stream valley, is a central focal point of the golf course and of the development as a whole. The comprehensive design plan for Beech Tree also includes the following: A club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park, 12.5 acres dedicated to M-NCPPC for a community park, which is located to the west of the subject site, 211 acres dedicated

as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education (BOE) for a middle school site, and a 17-acre site for an elementary school. The above amenities are not included in the subject SDP.

Comprehensive Design Plan CDP-9706 was approved with 49 conditions, of which the following are applicable to the subject SDP and warrant discussion as follows:

6. **Every Specific Design Plan for Beech Tree shall include on the cover sheet a clearly legible overall plan of the Beech Tree project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted Specific Design Plan numbers, and all approved or submitted Tree Conservation Plan numbers for Beech Tree.**

Since the approval of SDP-0410, a number of revisions to Beech Tree projects have been approved that are not reflected on the existing cover sheet. The above condition was carried forward in modified form with the approval of SDP-0410-02 and has been incorporated into the approval of this SDP which will require the applicant to update the cover sheet prior to certification of the specific design plan.

7. **Every Specific Design Plan for Beech Tree shall adhere to Stormwater Management Plan #958009110 or any subsequent revisions. The applicant shall obtain separate Technical Stormwater Plan approvals from DER for each successive stage of development in accordance with the requirements set forth in Concept Plan #958009110 prior to certificate approval of any SDP.**

The approval of one additional architectural model will have no effect on previous findings of conformance to Stormwater Management Concept Plan 8004950-2000-00, made with the approval of SDP-0410.

14. **Prior to approval of each Specific Design Plan for residential use, the applicant shall demonstrate to the satisfaction of the Planning Board and the District Council that prices of proposed dwelling units 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+

In order to ensure that the prices of proposed dwelling units are reflective of dollar values for the year in which the construction occurs, each Specific Design Plan shall include a condition requiring that, prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than the ranges above (in 1989 dollars).

See Finding 7 above for discussion.

17. The District Council shall review all Specific Design Plans for Beech Tree.

The District Council will be reviewing the subject SDP.

9. **Umbrella Specific Design Plan SDP-0001 for Architecture:** Specific Design Plan SDP-0001 is an umbrella specific design plan for single-family detached architecture for the entire Beech Tree development. The SDP was approved by the Planning Board on June 8, 2000, subject to three conditions. Of the three conditions attached to the approval of SDP-0001, none are applicable to the review of this SDP because this SDP does not include any single-family detached residential units.
10. **Specific Design Plan SDP-0410:** Specific Design Plan SDP-0410 is a specific design plan for the development of 158 single-family attached lots for Beech Tree North Village, Section 6. The SDP was approved by the District Council on November 28, 2005, subject to nine conditions. Five architectural models were approved with SDP-0410. Two revisions to SDP-0410 have been approved. The subject SDP is the fourth revision. Of the nine conditions attached to the original approval of SDP-0410, the following are applicable to the review of this SDP and warrant discussion as follows:

(1)(d) Add a site plan note as follows:

- A. **“At least the following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade of (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:**
- “(1) Four dwelling units in any building group containing five or six units; or**
- “(2) Three dwelling units in any building group containing four units; or**
- “(3) Two dwelling units in any building groups containing three units.**
- B. **“Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:**
- “(1) Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features; or**
- “(2) Brick, stone, stucco, or other masonry treatment (not including the**

gable area), combined with no less than four windows or one side entry door.”

These notes were added to the cover sheet with the approval of SDP-0410. This condition has been carried forward as a condition of approval for this SDP to ensure that all units are built in conformance with these requirements.

In addition to the above conditions, six further architectural related conditions were adopted by the District Council with the approval of SDP-0410-02 on January 25, 2010. The additional architectural conditions are as follows:

5. **Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan to indicate that a one-story stone or brick watertable will be standard on all side elevations.**
6. **The following number of 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):**
 - a. **Four dwelling units in any building group containing five or six units; or**
 - b. **Three dwelling units in any building group containing four units; or**
 - c. **Two dwelling units in any building group containing three units.**
7. **The following lots which back to either the golf course or to single family detached homes, shall have a rear deck:**

Lots 1 through 6
Lots 24 through 27
Lots 28 through 33
Lots 34 through 39
Lots 40 through 43
Lots 44 through 47
Lots 48 through 51
Lots 52 through 57
Lots 75 through 80
Lots 81 through 85
Lots 86 through 89
Lots 90 through 94
Lot 101
Lots 102 through 103
Lots 111, 112, 113, 120, 121, 129, 130, 140, 146, 150

8. The following lots shall have side entry units:

Lots 1, 6, 7, 12, 13, 23, 24, 27, 28, 33, 34, 39, 40, 43, 44, 51, 52, 89, 93, 94, 101, 102, 112, 113, 120, 121, 125, 126, 129, 130, 135, 136, 140, 145, 146, 150

9. The following lots shall have fenced rear yards with full private patios:

Lots 1 through 6
Lots 24 through 27
Lots 28 through 33
Lots 34 through 39
Lots 40 through 43
Lots 44 through 47
Lots 48 through 51
Lots 52 through 57
Lots 75 through 80
Lots 81 through 85
Lots 86 through 89
Lots 90 through 93
Lots 94 through 97
Lots 98 through 101
Lots 102 through 107
Lots 108 through 112
Lots 113 through 116
Lots 117 through 120
Lots 121 through 125
Lots 126 through 129
Lots 130 through 135
Lots 136 through 140
Lots 141 through 145
Lots 146 through 150
Lots 151 through 154
Lots 155 through 158

10. The area of basements and garages shall not be counted, in calculating the total living area of a residential unit.

All of these conditions have been carried forward as conditions of approval for this SDP to ensure that all units are built in conformance with these requirements.

11. **Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of the Zoning Ordinance as follows:

a. The proposed 158 single-family attached dwelling (townhouse) units are part of a larger

project known as Beech Tree, which is the subject of numerous approvals. The subject SDP is in general compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 of the Zoning Ordinance with regard to permitted uses and other regulations such as general standards and minimum size of property.

b. Section 27-528 requires the following findings for approval of a specific design plan:

(a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**

(1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), 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);**

As stated in Finding 8, the approved specific design plan conforms to the approved comprehensive design plan. The approved addition of one architectural model has no impact on the previous finding of conformance to the *Prince George's County Landscape Manual*.

Section 27-274(a), Design Guidelines, state that the plan shall be designed in accordance with the following guidelines:

(D) **To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**

The approved architecture features reverse gable or dormer projections along the roofline. Several architectural related conditions have been carried forward with the approval of this SDP requiring the use of a variety of architectural features and design treatments, such as window and door treatments. A condition requiring the applicant to present a palette of the proposed building materials prior to certification has also been included in this approval.

The approved townhouse model is in compliance with the requirements of Section 27-433(d) of

the Zoning Ordinance regarding regulations for townhouse developments. The townhouse units are shown in four, five, or six-building sticks. The width of the approved architectural model is 24 feet, which is greater than the required 20 feet for internal dwellings. The minimum based finished area for the approved townhouse unit is 2,468 square feet, which exceeds the required 1,250 square feet. End and rear wall elevations for the approved model also exceed the minimum requirement of two architectural features. Side elevations show a brick first floor and side entry with a covered stoop as a standard features.

In addition, Section 27-433(d)(7) of the Zoning Ordinance requires that a minimum of 60 percent of all townhouse units in a development have a full front façade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. A condition attached to the approval of Specific Design Plan SDP-0410, regarding minimum brick requirements, has been carried forward with the approval of the subject Specific Design Plan, SDP-0410-04.

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

Findings for adequate public facilities including fire and rescue, police, and transportation have been normally made in conjunction with the preliminary plan of subdivision. In this case, a complete staging plan and the accompanying transportation improvements for the entire Beech Tree development were not approved until the Planning Board approved Specific Design Plan SDP-9907 on June 8, 2000. Per a review by the Transportation Planning Section, Specific Design Plan SDP-0410 was found to be consistent with the previous transportation adequacy findings. Staff found that the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future. The subject SDP does not approve any changes that will affect the above findings.

- (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.**

The Department of Environmental Resources (DER) found Specific Design Plan SDP-0410 to be consistent with approved Stormwater Management Concept Plan 008004950. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties. The subject SDP does not approve any changes that would affect the above findings.

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

A Type II Tree Conservation Plan, TCPII/49/98-07, was approved with Specific Design Plan SDP-0410 and found to meet the requirements of the Woodland Conservation and Tree

Preservation Ordinance. No changes to that plan are approved as a part of the subject SDP.

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 Specific Design Plan for the above-described land, subject to the following conditions:

1. The following number of dwelling units in any horizontal, continuous, attached group of townhouse dwellings shall have a full front façade (excluding gables, windows, trim, and doors) constructed of brick, stone, or stucco:
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or
 - c. Two dwelling units in any building groups containing three units.
2. Every side elevation which is highly visible from the public street shall display significant architectural features, as provided in one of the following options:
 - a. Full brick, stone, stucco, or other masonry treatment, combined with at least three windows, doors, or other substantial architectural features; or
 - b. Brick, stone, stucco, or other masonry treatment (not including the gable area), combined with no less than four windows or one side entry door.
3. Prior to the approval of each building permit for a dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than \$150,000 (in 1989 dollars) for a single-family attached house.
4. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan cover sheet to provide the most recent information regarding all approved and submitted specific design plans for Beech Tree. All phase or section numbers shall also be labeled on the overall plan on the cover sheet.
5. Prior to certificate of approval of this specific design plan, the applicant shall revise the site plan to indicate that a one-story stone or brick water table will be standard on all side elevations.
6. The following number of 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):
 - a. Four dwelling units in any building group containing five or six units; or
 - b. Three dwelling units in any building group containing four units; or

c. Two dwelling units in any building group containing three units.

7. The following lots which back to either the golf course or to single family detached homes, shall have a rear deck:

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Lots 24 through 27
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Lots 90 through 94
Lot 101
Lots 102 through 103
Lots 111, 112, 113, 120, 121, 129, 130, 140, 146, 150

8. The following lots shall have side entry units:

Lots 1, 6, 7, 12, 13, 23, 24, 27, 28, 33, 34, 39, 40, 43, 44, 51, 52, 89, 93, 94, 101, 102, 112, 113, 120, 121, 125, 126, 129, 130, 135, 136, 140, 145, 146, 150

9. The following lots shall have fenced rear yards with full private patios:

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Lots 102 through 107
Lots 108 through 112

Lots 113 through 116
Lots 117 through 120
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Lots 155 through 158

10. The area of basements and garages shall not be counted, in calculating the total living area of a residential unit.
11. Prior to certificate of approval for this specific design plan:
 - a. Each stick of townhouse elevations shall be revised to include a minimum of three different window trim styles such as shutters, pilasters, Juliet balconies, brick rowlock, or utilize bay or specialty windows to be reviewed and approved by the Urban Design Section as a designee of the Planning Board.
 - b. Front entrances shall be defined with pilasters or brick rowlock with a variety of decorative headers or transom lights.
 - c. High-visibility side elevations shall be revised to include shutters on all non-specialty windows. All other side elevations shall be revised to include enhanced trim or shutters on all windows.
 - d. A materials palette shall be provided to the Urban design Section as a designee of the Planning Board. These materials shall be clearly labeled on all elevations.
 - e. The window in the stairwell on the side elevations of the Lismore model, which interrupts the brick soldier course, shall be replaced with a specialty window that is appropriate in size.
 - f. All garage doors shall have a carriage style appearance.

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, July 22, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of July 2010.

Patricia Colihan Barney
Executive Director

By Frances J. Guertin
Planning Board Administrator

PCB:FJG:SM:arj

CERTIFICATE OF APPROVAL

BEECH TREE
SDP-0410-06

This revision to a Specific Design Plan was approved on December 12, 2012 by the Development Review Division as designee of the Planning Director in accordance with Subtitle 27, Part 8, Division 4 of the Prince George's County Code.

This revision is for the purpose of adding the Carnegie Place townhouse architecture.

The Planning Director's approval of this Specific Design Plan is consistent with the required findings in Section 27-530(b) of the Prince George's County Zoning Ordinance. Conditions of the original approval shall remain in full force and effect.

This approval includes:

- 1 Cover Sheet
- 1 Approval Sheet
- 1 Template Sheet
- 11 Architectural Elevations

Any departure from this Plan shall be resubmitted to the Planning board for approval

APPROVED BY AUTHORITY OF: Fern V. Piret, Planning Director

By

Steven D. Adams
Urban Design Supervisor, Development Review Division

THE PRINCE GEORGE'S COUNTY GOVERNMENT



DEPARTMENT OF PUBLIC WORKS & TRANSPORTATION
OFFICE OF ENGINEERING
9400 PEPPERCORN PLACE, SUITE 420
LARGO, MARYLAND 20774
(301) 883-5730



STORMWATER MANAGEMENT CONCEPT APPROVAL

CASE NAME: RT 301@ LEE LAND RD INTERSECTION IMPROVEMENTS CASE #: 35714-2005-00
APPLICANT'S NAME: VOB LIMITED PARTNEF
ENGINEER : GPI-GREENMAN PEDERSEN INC.

REQUIREMENTS:

Technical Review is required for PUBLIC/PRIVATE Storm Drain/SWM Construction.

Type of Storm Drainage/SWM Construction is PUBLIC.

These additional approvals are required: None.

These fees apply: REVIEW, FEE-IN-LIEU.

These bonds apply: None.

Required water quality controls: None.

Required water quantity controls: None.

No maintenance agreement is required.

These special conditions apply: DRY SWALES.

Required easements: None.

Storm Water Management fee payment of none in lieu of providing on-site attenuation/quality control measures.
(Fee-In-Lieu subject to change during technical review.)

CONDITIONS OF APPROVAL:

THIS APPROVAL IS FOR ROADWAY IMPROVEMENTS WITHIN THE STATE HIGHWAY ADMINISTRATION
RIGHT OF WAY. STATE HIGHWAY APPROVAL AND PERMIT REQUIRED FOR THIS PROJECT.
EXTENSION APPROVED 1-12-09
APPROVED BY GH

APPROVED BY:

Rey De Guzman

APPROVAL DATE: November 29, 2011
EXPIRATION DATE: November 29, 2014

FOR OFFICE USE ONLY

ADC MAP:	17C11	200' SHEET:	203SE14
STREET NAME:	LEE LAND RD		
WATERSHED:	24-Collington Branch		
NUMBER OF DU'S:	0	COST PER DWELLING:	0

CC: APPLICANT, SCD, PERMITS
P.G.C. FORM #3693 (REV 04/93)

SDP-9907/01

Revisions to Approved Staging Report (Phase IV)

Phase IV: residential development – building permits #1,001-1,500

4. Prior to the issuance of the 1,001st building permit for any residential unit of the development, the applicant shall provide the State Highway Administration with a complete set of approved design plans and the necessary bonds and fees for construction of the Phase IV improvements. Prior to the issuance of the 1,101st building permit, the construction of the Phase IV improvements must be initiated. The construction of the following improvements shall be completed by the applicant prior to the issuance of the 1,251st building permit:
 - a. Widen southbound US301 to provide three exclusive thru lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.
 - b. Widen northbound US 301 to provide three exclusive thru lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road.
 - c. Widen Leeland Road to provide two exclusive left turn lanes and one free-flowing right turn lane.