



The Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

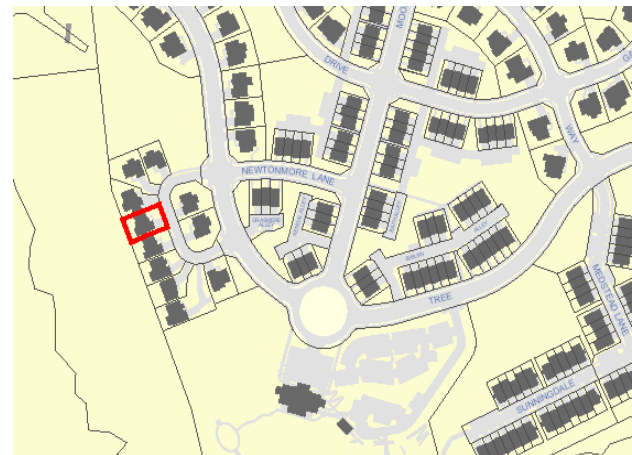
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

# Specific Design Plan SDP-0614-H1

## Beech Tree East Village, Lot 6 Block U

REQUEST	STAFF RECOMMENDATION
Proposed 12- by 19-foot enclosure over an existing deck at the rear of an existing single-family detached dwelling within the rear yard setback.	APPROVAL with conditions

<b>Location:</b> On the west side of Sissinghurst Place, approximately 155 feet from its intersection with Beech Tree Parkway.	
Gross Acreage:	0.16
Zone:	LDC (Prior: R-S)
Dwelling Units:	1
Gross Floor Area:	7,205
Planning Area:	79
Council District:	06
Election District:	03
Municipality:	0
200-Scale Base Map:	204SE13
<b>Applicant/Address:</b> Michelle Clancy P.O Box 310 Upper Marlboro, MD 21128	
<b>Staff Reviewer:</b> Tierre Butler <b>Phone Number:</b> 301-780-2458 <b>Email:</b> Tierre.Butler@ppd.mncppc.org	



Planning Board Date:	05/05/2022
Planning Board Action Limit:	05/09/2022
Staff Report Date:	04/19/2022
Date Accepted:	02/28/2022
Informational Mailing:	01/04/2022
Acceptance Mailing:	02/25/2022
Sign Posting Deadline:	04/05/2022

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at <http://www.mncppcapps.org/planning/PersonRecord/>. Please call 301 952 3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Homeowner's Minor Amendment to a Specific Design Plan, SDP-0614-H1 Beech tree East Village, Lot 6 Block U

The Urban Design staff has reviewed the homeowner's minor amendment to a specific design plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL, as described in the Recommendation section of this report.

**EVALUATION**

This amendment to a specific design plan was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of the following sections of the prior Prince George's County Zoning Ordinance:
  - (1) Section 27-515, regarding uses permitted in the Residential Suburban Development (R-S) Zone.
  - (2) Section 27-501, regarding uses permitted in the R-S Zone
  - (3) Section 27-528, regarding required findings in specific design plan applications; and
  - (4) Section 27-530, regarding amendments to approved specific design plan applications.
- b. The requirements of the Zoning Map Amendment (Basic Plan) A-9874-C
- c. The requirements of Comprehensive Design Plan CDP-9706
- d. The requirements of Beech Tree East Village, Plat Five, recorded as Plat Book 196, Page 92
- e. The requirements of Specific Design Plan SDP-0614
- f. The requirements of the Prince George's County Landscape Manual.
- g. The requirements of the 2010 Prince George's County Tree Canopy Coverage Ordinance
- h. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance

## FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design Section recommends that the Prince George's County Planning Board make the following findings:

- 1. Request:** The subject homeowner's minor amendment to a specific design plan (SDP) is a request to construct a 12- by 19-foot enclosure over an existing deck at the rear of an existing single-family detached dwelling within the rear yard setback.

**2. Development Data Summary:**

	<b>EXISTING</b>
Zone	LCD Prior: R-S
Use	Residential
Lot size	7,205 square feet
Gross Acreage	0.16
Lot	1
Number of Dwelling Units	1

- 3. Location:** The subject property is in the Legacy Comprehensive Design (LCD) Zone, previously the Residential Suburban Development (R-S) Zone, in the larger development known as Beech Tree East Village, which is on the west side of Sissinghurst Place, approximately 155 feet from its intersection with Beech Tree Parkway. More specifically, the subject property is located at 2807 Sissinghurst Place, Upper Marlboro, Maryland, within Planning Area 79 and Council District 6.
- 4. Surrounding Uses:** The subject property is surrounded by similar single-family detached homes within the LCD Zone, and was previously zoned R-S.
- 5. Previous Approvals:** The subject site was developed as part of the Beech Tree East Village Subdivision, Section 6. On March 2, 1989, the Planning Board approved Zoning Map Amendment A-9763-C (PGCPB Resolution No. 89-107) to rezone the property from Residential Agriculture to R-S.

On October 9, 1989, the zoning map amendment was approved by the Prince George's County District Council.

Comprehensive Design Plan CDP-9706 was approved by the Planning Board on February 26, 1998 (PGCPB Resolution No. 98-50), and approved by the District Council on July 14, 1998, for approval of a golf course community with 2,400 dwelling units.

Preliminary Plan of Subdivision 4-00010 was approved on October 14, 1999.

On February 25, 2008, the Planning Board approved SDP-0614 for 10 single-family semi-detached villa units, and 1 single-family detached unit.

A Planning Director Amendment SDP-0614-01 was approved on December 28, 2009, to revise the footprints allowing single-family detached units.

Stormwater Management (SWM) Concept Plan 0080-049-50 was approved on June 27, 2000.

6. **Design Features:** The subject application includes a proposal for a 12-foot by 19-foot enclosure to an existing deck of the rear of the existing single-family detached home. The single-family home contains an existing 12- by 19-foot deck on the second level and is 9 feet above ground level. The existing deck flooring will remain with the addition of a roof that will be nine feet in height. A new white vinyl railing system will be provided to match the existing railing with white vinyl wrap posts and beams. The enclosure will consist of a shingled roof. The proposed deck enclosure will match the existing architecture of the home. The enclosure extends 5 feet into the 15-foot rear yard setback and is a minimum of 10-feet from the rear property line.

#### **COMPLIANCE WITH EVALUATION CRITERIA**

7. **Prior Prince George's County Zoning Ordinance:** The project conforms with Section 27-515 of the prior Zoning Ordinance, regarding uses permitted in the R-S Zone. A single-family detached dwelling is a permitted use in the zone. The project is also in compliance with the requirements of Section 27-501, which includes regulations applicable to the R-S Zone. The project also conforms to the requirements of Section 27-528 of the Zoning Ordinance, regarding required findings for SDP applications, and Section 27-530 of the Zoning Ordinance, regarding amendments to approved SDP applications.
8. **Zoning Map Amendment (Basic Plan) A-9763-C:** The project is in compliance with the requirements of A-9839-C, as the proposed deck enclosure in the rear yard setback does not alter findings of conformance with the basic plan that were made at the time of approval of the SDP.
9. **Comprehensive Design Plan CDP-9706:** The project complies with the requirements of CDP-9706, except regarding the required rear yard setback. The CDP stipulates that the minimum rear yard setback for single-family detached houses with a lot size of 6,000-7,999 square feet is 15 feet. The proposed deck enclosure encroaches into the rear setback 5 feet.
10. **Beech Tree East Village, Plat Five, recorded as Plat Book 196 page 92:** The subject project is in compliance with the requirements contained in the plat notes of Beech Tree East Village, Plat Five, recorded as Plat Book 196, page 92.
11. **Specific Design Plan SDP-0614, Beech Tree East Village:** SDP-0614 was approved by the Planning Board on February 25, 2008, for 10 single-family semi-detached villa units, and 1 single-family detached unit. The subject project is in

compliance with the requirements of SDP-0614, Beech Tree East Village, except for the rear yard setback and for lots with a lot size between 6,000–7,999 square feet. The proposed deck enclosure would extend into the designated setback by 5 feet.

12. **2010 Prince George’s County Landscape Manual:** The addition of a deck enclosure is exempt from the requirements of the 2010 *Prince George’s County Landscape Manual* because the requirements were satisfied at the time of SDP-0614 approval.
13. **Prince George’s County Tree Canopy Coverage Ordinance:** The subject application is exempt from the Tree Canopy Coverage Ordinance because the applicant proposes less than 5,000 square feet of gross floor area or disturbance.
14. **Prince George’s County Woodland Conservation and Tree Preservation Ordinance:** The subject lot does not contain any woodland conservation; the deck enclosure would not alter the previous findings of conformance with the Woodland Conservation and Tree Preservation Ordinance that were made at the time of approval of the CDP and SDP.
15. **Section 27-528, Planning Board Action, of the prior Zoning Ordinance** requires that the Planning Board make the following findings before approving an SDP, unless an application is being processed as a limited minor amendment. Each required finding is listed in **BOLD** below followed by staff comment.

**(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);**

The subject amendment conforms to the requirements of CDP-9706, as outlined in Finding 9, and the applicable standards of the 2010 *Prince George’s County Landscape Manual*, as outlined in Finding 12. As the subject amendment does not involve townhouse construction, nor is located in the prior Local Activity Center Zone, the second portion of this required finding does not apply to the subject project.

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

**private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;**

The proposed enclosed deck does not affect the previous positive finding in SDP-0614 that the application had met the above requirement.

- (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 proposed site development is consistent with approved SWM Concept Plan 0080-049-50. Therefore, adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties, in accordance with this required finding.

- (4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

The addition of a deck enclosure to an existing single-family detached dwelling and setback modification does not impact the previously approved Type 2 tree conservation plan.

- (5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

No regulated environmental features exist on the subject lot; therefore, this finding is not applicable to the subject SDP.

- 16. Section 27-530(c)(3) of the prior Zoning Ordinance** sets forth the criteria for granting minor amendments to approved SDPs for the purpose of making home improvements requested by a homeowner (or authorized representative) and approved by the Planning Director (or designee), in accordance with specified procedures, including meeting the following criteria:

- (A) Are located within the approved Comprehensive Design Plan building lines and setbacks or any approved amendments to the Comprehensive Design Plan;**
- (B) Are in keeping with the architectural and site design characteristics of the approved Specific Design Plan; and**
- (C) Will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.**

SDP-0614 established the rear yard setback at a minimum of 15 feet. The proposed deck enclosure extends 5 feet into this rear yard setback, proposing a setback of approximately

10 feet from the rear property line. The subject application does not meet Criterion (A) and, therefore, the subject Homeowner's Minor Amendment to SDP-0614-H1 is to be heard by the Planning Board, as stated in Section 27-530(d)(3)(A).

In regard to Criterion (B) above, the proposed deck enclosure is consistent with the architectural and site design characteristics of the approved SDP, except in regard to the rear yard setback. The proposed enclosure is proposed to be constructed of wood, a white vinyl railing system, and white vinyl wrap posts and beams with a shingled roof. The proposed deck enclosure will match the existing house and will be of the same high-quality materials.

In regard to Criterion (C), staff believes that the requested deck enclosure will not substantially impair the intent, purpose, or integrity of the approved CDP. The modification of the minimum rear yard to 10 feet for the proposed enclosure will not be detrimental to the community, nor will it negatively impact the visual characteristics of the neighborhood, because the addition is at the rear of the home and not visible from the nearest public right-of-way, affording privacy to the occupants of both the subject property and the adjacent homeowners.

## **RECOMMENDATION**

Based upon the foregoing evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Homeowner's Minor Amendment to a Specific Design Plan SDP-0614-H1 Beech Tree East Village, Lot 6 Block U.

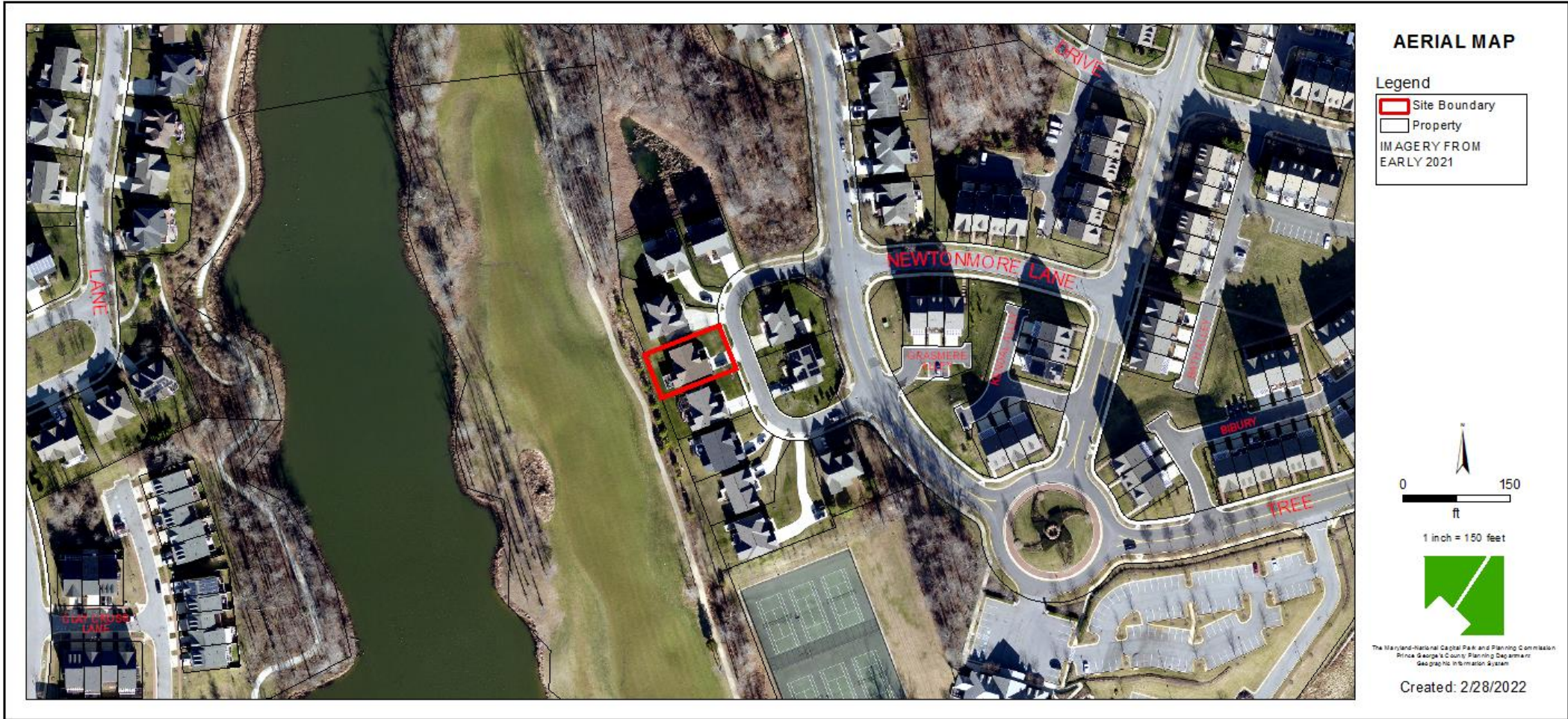


# BEECH TREE EAST VILLAGE, LOT 6 BLOCK U

Specific Design Plan

SDP-0614

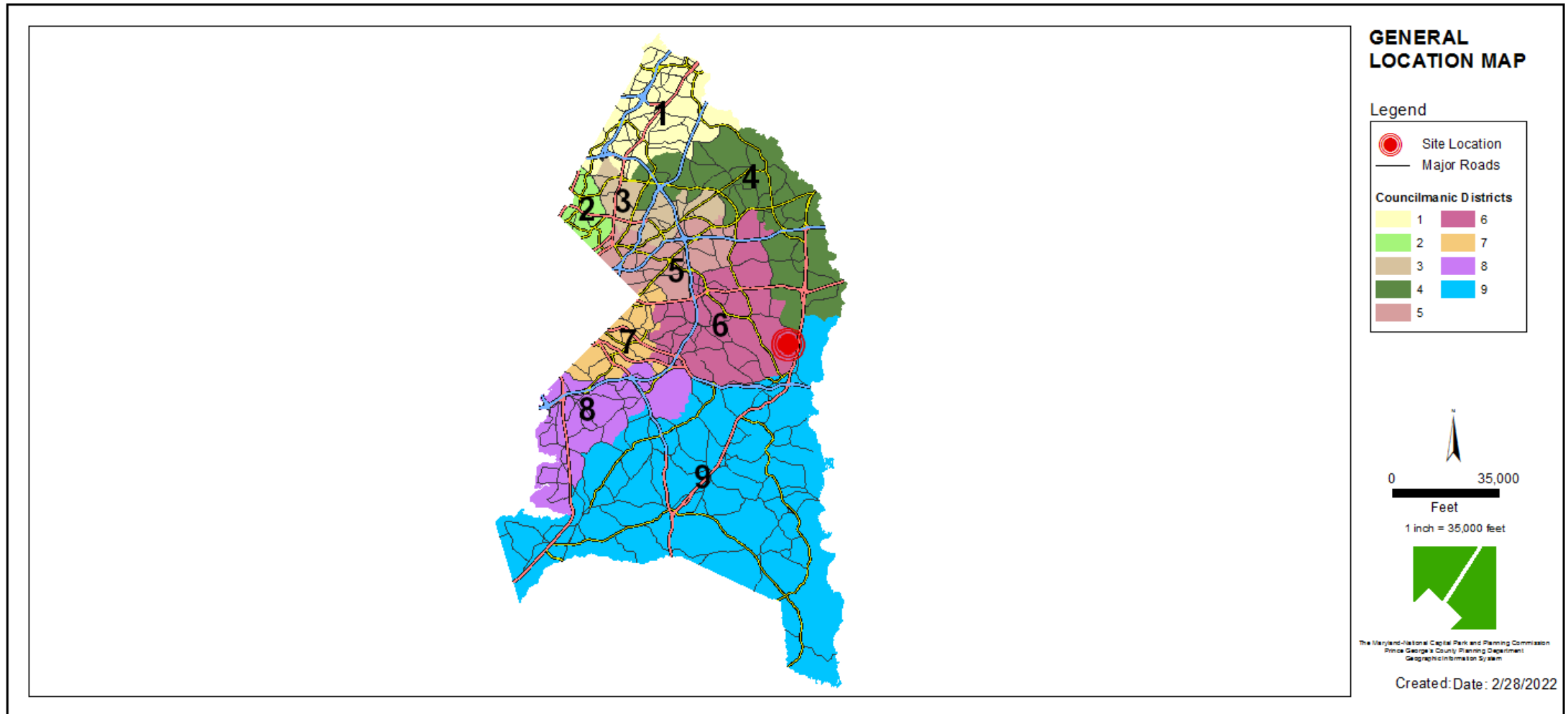
**Staff Recommendation: APPROVAL**



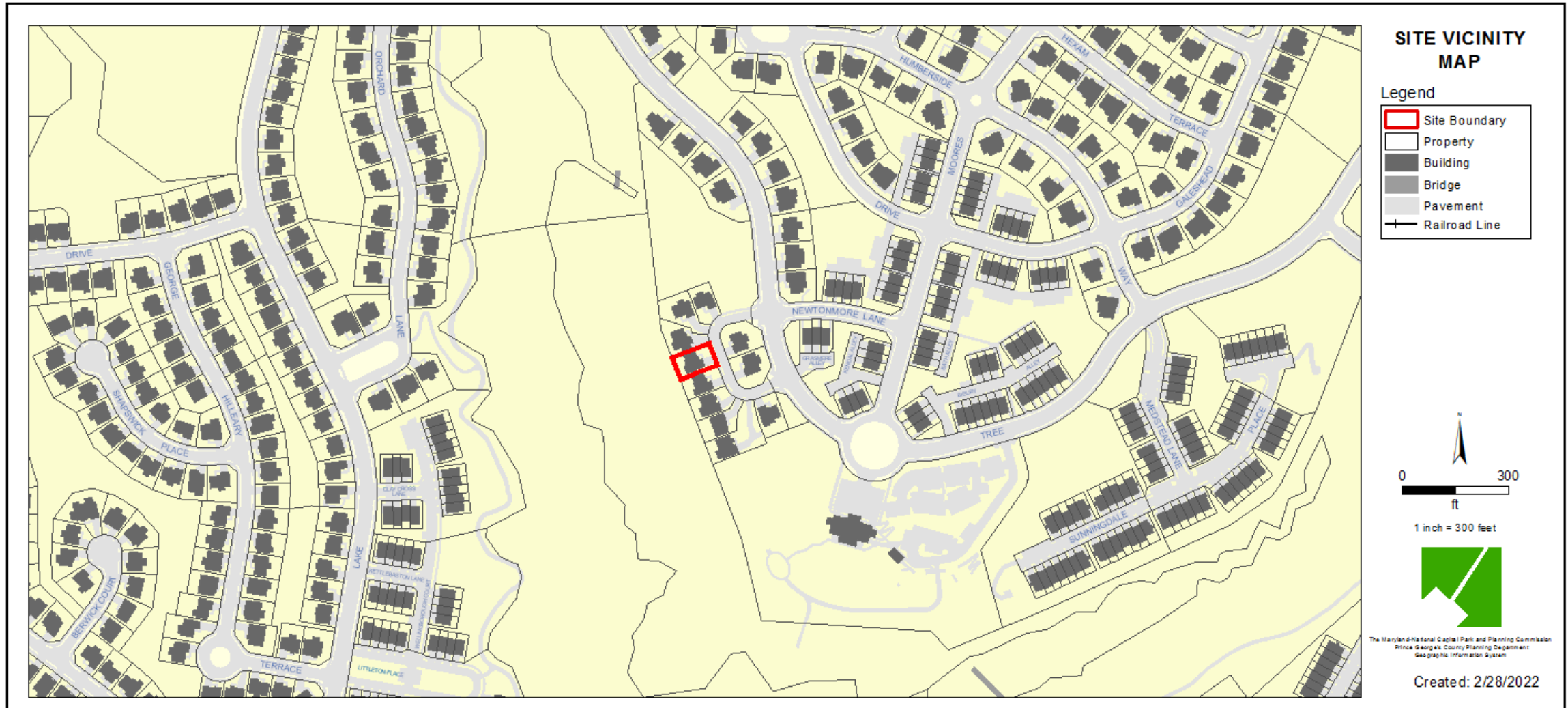
# GENERAL LOCATION MAP

Council District: 06

Planning Area: 79

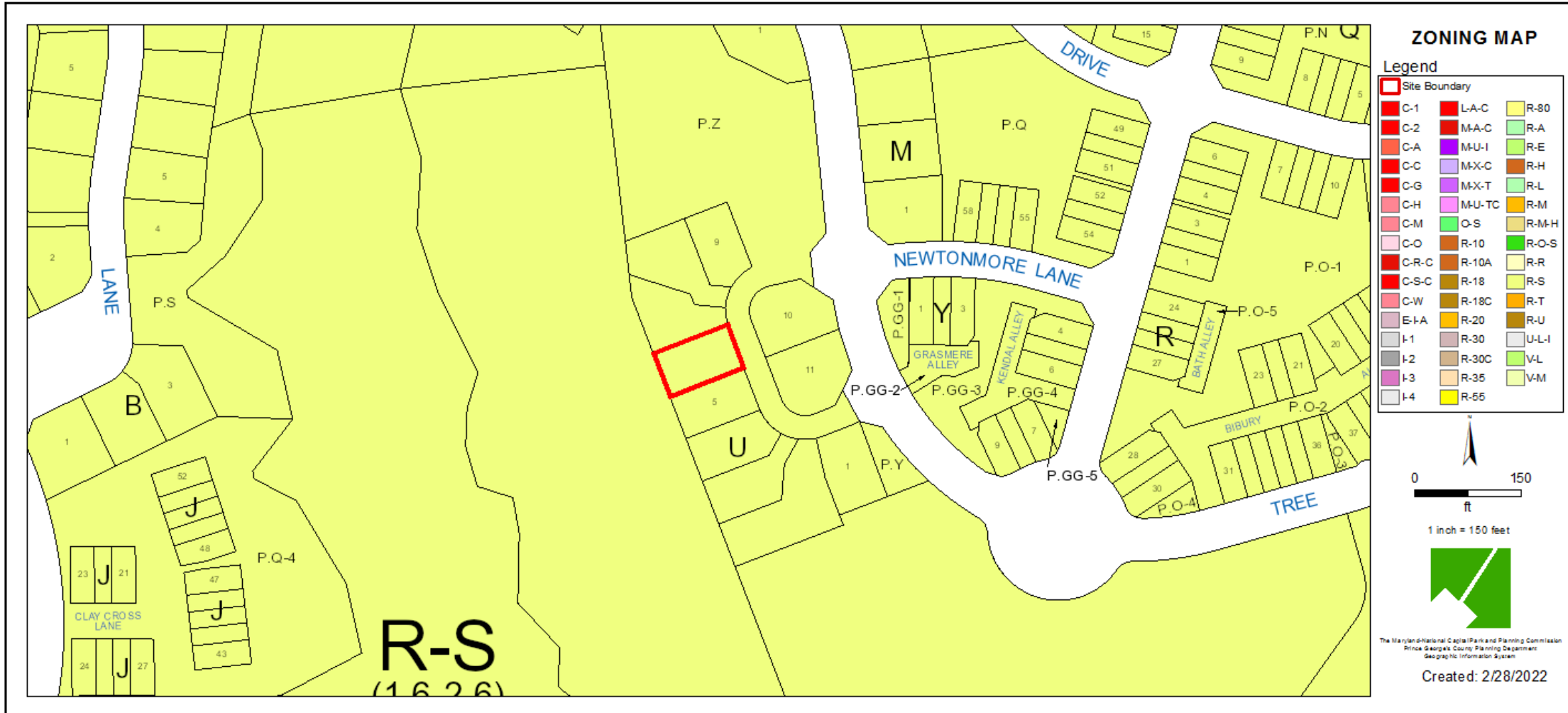


# SITE VICINITY MAP



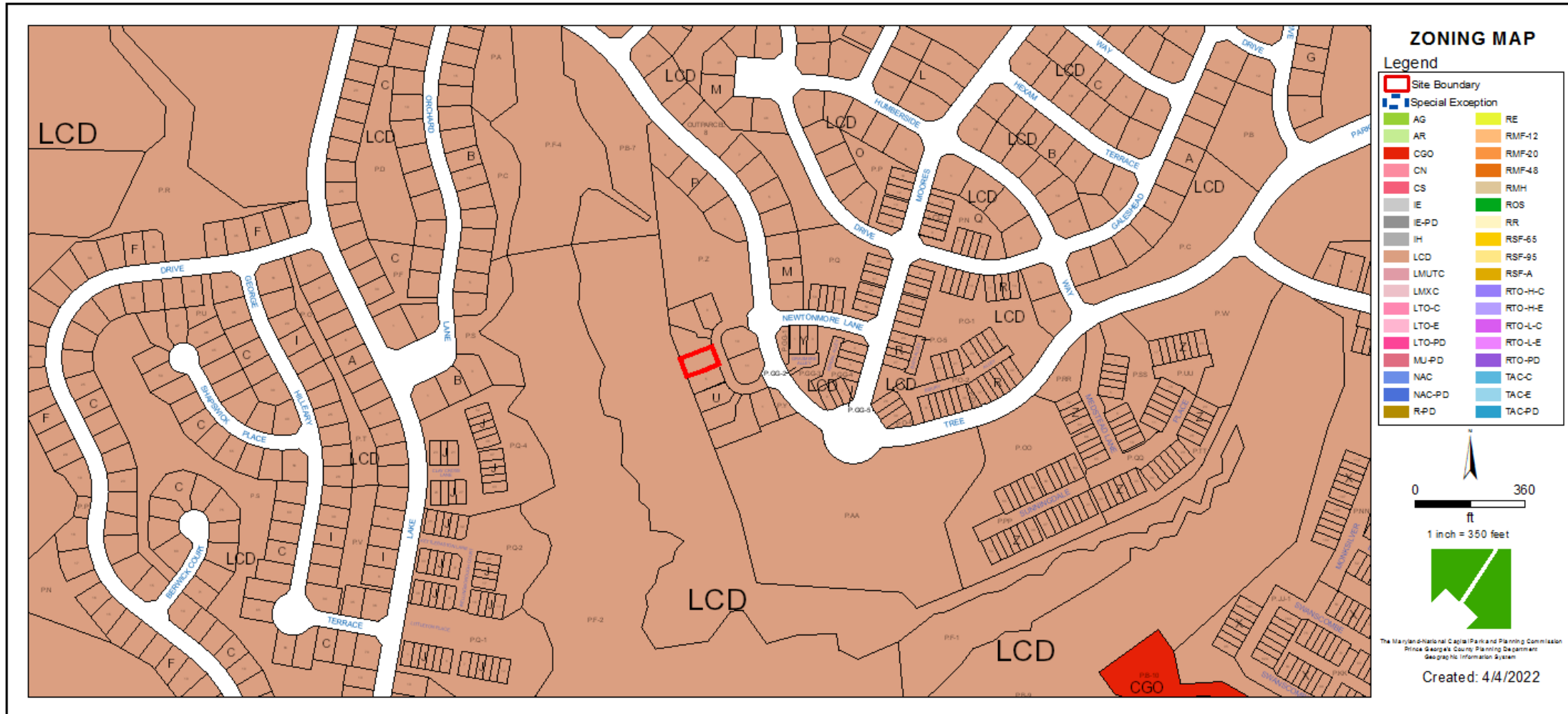
# PRIOR ZONING MAP

Property Zone: R-S

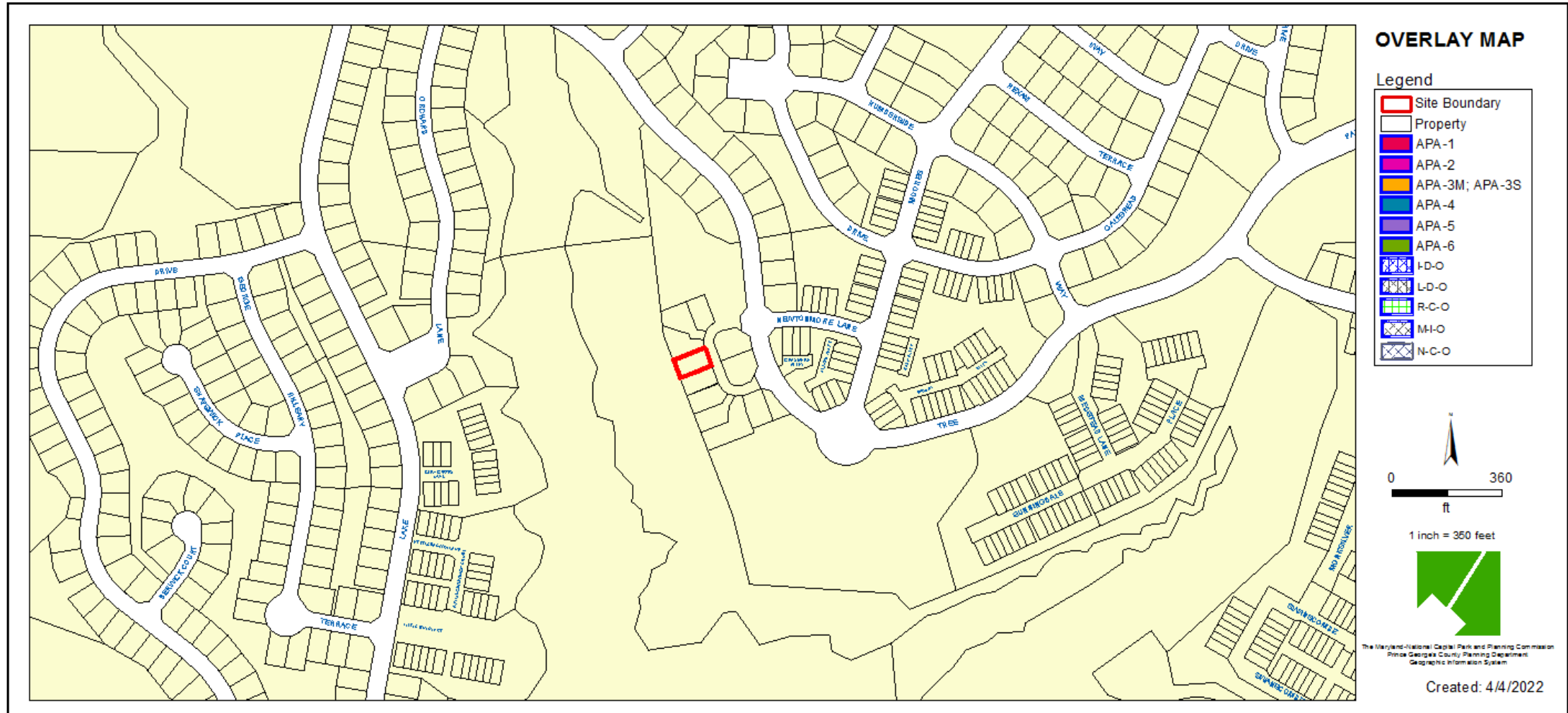


# NEW ZONING MAP

Property Zone: LCD



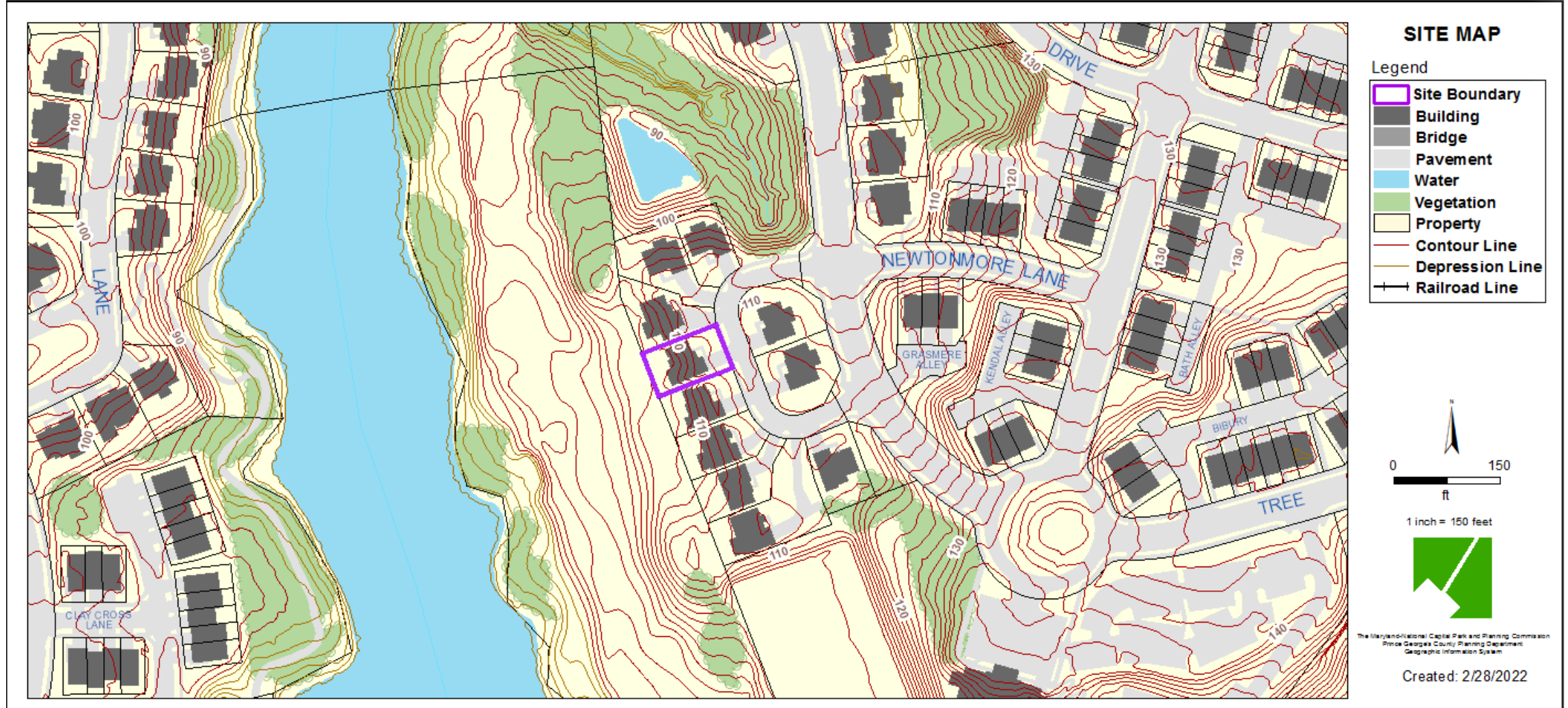
# OVERLAY MAP



# AERIAL MAP

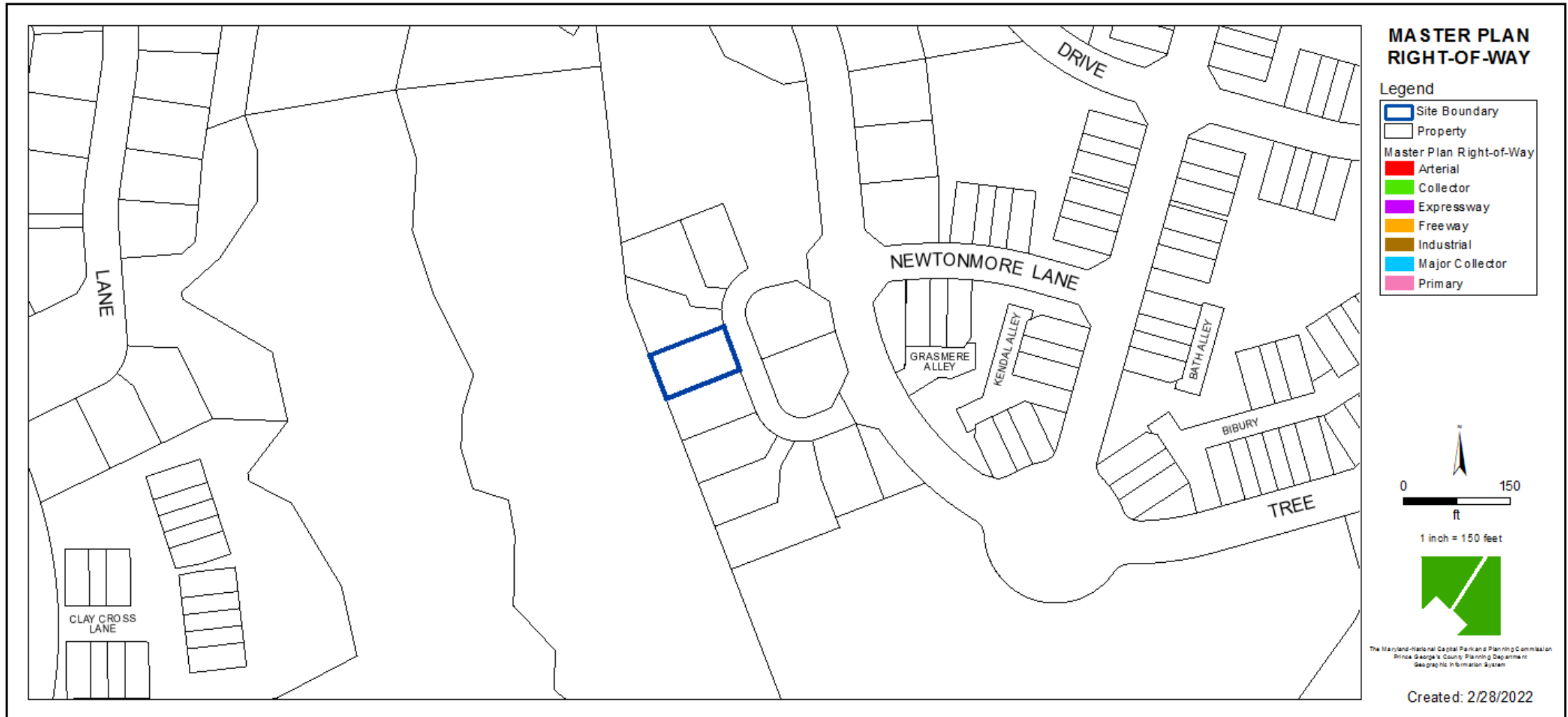


# SITE MAP

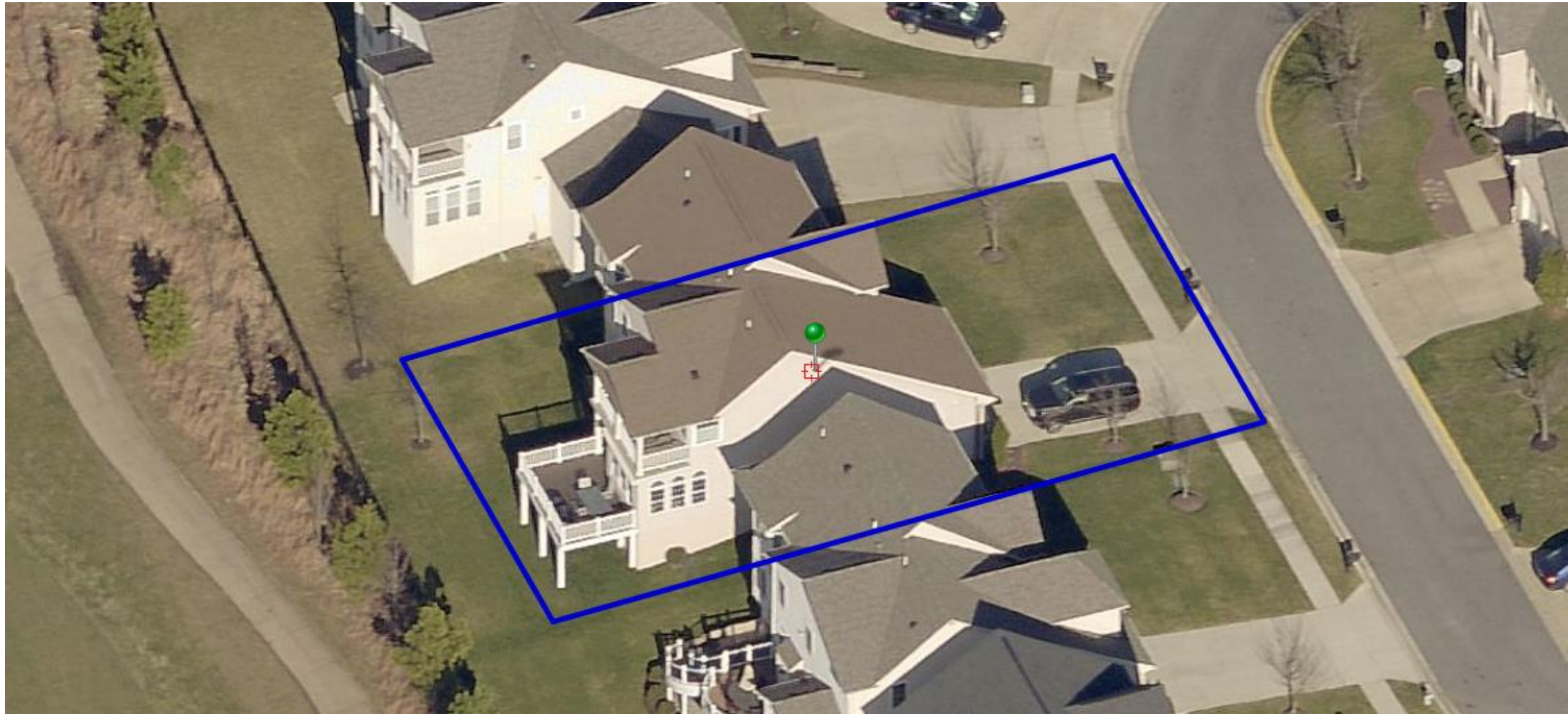




# MASTER PLAN RIGHT-OF-WAY MAP



# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



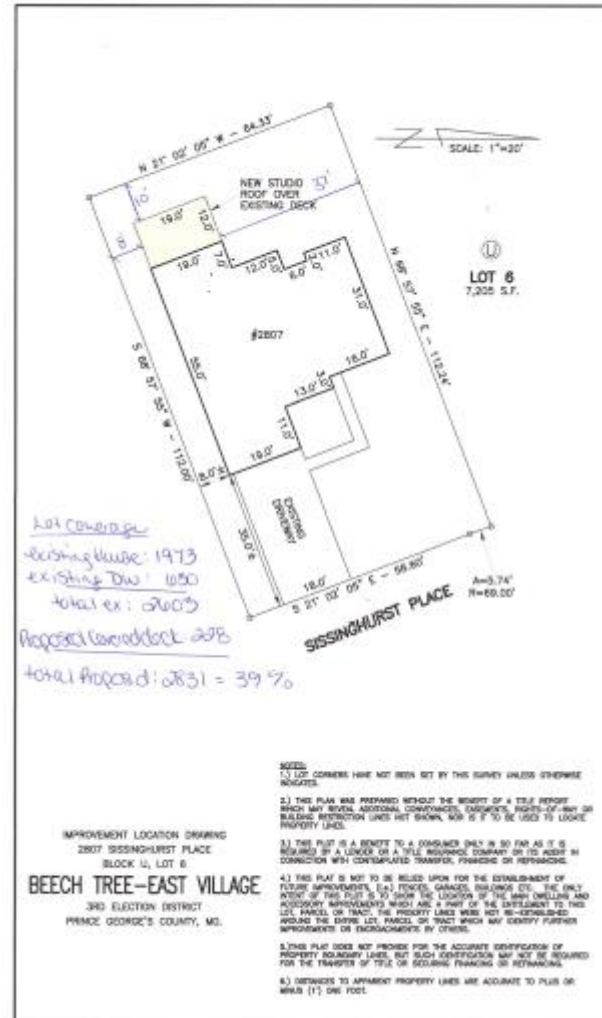
# SPECIFIC DESIGN PLAN



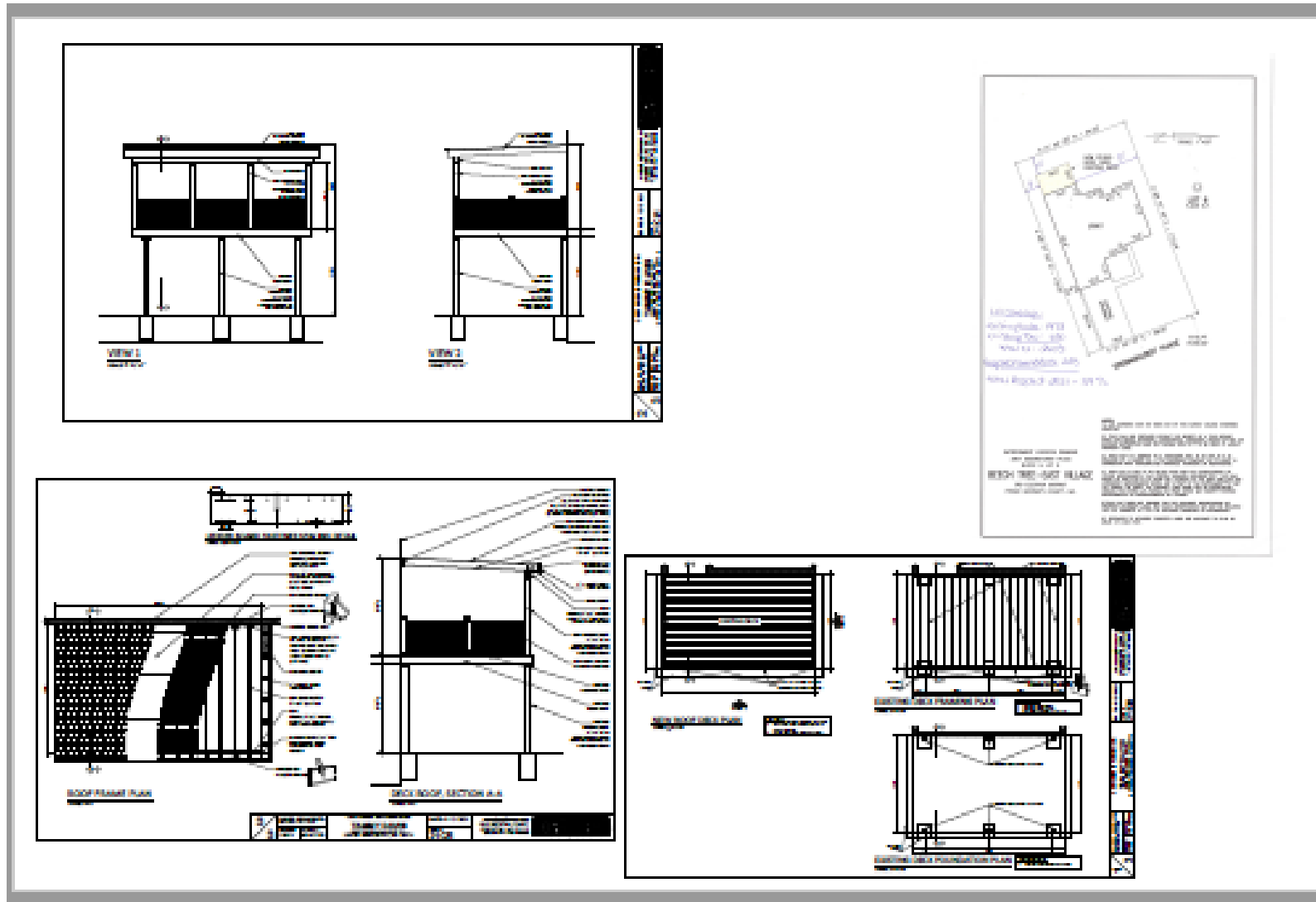
# SPECIFIC DESIGN PLAN



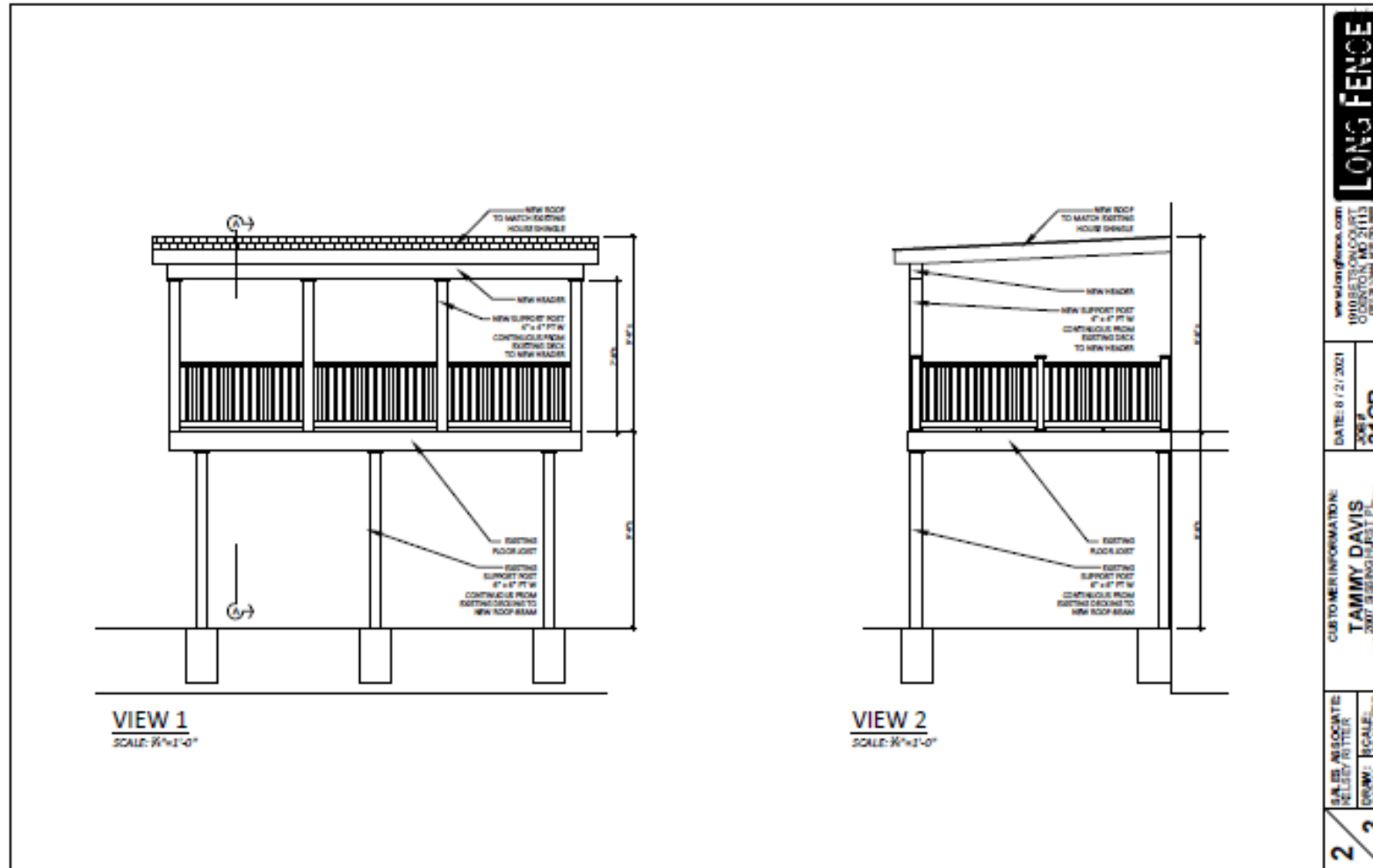
# SITE PLAN



# COVERED DECK DETAIL



# COVERED DECK DETAIL



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# STAFF RECOMMENDATION

## **APPROVAL without conditions**

- N/A

## **Major Issues:**

- N/A

## **Applicant Community Engagement:**

- N/A



PGCPB No. 98-50

File No. CDP-9706

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Comprehensive 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 February 26, 1998, regarding Comprehensive Design Plan CDP-9706 for Beech Tree the Planning Board finds:

1. 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:	1194 acres
Less Half Floodplain Acreage:	<u>91 acres</u>
Base Residential Acreage:	1103 acres
Base Residential Intensity (1103 x 1.6)	1765 units
Max. Residential Intensity (1103 x 2.6)	2869 units

(\*More 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 = **1084 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: Townhouses - no more than 20 percent; Multifamily - no more than 10 percent; Single-Family Detached - no less than 70 percent.)

2. Zoning Map Amendment Application No. A-9763-C/02 was submitted in an effort to separate from the previously approved Basic Plan the 134 $\frac{1}{2}$  acres owned by Leeland Associates and the 11 $\frac{1}{2}$  acres owned by Milestone Investments, and to allow several amendments to the approved Basic Plan for the remaining 1,045 acres, including elimination of the golf course, addition of a 25-acre lake, modification of the product mix, provision of a 50-acre community park, and relocation of school sites. The application for A-9763-C/02 was denied by the District Council on July 18, 1996.
3. Comprehensive Design Plan CDP-9404 was submitted for review concurrently with Zoning Map Amendment A-9763-C/02 discussed in Finding No. 2 above. CDP-9404, known at that time as the Villages of Belmont, reflected all of the features and amendments proposed in the application for A-9763-C/02. On July 30, 1996, CDP-9404 was remanded by the District Council to the Planning Board in accordance with the following Order of Remand:

AREMANDED, based on the failure of the Comprehensive Design Plan to conform with the approved Basic Plan, for a de novo proceeding, to the Planning Board, in accordance with Section 27-133 of the Zoning Ordinance. The Planning Board shall collect any fees it deems necessary from the applicant prior to its review of an amended or revised Comprehensive Design Plan submitted pursuant to this remand. In reviewing all amended or revised Comprehensive Design Plans submitted pursuant to this remand, the Planning Board and the Technical Staff shall require current data and shall not rely on facts or evidence previously submitted unless the applicant has provided competent information that the previously submitted data is unchanged. Additionally the Planning Board and the Technical Staff shall apply all standards and tests for Comprehensive Design Plan approval, including adequate public facilities, in their review of all amended or revised Comprehensive Design Plans regardless of the previous application of those standards and tests.@

4. In accordance with the Order of Remand, the Comprehensive Design Plan was resubmitted by the owner/applicant, Villages of Belmont, Inc., and was accepted by the Development Review Division on November 21, 1997. The Comprehensive Design Plan was renamed Beech Tree by the applicant and was given a new number, CDP-9706, for administrative clarity.
5. The Comprehensive Design Plan as proposed by the applicant 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, over 60 acres dedicated to M-NCPPC for other public parks, 211 acres dedicated as homeowners open space, and 11 acres set aside for a private equestrian facility. Acreage will be conveyed by The M-NCPPC to the Board of Education when needed for construction of a middle school and elementary school and establishment of park/school sites.

Also included in the Comprehensive Design Plan is a 5.5-acre property fronting on the west side of US 301 approximately 515 feet south of its intersection with Swanson Road, owned by Amish, Inc. This property is the site of the existing Forest Hills Motel. Under the R-S zoning of the property, the motel is a non-conforming use. The owners of this property have recently submitted a special exception application to expand their motel (as an expansion of a certified non-conforming use) from 13 rooms to 43 rooms. CDP-9706 includes the hotel and any expansion thereof as an approved use subject to approval of any required special exception and Specific Design Plan.

Findings Required by Section 27-521 of the Zoning Ordinance (Findings 6-16 below)

6. The Comprehensive Design Plan for Beech Tree, when modified by the conditions described below, will be in conformance with the conditions and considerations of Zoning Application No. A-9763-C. Specific conditions and considerations which warrant discussion regarding conformance of the Comprehensive Design Plan with the Basic Plan are considered below:

**Condition 1. There shall be no grading or cutting of trees on the site prior to approval of the Comprehensive Design Plan, except on a selective basis with written permission of the Prince George's County Planning Board.**

This condition is carried forward as Condition 3 below in slightly modified form.

**Condition 2. All nonresidential buildings shall be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable County laws.**

This condition is carried forward as Condition 24 below.

**Condition 3. The location of circulation systems and the golf course are illustrated for conceptual purposes only, subject to revision during Phase II review.**

The road circulation system proposed on the Comprehensive Design Plan (CDP) shares significant features with the conceptual circulation system on the approved Basic Plan, most notably the number (two) and location of access points on Leeland Road, and the number (again two) and general location of access points on US 301. Internal road alignments on the CDP have been adjusted somewhat from those shown on the Basic

Plan, but, in light of the flexibility allowed by Basic Plan Condition 3, the CDP circulation system is clearly in conformance with that shown on the Basic Plan.

The layout of the golf holes on the CDP forms a rough figure-eight, as does the conceptual layout shown on the Basic Plan. On the CDP, the lower loop is much longer than on the Basic Plan, extending almost to the southern end of the site. This degree of disparity between the golf course layout on the two plans is clearly allowed by Basic Plan Condition 3.

**Condition 4. All burials shall be located to one of the three cemeteries on-site; or all burials shall be removed to a related church or family cemetery off-site.**

The applicant has not provided any detailed information with respect to their intentions regarding relocation of the burials. A memorandum from the Historic Preservation Section (Pearl to Adams, December 19, 1997) provides the following information about the cemeteries:

A Historic Preservation Section staff has learned that the Vogel Company (which owned the BeechTree property at the time of the Basic Plan) applied for and received from the State's Attorney authorization to disinter and reinter the burials from the Hilleary and the Smith family cemeteries. The Hilleary family burial ground is located within the LAC; the Smith family burial ground is located in the northerly section of the BeechTree property. (No authorization has been approved for removal of the Hodges burials; the Hodges family burial ground is located in the southerly section of the developing property, about 1,500 feet north-northwest of the Pentland Hills ruins.) The authorization was issued 9 August 1989 for removal of all burials at the Hilleary and Smith family graveyards and reinterment at Lakemont Memorial Gardens in Anne Arundel County. Lakemont Memorial Gardens has no record of interment of these Hilleary or Smith family members; therefore we believe that the disinterment has never taken place. @

To ensure that this condition is addressed during future steps in the review process, Condition 5 below is provided.

**Condition 5. The historic site known as Pentland Hills shall be studied and recorded using architectural, photographic and archeological techniques before it is removed to permit development.**

The CDP text on p. 21 states that the buildings of Historic Site #79-38 for Pentland Hills have totally collapsed, but that the golf course may attempt to incorporate foundation walls to commemorate the settlement. @ A memorandum from the Historic Preservation Section (Pearl to Adams, December 19, 1997) indicates that Phase I and Phase II of the archeological study of this site required by this condition have been completed but never submitted to the Historic Preservation Section. This condition is carried forward as

Condition 16 below to require that the Specific Design Plan in which Pentland Hills is located include the archeological survey information mentioned in this condition.

**Condition 6. An environmental setting approved by the Historic Preservation Commission for Beechwood shall be illustrated on the Comprehensive Design Plan.**

The Beechwood Historic Site is located on the L-A-C-zoned portion of the overall Beech Tree site, which is not located in the subject Comprehensive Design Plan. Beechwood's Environmental Setting, established by the Historic Preservation Commission in 1988 and never revised, is also mostly located in the L-A-C portion of the site. However, because it appears that a small portion of the Environmental Setting may extend into the R-S-zoned land, it is appropriate to illustrate the exact boundaries of the Environmental Setting on the subject CDP. Even if none of the Environmental Setting were located on the R-S-zoned land, it would be important to know the exact location of the Environmental Setting in order to judge its impact, if any, on the adjacent land uses on the Beech Tree Comprehensive Design Plan. Therefore, Condition 1.k. below is provided.

**Condition 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 unit, 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.**

In their memorandum dated February 11, 1998 (Izzo to Adams), the Countywide Planning Section of the Community Planning Division states that the CB-3-1997 test of school adequacy will fulfill the intention of condition #7, and the Planning Board so finds. The school adequacy test is explained in Finding 13 below.

**Condition 8. The Historic Site of Beechwood is to be used as a country inn, offices, restaurant or public/quasi-public use as deemed appropriate by the Planning Board. However, permitted uses may not be prohibited.**

The Beechwood Historic Site is located on the L-A-C-zoned portion of the overall Beech Tree site. It is not included within the subject CDP.

**Condition 9. The actual permissible amounts of commercial square footage in the L-A-C request and dwelling units in the R-S request will be determined at the time of Comprehensive Design Plan approval after an analysis of the public benefit features set forth in Sections 27-496(b) and 27-513 of the Zoning Ordinance.**

Analysis of the public benefit features and dwelling unit density increments requested by the applicant pursuant to Section 27-513 of the Zoning Ordinance is presented in Finding 23 below.

**Condition 10. The applicant shall provide 60+ acres of public parkland to be comprised of no more than two parcels, suitable for active recreational development. Other alternatives such as, but not limited to fee-in-lieu, off-site dedication or improvements to parkland may be considered if deemed beneficial to the residents of the subject development.**

The applicant has agreed to dedicate land for public park use and provide improvements to the parks that, in the judgement of the Department of Parks and Recreation, fulfil the intent of this condition by providing benefits to the residents of the development and the County as whole which are substantially equivalent to the benefits which would be derived from 60 acres of land suitable for active recreational development. Finding 18 below provides further details concerning fulfillment of this Basic Plan condition.

**Condition 11. The provision of a four-way stop at the intersection of Church Road, Oak Grove Road, Leeland Road and Queen Anne School and the installation of a flashing School Crossing light along Oak Grove Road west of Queen Anne School and along Leeland Road east of Queen Anne School prior to any building permit being issued as approved by the Department of Public Works and Transportation.**

The Department of Public Works and Transportation indicates (Issayans to Burton, February 18, 1998) that AA study conducted by our office in 1996 revealed that neither a multi-way stop control nor School Advance beacons were warranted at that time. Based on a review of the traffic study, the additional traffic generated by the Beech Tree development would not warrant a multi-way stop control or beacons in the near future. Therefore, it is suggested that this condition be eliminated from the resolution.@

The Planning Board finds that a multi-way stop control and beacons are not warranted.

**Condition 12. The equestrian center shall also contain an indoor riding rink. The recreation center shall contain a health club/fitness center, tennis courts and swimming pool. The golf course shall be designed and constructed under the supervision of a nationally known golf course architect or designer.**

The CDP text (p. 32) indicates that AAn eleven-acre parcel in the North Village has been set aside for the Equestrian Facility.... The center will include an indoor and outdoor riding rink, stables and paddock areas.@

The equestrian center referenced in this condition is shown on the Basic Plan near the northern end of the development. Subsequent to approval of the Basic Plan, CB-10-1992 was approved (on May 26, 1992). This bill amended the regulations and design standards for the V-L, V-M, and R-L Zones, allowed a ARiding Stable@ in the V-L and V-M Zones subject to a Special Exception, and at the same time prohibited this use in the R-S Zone, thus making illegal what had been approved in A-9763-C two and one-half years earlier. A Council Bill will soon be presented for consideration by the District Council,

which would make a ARiding Stable@ an allowed use in the R-S Zone. As indicated in Condition 2 below, approval of the Equestrian Center as a component of this Comprehensive Design Plan is contingent upon approval of the pending Council bill.

The CDP text (p. 32) states that a community recreation center will be provided and that it will include a clubhouse, outdoor pool, tennis courts and other related recreational uses. A health club/fitness center is not specifically mentioned in the text. It is, however, included in Finding 26 below in the list of recreational facilities required to be provided by the applicant on homeowners association land.

The golf course will be developed, owned and managed by the Landmark National Company, a nationally-known planner, developer and operator of master planned communities. The Landmark National group of companies is involved in projects that will provide more than 74,000 homes and more than thirty 18-hole golf courses. Landmark National has built five golf courses listed in the Top 100 Courses.

Landmark National will supplement the expertise of its own design staff by engaging the services of Greg Norman Golf Course Design. Greg Norman Golf Course Design has an international reputation for constructing distinguished golf courses and clearly fulfils the Basic Plan requirement for a Anationally known golf course architect or designer.@

**Condition 13. An amended Basic Plan shall be filed for approval of the office of Zoning Hearing Examiner prior to any further permissions being issued pursuant to this decision.**

An amended Basic Plan was filed for approval by the Zoning Hearing Examiner as indicated by this condition on February 25, 1998.

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

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

**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 is carried forward in modified form in Condition 15 of this Resolution (p. 58, below), with additional details concerning administration of the condition.

**Condition 15. Where single-family attached housing is placed adjacent to property not owned by the applicant or its successors or assigns, setback and screening**

**approved by the Planning Board shall be provided. Such setback shall not be required beyond 100 feet.**

The Comprehensive Design Plan at a scale of 1 inch=200 feet does not provide sufficiently detailed layout information to determine if there will be instances of the situation described in this Basic Plan condition. To ensure that it is fulfilled, this condition will be carried forward as CDP Condition 19 below.

**Condition 16. The District Council shall review the comprehensive and specific design plans for approval.**

The portion of this condition referring to Specific Design Plans is carried forward as Condition 18 below.

**Condition 17. No more than 50% of the commercial structures may be constructed until such time as greater than 50% of the dwelling units are constructed and occupied.**

The commercial structures in the L-A-C-zoned portion of the site are not included in the subject Comprehensive Design Plan application.

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

This consideration is fully addressed in the memorandum from the Natural Resources Division (Stasz and Wood to Adams, February 10, 1998) which is discussed in Finding 17 below.

**Consideration 2. The applicant shall prepare a 100-year floodplain study and a stormwater management concept plan for approval by the Department of Environmental Resources.**

A 100-year floodplain study for the subject site (FPS 890192) was approved by the Department of Environmental Resources on September 11, 1989. A Stormwater Management Concept Plan (#958009110) was approved by the Department of Environmental Resources on June 12, 1995. Further information on these approvals may be found in the memorandum from the Natural Resources Division (Stasz and Wood to Adams, February 10, 1998) which is discussed in Finding 17 below.

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



This consideration is fully addressed in the memorandum from the Natural Resources Division (Stasz and Wood to Adams, February 10, 1998) which is discussed in Finding 17 below.

**Consideration 4. The applicant shall prepare a noise study for approval by the Planning Board. The study shall specify the site and structural mitigation measures that will be incorporated into the development to minimize noise intrusion and prevent noise levels exceeding 65 dBA (Ldn) exterior and 45 dBA (Ldn) interior for residential areas.**

This consideration is fully addressed in the memorandum from the Natural Resources Division (Stasz and Wood to Adams, February 10, 1998) which is discussed in Finding 17 below.

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

This consideration is fully addressed in the memorandum from the Natural Resources Division (Stasz and Wood to Adams, February 10, 1998) which is discussed in Finding 17 below.

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

This consideration is fully addressed in the memorandum from the Natural Resources Division (Stasz and Wood to Adams, February 10, 1998) which is discussed in Finding 17 below.

**Consideration 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:....**

Adequacy of transportation facilities is discussed in Finding 12 below, as are all of the transportation improvements identified in this Basic Plan Consideration.

**Consideration 8. Multifamily and commercial uses, which are more readily adaptable to noise proofing measures, and recreational uses which are not as sensitive to noise intrusion shall be located in closer proximity to identified noise sources than single-family uses.**

The main noise source impacting the Beech Tree site is US 301 immediately to the east. The applicant's proposal to locate the second and third golf holes near the highway is consistent with this Basic Plan consideration. The exact location of multifamily uses has not yet been determined, so the appropriateness of the applicant's response to this

consideration cannot be evaluated until more detailed layout information is provided with the Specific Design Plan.

**Consideration 9. 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. In addition, landscaping, screening and berming shall be combined to provide varied streetscapes.**

Views from roadways and the quality of the streetscape cannot be evaluated without the detailed information provided with the Specific Design Plan. Therefore, this consideration is carried forward as Condition 20 below.

**Consideration 10. The open space network shall function to provide usable recreation areas, preserve natural features and enhance manmade features. At a minimum, the open space network shall conform to the guidelines for cluster open space in the Subdivision Regulations.**

The open space network is to a large extent organized to accommodate the proposed 18-hole golf course, thus clearly fulfilling the intent of this consideration to provide usable recreation area in the open space. The Collington Stream Valley Park, to be dedicated to M-NCPPC as public open space, will preserve the stream and nearby floodplain, wetlands and extensive woodland. The relevant guidelines for cluster open space in Section 24-137(g)(2)-(5) of the Subdivision Regulations call for cluster open space to include irreplaceable natural features located on the tract (including, but not limited to, stream beds, significant stands of trees, steep slopes, individual trees of significant size, and rock outcroppings) and to be easily accessible to pedestrians. The Natural Resources Division, as indicated in Finding 17 below, has some significant reservations concerning the degree to which stands of trees and individual trees have been preserved in the subject application.

**Consideration 11. The trails system shall be designed to link all residential areas to all commercial and recreational elements of the proposed development.**

The trail system shown on the Comprehensive Design Plan does not link all residential areas to all commercial and recreational areas. Condition 1.l. below requires amendment of the plan to provide several trail links which will be necessary to fulfil the intent of this condition.

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

This Comprehensive Design Plan Consideration will be carried forward as a Specific Design Plan Consideration. At Specific Design Plan, names of specific features within the development are more likely to be under review.

**Consideration 13. The applicant shall demonstrate how Beechwood will be functionally integrated into the proposed development, and the design of structures on the adjacent parcels shall be judged to be compatible with this recently restored historic property.**

The Beechwood historic site is not included in the subject CDP application. Therefore, it is not necessary at this time to demonstrate how the historic house will be functionally integrated into the development. Condition 17 below will ensure that structures on adjacent parcels are compatible with the historic house.

**Consideration 14. The applicant shall more narrowly define the scope of operations for the proposed equestrian center to include indoor and outdoor exercise rinks and stable facilities.**

As indicated under Condition 12 above, the CDP text (p. 32) indicates that AAn eleven-acre parcel in the North Village has been set aside for the Equestrian Facility.... The center will include an indoor and outdoor riding rink, stables and paddock areas.@

7. The proposed Comprehensive Design Plan would result in a development with a better environment than could be achieved under other regulations because more open space will be preserved by the design of the CDP. More than half of the land (609 acres) within the Beech Tree development will be set aside for open space uses, including an 18-hole golf course, public park land in the Collington Stream Valley Park (136 acres) and one or more community parks, and homeowners open space. A proposed 25-30-acre lake located in the center of the site will be an integral part of the golf course design and will be an attractive site amenity with both recreational and scenic value. The golf course and lake together will occupy over 238 acres. Other features of the development which are not likely to have materialized under conventional regulations include an equestrian center, club house for the golf course and a separate recreation center to be owned by the homeowners.
8. Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities and amenities. Among the distinctive design elements of the Beech Tree plan is the integration of a championship golf course with four residential villages, each with its own unique character. The East Village will be designed in accordance with Aneo-traditional@ principles. Proposed facilities and amenities include, first and foremost, the golf course and the lake. A clubhouse will be built as a significant element of the golf course operation. Sites will be set aside for a middle school and an elementary school. A separate recreation center will be constructed for use by the homeowners. A commercial equestrian center with stables and indoor and outdoor riding rinks will be provided. These facilities, as well as the land to be dedicated for public parks and an extensive trail system, will satisfy the needs of the residents, employees or guests of the project.

9. The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings. The site is bounded to the north by undeveloped R-S property, a 25-acre parcel zoned L-A-C (a companion case to the original Basic Plan, A-9762-C) which contains the Beechwood Historic site, undeveloped property zoned R-A and existing Leeland Road. To the east are located undeveloped property zoned E-I-A, US 301 and the proposed F-10 highway. Beyond US 301 to the east are agricultural land, large residential lots, the Marlboro Meadows single-family detached development (zoned R-R), and, northeast of the intersection of US 301 and Village Drive, the Meadowbrook townhouse development. Along the southern boundary are located undeveloped property zoned R-A (the western half) and E-I-A (the eastern half). Finally, to the west are located the Pope's Creek Railroad right-of-way and, beyond that, the established Brock Hall and Brock Hall Manor residential communities (zoned R-E). The proposed Collington Stream Valley Park will provide a wooded buffer along Beech Tree's western boundary between these existing communities and the proposed Beech Tree development.

10. Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:

a. Amounts of building coverage and open space.

The building coverage proposed on each lot ranges from a maximum of approximately 70 percent in the single-family attached units and 75 percent on the smallest single-family detached lots (5,000 square feet) to 40 percent for the largest single-family detached lots (10,000 square feet and larger). This will ensure adequate open space in the lotted areas comparable to that provided in other contemporary residential developments. Significant open space will be provided elsewhere on the site for use by the homeowners. A total of 208 acres of land will be dedicated to the homeowners' association, at least 156 acres of which will be outside of the floodplain. Other large areas of open space include the golf course (238 acres) and the Collington Stream Valley Park (136 acres).

b. Building setbacks from streets and abutting land uses.

The CDP proposes residential standards for setbacks from streets that range from a minimum of 10 feet from the parking area for nongarage, single-family attached units up to 20 feet for the largest single-family detached units. Basic Plan Condition 15, which is carried forward as CDP Condition 19, requires setbacks (not to exceed 100 feet) of single-family attached housing from adjacent property not owned by the applicant. Since the exact location of attached housing will not be known until the time of Preliminary Plat of Subdivision and Specific Design Plan, the amount of the setback from adjacent property will be approved in connection with those applications.

c. Circulation access points.

The proposed plan will have adequate circulation access points to the surrounding road network. Four vehicular access points to the site are proposed: two entrances from US 301, one opposite Village Drive and the other opposite Swanson Road, and two entrances from Leeland Road to the north. One additional access point from the adjacent property to the south is shown on the approved Basic Plan and on the Comprehensive Design Plan.

11. Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability. As each of the four separate villages is constructed, the necessary infrastructure to support it will also be built. The golf course and related facilities will be constructed in the first phase. As subsequent phases are constructed, additional facilities will be constructed in accordance with the timetable established in Condition 25 below.
12. In their memorandum dated February 10, 1998 (Burton to Adams), the Transportation and Public Facilities Planning Division concluded that the staging of the Beech Tree development will not be an unreasonable burden on available public facilities as required by Section 27-521 of the Zoning Ordinance if the application is approved subject to Conditions 28-30 below, and the Planning Board so finds. The Division provided the following information in support of this conclusion, all of which is adopted by the Planning Board as its findings in regard to transportation:

On October 9, 1989, the District Council approved a Basic Plan under ZMA A-9763-C, 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 17 conditions and 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.=

On October 29, 1997, staff received a traffic study in support of the Comprehensive Design Plan phase of the subject property. The study identified the following links and intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection/Link	(LOS/CLV)	(LOS/CLV)
	AM	PM
Link - Leeland Road (west of site)		
US 301/MD 725	<b>E/1555</b>	<b>E/1504</b>
US 301/Village Drive	A/937	C/1169
US 301/Swanson Road *	> 45 seconds	> 45 seconds
US 301/Leeland Road *	> 45 seconds	> 45 seconds
US 301/Trade Zone Avenue	C/1187	D/1399
* Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service AE@ which is deemed acceptable, corresponds to a maximum delay of 45 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the <i>Guidelines</i> .		

The study cited 17 approved background developments which collectively will impact the above intersections and link during the morning and evening peak hours. The background developments will generate a total of 4,600 AM peak hour trips and 6,163 PM peak hour trips. An analysis of the background developments was done based on a six-year (2003) build-out and an eight-year build-out. Those analyses yielded the following results:

BACKGROUND CONDITIONS				
Intersection/Link	2003 (LOS/CLV)		2005 (LOS/CLV)	
	AM	PM	AM	PM
Link - Leeland Road (west of site)	v/c = 0.69	v/c = 0.66	v/c = 0.69	v/c = 0.66
US 301/MD 725	<b>F/1911</b>	<b>F/2075</b>	<b>F/1965</b>	<b>F/2148</b>
US 301/Village Drive	<b>E/1474</b>	<b>F/1636</b>	<b>E/1536</b>	<b>F/1694</b>
US 301/Swanson Road *	<b>F/1657</b>	<b>F/1755</b>	<b>F/1719</b>	<b>F/1828</b>
US 301/Leeland Road *	<b>E/1576</b>	<b>F/1891</b>	<b>F/1638</b>	<b>F/1964</b>
US 301/Trade Zone Avenue	<b>F/2082</b>	<b>F/2070</b>	<b>F/2136</b>	<b>F/2143</b>



\* Analyzed as signalized intersections.

Using the *Guidelines For The Analysis Of The Traffic Impact Of Development Proposals*, the study has indicated that the proposed development will be adding 1,851 AM peak hour trips and 2,187 PM peak hour trips at the time of full build-out. As was the case for the background analyses, the study assumed full build-out up to the year 2003 as well as the year 2005. Applying a growth rate of 3 percent per year for through traffic along US 301, and combining the site-generated traffic along with background developments, the following results were determined:

TOTAL TRAFFIC CONDITIONS (Without Improvements)				
Intersection/Link	2003 (LOS/CLV)		2005 (LOS/CLV)	
	AM	PM	AM	PM
Link - Leeland Road (west of site)	v/c = 0.69	v/c = 0.66	v/c = 0.69	v/c = 0.66
US 301/MD 725	<b>F/2125</b>	<b>F/2182</b>	<b>F/2179</b>	<b>F/2255</b>
US 301/Village Drive	<b>F/2171</b>	<b>F/1751</b>	<b>F/2232</b>	<b>F/1813</b>
US 301/Swanson Road *	<b>F/1973</b>	<b>F/2159</b>	<b>F/2035</b>	<b>F/2232</b>
US 301/Leeland Road *	<b>F/1975</b>	<b>F/2406</b>	<b>F/2036</b>	<b>F/2479</b>
US 301/Trade Zone Avenue	<b>F/2194</b>	<b>F/2462</b>	<b>F/2248</b>	<b>F/2535</b>

\* Analyzed as signalized intersections.

To provide adequate levels of service at the facilities mentioned above, the traffic study cited improvements along US 301 between MD 214 and MD 725 which are described in the current Prince George=s County Capital Improvement Program (CIP) FY 1998-2003 (Project FD669161). The improvements that are being considered by the applicant for the 2003 build-out are as follows:

US 301/Trade Zone Avenue

1. Construct an additional northbound left turn lane along US 301 to result in a 500-foot double left-turn lane. (CIP Improvement)
2. Construct a third eastbound left turn lane along Trade Zone Avenue. (CIP Improvement)

3. Construct a third southbound through lane along US 301. (CIP Improvement)
4. Construct a fourth southbound through lane along US 301. (CIP Improvement)
5. Construct a third northbound through lane along US 301. (CIP Improvement)
6. Convert eastbound right-turn lane to free-flowing right turn. (CIP Improvement)

US 301/Leeland Road

1. Construct a third northbound and southbound through lane along US 301. (CIP Improvement)
2. Construct an eastbound triple left turn lane along Leeland Road for approximately 375 feet and a free-flowing right-turn lane. (CIP Improvement)
3. 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 (to Swanson Road).
4. Construct a second northbound left-turn lane along US 301 to provide a 300-foot double left-turn lane. (CIP Improvement)

US 301/Swanson Road

1. Construct a third southbound and northbound through lane along US 301. (CIP Improvement)
2. Construct a fourth southbound through lane along US 301 from Swanson Road to a point approximately 2,300 feet south of Swanson Road.

US 301/Village Drive

1. Construct a third northbound and southbound through lane along US 301. (CIP Improvement)
2. Widen Village Drive (westbound) to provide four lanes; two exclusive left-turn lanes, an exclusive through lane and a free-flowing right-turn lane. (CIP Improvement)

US 301/MD 725

1. Construct a third northbound and southbound through lane along US 301. (CIP Improvement)

2. Construct a fourth southbound through lane along US 301. (CIP Improvement)
3. Construct a second northbound left-turn lane to provide a double left-turn lane. (CIP Improvement)
4. Convert existing eastbound right-turn lane to free-flowing right turn. (CIP Improvement)
5. Restripe westbound approach to provide a second through lane. (CIP Improvement)

Citing the previously mentioned improvements, the traffic study projected the following levels of service:

TOTAL TRAFFIC CONDITIONS (With Improvements)				
Intersection/Link	2003 (LOS/CLV)		2005 (LOS/CLV)	
	AM	PM	AM	PM
Link - Leeland Road (west of site)	v/c = 0.69	v/c = 0.66	v/c = 0.69	v/c = 0.66
US 301/MD 725	<b>D/1401</b>	<b>D/1407</b>	<b>D/1445</b>	<b>D/1447</b>
US 301/Village Drive	<b>C/1295</b>	<b>D/1402</b>	<b>D/1338</b>	<b>D/1434</b>
US 301/Swanson Road	<b>C/1297</b>	<b>D/1324</b>	<b>D/1340</b>	<b>D/1365</b>
US 301/Leeland Road	<b>D/1405</b>	<b>D/1435</b>	<b>D/1449</b>	<b>D/1433</b>
US 301/Trade Zone Avenue**	<b>D/1305</b>	<b>D/1433</b>	<b>C/1263</b>	<b>D/1441</b>

\*\* The LOS assumes a third northbound left-turn along US 301 (CIP Improvement)

In addition to the CIP improvements cited for Phases I and II, the traffic study recognized the need for a through lane on southbound US 301 between Leeland Road to a point to the south of Swanson Road. In closing, the traffic study concluded that with the provision of an additional fourth through lane along southbound US 301 and a pro rata share of the \$2.5 million in developer contributions, satisfactory levels of service will be achieved at all of the key intersections.

Upon review of the applicant's study, our Division does not totally concur with the conclusions reached.

1. The application is a CDP for a residential development consisting of 1,680 single-family dwelling units, 480 townhomes and 240 multifamily homes on 1,047 acres of R-S-zoned property. The proposed development would generate 1,755 AM and 2,051 PM peak hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*.
2. The traffic generated by the proposed amended plan would impact the following intersections and links:

- \$ Link - US 301 (MD 214 - MD 725)
- \$ Link - Leeland Road (MD 193 - site entrance)
- \$ US 301/MD 725
- \$ US 301/Village Drive
- \$ US 301/Swanson Road
- \$ US 301/Leeland Road
- \$ US 301/Trade Zone Avenue
- \$ MD 193/Oak Grove-Leeland Road

3. All of the intersections and links identified in number 2 above, with the exception of the MD 193/Oak Grove Road intersection, are programmed for improvement with 100 percent construction funding within the next six years in the current (FY 1998-2003) Prince George's County Capital Improvement Program (CIP).

CIP Project FD669161 (US 301 Improvements) provides that \$24,000,000 in construction funds will be provided by developer contributions and the State of Maryland. In 1995, when the subject property was being reviewed as Villages Of Belmont (CDP- 9404), the project justification that fiscal year identified \$2.5 million of the \$24 million as the portion to be used as the basis for developer contributions. The current CIP makes no reference regarding what portion of the \$24 million will come from the State of Maryland and the development community. However, in a February 1998 letter to the Planning Board, the Deputy Chief Administrative Officer of Prince George's County has advised that it is still the intent of the County to obtain \$2.5 million in developer contribution. The cost estimate used for this project was based on 2nd quarter 1989 data. Based on the County's letter, staff has identified participating developments and the associated share of project contributions along the US 301 corridor. To date, the following developments have made financial commitments towards the aforementioned CIP improvements through Planning Board resolutions:

Collington South	4-97044	PB97-214(C)	\$456,000.00
Marlboro Square	4-96084	PB96-342	\$30,880.00
Meadowbrook	4-89227	PB90-102	\$106,948.31

**TOTAL** **\$593,828.31**

Of the remaining \$1,906,171.69, the applicant's share was computed as \$1,194,805.08, or 62.68 percent of the remaining peak hour trips along US 301.

In a June 12, 1995, letter from the Director of DPW&T, additional details concerning the scope of the improvements in the CIP project were provided. The project would provide a third through lane in each direction between MD 214 and MD 725 and further widening as needed. In the June 12 letter, DPW&T determined that this project also encompasses construction of an additional fourth lane on US 301 at Trade Zone Avenue, MD 725 and MD 214.

4. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system. The following intersections, and links identified in number 2 above, when analyzed with the programmed improvements in number 3 above and total future traffic as developed using the *Guidelines*, were not found to be operating at LOS D or better:

§ MD 193/Oak Grove-Leeland Road  
§ Link - Leeland Road (MD 193 - site entrance)

5. The MD 193/Oak Grove Road intersection was not analyzed in the applicant's traffic study. However, the assignment of trips shown in this study indicates that 15 percent of the site-generated trips would impact this intersection. Specifically, the site will send 278 AM peak hour and 328 PM peak hour trips through this intersection. Based on a July 1997 traffic study, the unsignalized intersection currently operates at acceptable levels of service, however, with the inclusion of background traffic, the intersection would operate with a delay of 48.8 seconds/car, which is deemed unacceptable as per the *Guidelines*. The improvements being sought by staff involve the following:

§ A relocation of MD 193 and Oak Grove Road to create a relocated "T" intersection, as shown in the Adopted and Approved Bowie-Collington-Mitchellville and Subregion VI Master Plans. Specifically, the reconstructed and realigned intersection must 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.

§ Installation of a traffic signal at the relocated intersection.

These improvements would provide LOS/CLV A/837 and A/690 during the AM and PM peak hours respectively.

- 6 With regard to conformity with the Basic Plan, all of the Basic Plan considerations have been addressed in the proposed CDP with the exception of 7(o), 7(q) and 7(r). Consideration 7(o) requires the applicant to provide dedication for the access road (A-61) serving the property. Based on the pending CDP, approximately 50 feet of right-of-way will be needed. Consideration 7(q) addresses the need for closing the median at Swanson Drive as determined by SHA. As of this writing, staff has not received SHA=s comments regarding the closing of the Swanson Road median or any other issues relating to US 301. Consideration 7(r) provides for two continuous travel lanes on Leeland Road from US 301 to MD 202. Approximately 3,500 feet west of US 301 along Leeland Road is a box culvert which is currently not long enough to support two lanes of traffic on Leeland Road. In order to ameliorate this problem, the existing culvert would have to be either lengthened or replaced, to the satisfaction of DPW&T.
7. As of the date of this memorandum, staff has not received official comments in writing from the SHA. It is staff=s understanding that the SHA=s staff are continuing to discuss their requirements with the applicant.@

In an addendum to the February 10, 1998 memorandum referenced above (Burton to Adams, February 24, 1998), the Transportation and Public Facilities Planning Section provided the following supplemental information regarding needed road improvements, all of which is adopted by the Planning Board as its findings:

On page 5 (of 10) of the staff memorandum, staff reported improvements at two intersections that were identified in the applicant=s traffic study as being required in order to support the 2003 build-out of the subject property. Those improvements are as follows:

#### 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 (to Swanson Road).

#### 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.

In Finding number 5 of the February 10, 1998 memorandum, staff identified a June 12, 1995 letter from the Director of DPW&T (copy attached) in which

details of the scope of the CIP improvements were provided. The improvements mentioned above were not identified in the June 12, 1995 letter as part of the CIP improvements. Consequently, since these improvements are needed for meeting the APF requirements, then the cost must be borne by the applicant. In light of this, staff will amend the conditions previously listed in the February 10, 1998 memorandum to **add** the following conditions:

3. 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 the CIP/CTP or otherwise provided by the applicant, his heirs, successors or assigns:

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 (to Swanson Road).

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.

13. A memorandum from the Countywide Planning Section of the Community Planning Division (Izzo to Adams, February 11, 1998) reported on the adequacy of existing and programmed public facilities other than roads. Referrals concerning the public facilities aspect of the Beech Tree proposal were sent to the following agencies:
  - a. Prince George's County Fire Department
  - b. Prince George's County Memorial Library System
  - c. Prince George's County Public Schools
  - d. Prince George's County Health Department
  - e. Prince George's County Police Department

The Countywide Planning Section concludes that the staging of the Beech Tree development will not be an unreasonable burden on the available public facilities if Conditions 4, 24 and 31 are approved. The Planning Board adopts this as its finding.

The following information is provided in support of this conclusion, all of which is also adopted as findings of the Planning Board.

Schedule of Development

The Beech Tree development proposal is planned for development in three phases, including a golf course and then two residential development phases. The development of the golf course as a separate phase will have no effect on the County's public schools. The two residential phases will have an effect on the County's school system. The applicant has not specifically defined the exact number nor type of residential units in each particular phase, therefore the staff has analyzed the total residential portion of the Beech Tree project.

Schools:

The Beech Tree proposal includes two school sites, a middle school site and an elementary school site. The Countywide Planning Section staff has suggested that the elementary school site be moved next to the proposed community center to create a park-school complex. The Beech Tree applicant has agreed to make this change. The play fields for the elementary school should be constructed on the Parks portion of this property. The middle school site has been reviewed by the staff of the Board of Education and the Countywide Planning Section and the Parks Department. This site is also divided with the play fields on the Parks portion of the site and the school building on the BOE-owned area. The middle school site meets the criteria established for the construction of a middle school.

The staff used the principles and standards set forth in *The Regulation to Analyze the Development Impact on Public School Facilities* (CR-4-1998) and concluded the following:



**Single Family Development**

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield
Perrywood @Belair Elementary School	1680 SF	.22	369.60
James Madison Middle School	1680 SF	.08	134.4
F. Douglass High School	1680 SF	.13	218.4
Source: Prince George's County Planning Department, M-NCPPC, January 1998			

**Townhouse Development**

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield
Perrywood @Belair Elementary School	480 TH	.23	110.4
James Madison Middle School	480 TH	.06	28.8
F. Douglass High School	480 TH	.13	52.8
Source: Prince George's County Planning Department, M-NCPPC, January 1998			

**Multifamily Development & Total Development Projected Impact on Affected Public Schools**

School	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5-Year Projection	Total Projected Enroll SF, MF TH	Preferred Operational Capacity	Total Projected % Capacity
Perrywood @Belair Elementary School	240 MF	.23	55.2	553	1088.2	800	136.02 %
James Madison Middle School	240 MF	.05	12	985	1160.20	800	145.02 %
F. Douglass High School	240 MF	.10	24	1655	1953.80	1349	144.83 %
Source: Prince George's County Planning Department, M-NCPPC, January 1998							

The existing Perrywood @ Belair Elementary School, the Kettering Middle School and Largo High School are all expected to operate at over 105 percent of capacity, therefore are not adequate to accommodate the development.

The Adopted FY98-03 Capital Improvement Program (CIP) proposes a new Perrywood School which is scheduled for planning funds in FY 99. The current Perrywood enrollment is housed in temporarily in the Belair Elementary School. The new Perrywood School would serve this proposed development. There are no projects in the current approved CIP which would provide relief for the overcrowding at the James Madison Middle School and the F. Douglass High School.

The principles and standards set forth in *The Regulation to Analyze the Development Impact on Public School Facilities* (CR-4-1998) establish a fee schedule for schools over 105 percent of capacity. *The Regulations* also establish a Adequate Public Facilities test at the time of Preliminary Plat of Subdivision. That test mandates a four-year waiting period before any permits can be issued for projects where schools exceed 130 percent of the schools= capacity.

Since the affected elementary, middle and high schools projected percentage of capacities are greater than 105 percent, the Adequate Public Facilities fee is \$4,240.00 per single-family dwelling unit, \$3,890.00 per townhouse dwelling unit and \$3,670.00 per multifamily dwelling unit.@

The Adequate Public Facilities Test for schools, performed as part of the subject CDP review, will be superseded by a new test at the time of Preliminary Plat of Subdivision.]

The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge fee of \$2,500.00 per single-family dwelling unit, \$1,200.00 per townhouse dwelling unit and \$700 per multifamily dwelling unit. Therefore, an Adequate Public Facilities fee would be required in the amount of \$1,740.00 per single-family dwelling unit, \$2,690.00 per townhouse dwelling unit, and \$2,970.00 per multifamily dwelling unit.

**Fire:**

Service	Station	Standard-Travel Time (minutes)	Actual Travel Times (minutes)	Within/Beyond Recommended Standard
Engine-Single Family	Station #43	5.25	5.42	Beyond Recommended Standard
Engine-Multifamily/Commercial.	Station #43	3.25	5.42	Beyond Recommended Standard
ambulance-Single	Station #43	6.25	5.42	Within Recommended Standard

Family				
Ambulance-Multifamily/Commercial	Station #43	4.25	5.42	Beyond Recommended Standard
Ladder-Multifamily/Commercial	Station #39	4.25	13.77	Beyond Recommended Standard
Medic	Station #43	7.25	5.42	Within Recommended Standard

This site is located in an area that is not adequately served by a ladder truck and an ambulance service. In order to alleviate the deficiency in ladder truck service the staff would make the recommendation that all multifamily structures and commercial structures be sprinkled in accordance with National Fire Protection Association Standard 13 and 13D and all applicable Prince George's County laws.@

Under the current Planning Board guidelines, if a residential development is beyond the recommended response time for engine and/or ladder truck services, then the development is deemed inadequately served. The Fire Chief has consistently maintained that if residences were sprinklered, there would be no inadequacy. In the case of residential development, the County Code now requires that all new dwelling units be fully sprinklered. Therefore, under Planning Board guidelines, those units should be deemed adequately served. The Planning Board has charged the Planning Department staff to review its current guidelines for the adequacy of fire and rescue facilities and this situation will be addressed in the course of that review. Although the County Code requires the sprinkling of commercial and industrial structures in general, it does not require the full sprinkling of all *areas within certain commercial and industrial structures*. For example, storage areas in some commercial structures are *not* required to be sprinkled by the County Code. National Fire Protection Association Standard 13 does require the sprinkling of those areas not covered by the County Code. Similar to the residential requirement, the Fire Chief has consistently recommended to the Planning Board that all commercial and industrial structures that are beyond recommended travel times for engine and/or ladder services be fully sprinkled in accordance with NFPA standards. Therefore, the Planning Board's requirement to fully sprinkle commercial structures in accordance with NFPA standards has the effect of eliminating the inadequacy caused by engine and/or ladder trucks being beyond the recommended travel time standards.

The site is not presently adequately served by an ambulance service. The *Public Safety Master Plan*, approved November 1989, contains a recommendation to construct a new station in >the Leeland Road south corridor= which would provide service to this proposed development. The staff recommends that a contribution toward the construction of a new station and the purchase of equipment be made by this development. The exact amount of this contribution will be determined at the time of Preliminary Plat of Subdivision.

**Police:**

According to the Police Planning staff:

*the staging of the proposed development will be an unreasonable burden on available police facilities....District II is a 12,500 square foot facility, designed to accommodate 109 sworn personnel but is now used by 137 (146 with civilian employees). This represents a facility overuse of 20.5% by sworn personnel. Population estimates for this project averaged household of 3.28 persons per dwelling unit in 1995. This review uses a 2.50 persons per dwelling unit. That is a rate of 1.5 per 1000 new residential population, this would mean nine new officers would be needed at District II to serve the new population.*

Comment: The Countywide Planning Section staff understands the gravity of the situation and the concern of the police planning group has over the current conditions at the District II facility. The staff will support their efforts to replace the station in whatever capacity that we can. However, with regard to the adequate public facilities test for police facilities, we have to apply the guidelines. In this regard, the Planning Board policy regarding the adequacy of police facilities will be determined on a County-wide basis. In this regard, there is excess capacity, therefore this development will be served in a reasonable period of time.

**Library:**

The staff of the Prince George=s County Library system has responded with a memo which states that this development will be adequately served by the current library facilities.

14. The subject Comprehensive Design Plan proposal does not include an adaptive use of a Historic Site.
15. The plan incorporates the applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance (particularly those relating to views and green area) and in Section 27-433(d) (relating to the proposed townhouses) to the degree feasible in the type of general, schematic plan represented by the subject CDP.
16. The Comprehensive Design Plan was submitted with a proposed Type I Tree Conservation Plan (TCP I/73/97). As explained in Finding 17 below, the Natural Resources Division is able to recommend approval of TCP I/73/97 only if it is approved subject Conditions. 1.a.-1.i., 6, 8, 9, 10, and 22 below.

Referral Responses

17. The Natural Resources Division has provided (Stasz and Wood to Adams, February 10, 1998) the following detailed review of the environmental aspects of the Beech Tree

application, all of which is adopted by the Planning Board as its findings and conclusions:

**Existing Conditions:**

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 1,194 total acres, about 220 acres (18 percent) are currently 100-year floodplain and 207 acres (94 percent) of the floodplain is forested. The upland 973 acres, while under agricultural uses since colonial times, have 651 acres of woodlands (67 percent of the upland).

Staff have reviewed the Comprehensive Design Plan with special regard to A-9763-C and the Considerations placed upon this site.

**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.**

On 5 November 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 5 January 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 proposal. 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 shows preservation of 237.42 acres of woodland at this time and a deficit of 76.99 acres. Note 12 of the Tree Conservation Plan indicates the desire of the applicant to provide for off-site conservation to meet any deficit.

Staff have reviewed the Tree Conservation Plan in detail and can not recommend approval. This recommendation is based upon our analysis of the proposal and the finding that the TCP does 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 does 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 makes a good effort to conserving woodlands along roads and property lines, but fails to conserve woodlands along streams. The major incursion into a stream valley occurs in the area of holes 4, 5 and 6 of the proposed golf course. The removal of woodlands in this area 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*:

**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;@

**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;

**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 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;*

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

Performance Standards:

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; non-essential 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.

Staff are especially concerned about disturbance in this particular area because the Collington Branch contains the Stripeback Darter. During the review of CDP-9407 in 1996, the Stripeback Darter (*Percina notogramma*), a state endangered fish, was found in the mainstem of Collington and Western Branches. Prior to 1996, the stripeback darter had not been observed in Maryland since the 1940's. Despite its documentation in 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 instream 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 populations 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.

In summary, staff have determined that the removal of woodlands for holes 4, 5, and 6 of the proposed golf course are an unnecessary intrusion in the Patuxent River Primary Management Area Preservation Area.

A staff recommendation of approval of TCP I/73/97 would be contingent upon the following conditions:



- (1) Holes 4, 5, and 6 shall be relocated to minimize disturbance to stream valleys, maintain contiguous woodland, maintain woodland on steep and severe slopes, and conserve critical habitat areas.
- (2) All woodland conservation shall be on-site. Off-site conservation or the use of fee-in-lieu are not permitted [note 12 shall be removed].

**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.**

Maura McMullen of the Prince George=s County Department of Environmental Resources has approved Stormwater Management Concept Approval #958009110. This approval is based upon an existing conditions 100-year floodplain and covers the construction of the lake and overall requirements; it does not include construction of the golf course or specific areas for residential development or public facilities.

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 graded 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 Technical Stormwater 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 2-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 approval of SMC #958009110 meets the requirements of Consideration 2 of A-9763-C. All SDP=s must adhere to Stormwater Management Concept Plan #958009110 or any subsequent revisions.

**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.**

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;*
- (F) Specific areas of rare or sensitive wildlife habitat, as determined by the Planning Board.=*

Performance Standards:

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; non-essential 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.

None of the materials submitted by the applicant address compliance with Considerations 3 and 5. In a memo dated 5 January 1998, staff requested that the stream buffers be delineated and submitted as soon as possible. Staff reiterated the request at the 23 January 1998 meeting, and again to the consultants on 30 January 1998 and 3 February 1998. In the afternoon of February 10, staff received a draft illustration of the PRPMA from Patricia Munday of Greenman-Pedersen, Inc. Staff reviewed the map and determined that it needs extensive corrections. 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 wildlife habitats.

In assessing the proposal, it appears that a significant amount of stream buffer will be impacted for the benefit of the golf course downstream of the lake. The proposed development in the southern area is of critical concern because thermal impacts, sediment and chemical loadings, and stormwater flows may further exacerbate downstream habitat degradations. In order to prevent additional degradation to the Stripeback Darter and give full priority to preserving the forested slopes circumscribing the tributaries found in the southern portion of the site, near the mouth of East Branch, staff have recommended that the Tree Conservation Plan be revised.

Specifically, staff recommends holes 4, 5, and 6 shall be relocated to minimize disturbance to stream valleys, maintain contiguous wood, maintain woodland on steep and severe slopes, and conserve critical habitat areas.

With approval of the following, staff can determine that Considerations 3 and 5 have been met:

- (1) Holes 4, 5, and 6 shall be relocated to minimize disturbance to stream valleys, maintain contiguous woodland, maintain woodland on steep and severe slopes, and conserve critical habitat areas.

**Consideration 4. The applicant shall prepare a noise study for approval 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 and 45 dBA (Ldn) interior.**

To satisfy this condition the applicant submitted a copy of *Villages at Belmont, Traffic Noise Analysis*, Report #3315, revised May 10, 1995 and prepared for Ryko Development, Inc. by Scott Harvey, Senior Acoustical Engineer of Polysonics. Staff have reviewed the referenced Noise Study for noise exposure on-site and the need for adequate noise mitigation measures in compliance with the Basic Plan conditions of approval.

Staff is concerned that the realignment and location of route 301 are inaccurate and that the delineation of 65dBA noise contour is missing on the site plan. This implies that the study, as submitted, is inadequate and, therefore, should be revised and resubmitted for further review and approval by the Natural Resources Division. Based on the review and analysis of evidence submitted, the overall on-site noise will exceed the required State Acceptable Standards for a residential area. The effectiveness of the proposed mitigation measures would depend on the surrounding surfaces and the frequency characteristics of the source.

The level of detail needed to establish the development envelope may be deferred until the approval of any SDP which includes residential units. The CDP can meet the intent of Consideration 4 by adding a note to the plan:

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.=

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

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 cuts through Marlboro Clay need special treatment. Special stormwater management concerns need to be addressed when Marlboro Clay is present on a site.

None of the information submitted for review on 24 November 1997 adequately addressed Consideration 6. *Section 3.2 Soils* of the Comprehensive Design Plan purports to meet this request, but it is woefully inadequate. The applicant is aware that Marlboro Clay requires special treatment as indicated in *Section 4.8 Grading and Sediment Control*. In a memorandum dated 2 December 1997 from Jim Stasz to Steve Adams the request for the following information was made:

To properly review the situation, a map showing the outcrop of Marlboro Clay should be submitted. Computer modeling using conservative strength parameters should be used to create a conceptual Existing Conditions 1.5 Safety Factor Line.=

The applicant responded to this request by submitting a copy of *Preliminary Geotechnical Investigation, Beechtree, Prince George=s County, Maryland*, GMTI Project No. 95-E-1027, prepared by Geotechnical and Material Testing, Inc. of Sterling VA, dated 30 January 1995. Staff reviewed this report in detail and rejected it for the following reasons:

- (1) The report was originally prepared for the AVillages of Belmont@, CDP-9404, and does not consider the entire area of ABeechtree@ which is affected by Marlboro Clay,
- (2) The report makes conservative, but unrealistic, assumptions about the distribution of Marlboro Clay. If fully analyzed, a significant amount of buildable area would be excluded from development.
- (3) The report does not consider the potential impact of grading for the golf course along the southeast side of the East Branch of the Collington.

Prior to the Christmas Holidays staff spent the better part of a day with James T. Kline and Albert Acken, representatives of GMTI. The stream valleys below the proposed dam site were walked, several outcrops of Marlboro Clay observed, and significant areas affected by prior slope failures noted. At that time staff indicated in detail the kind of information which would be needed for review. An accurate map of the outcrop of Marlboro Clay was essential for review of the project. To do this several additional boreholes would be needed. Areas of former slope failures needed to be included as part of the illustration of the existing conditions of the site. Computer modeling using a modified Bishop Slope Stability Analysis with a residual shear angle of 12 degrees and a cohesion of zero for the Marlboro clay was to be done in areas where the Marlboro Clay outcropped on steep slopes. Geologically unsuitable areas were to be noted.

On the morning of 23 January 1998 Staff were informed that GMTI was no longer representing the applicant and that MAFI Associates, Inc. of Bethesda MD would respond to geotechnical concerns. In the afternoon of 23 January staff met with Jay Kaveh. P.E. of MAFI Associates and discussed the information which would be needed. On 6 February some preliminary information from new boreholes was informally delivered to staff.

The approximate distribution of Marlboro Clay has been mapped by staff of the Natural Resources Division. To create this map the geographic and elevation locations of the top of the clay were plotted onto a base map. Data for this analysis were compiled from the Maryland Geological Survey quadrangle maps and individual reports discovered in the files of M-NCPPC. The digitized information was manipulated using SURFER (Golden Software, 1985) to create a quadratic trend surface for the top of the Marlboro Clay. This model was then applied to the Digital Elevation Model for Prince George=s County and plotted on a GIS Coverage. The clay layer has been assumed to be 15 feet thick and that change in elevation used to establish the lower boundary for the outcrops. For planning

purposes, an additional evaluation zone of up to fifteen feet above the projected elevation of the top of the clay has been established. Excavation for utilities and storm-water management facilities in the evaluation area should examine possible effects from the underlying clay layer. The map has further been altered to correspond with new borehole information supplied on 6 February by MAFI Associates, Inc. Staff are confident that this map is suitable for conceptual planning purposes. Much more on-site information and more detailed maps will need to be created and analyzed prior to the approval of any affected Specific Design Plan or the issuance of any affected grading permit.

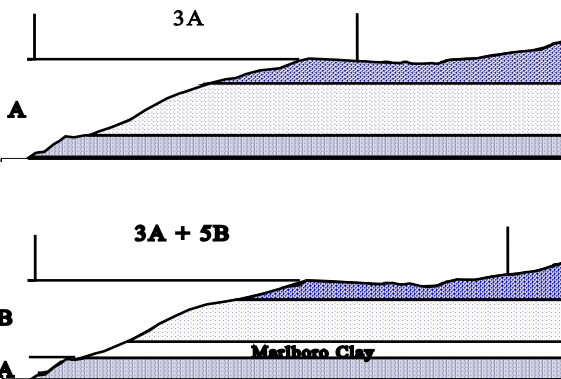
Factor of Safety and Risk Areas:

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 AUnsafe 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. 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.

**Setback from Toe-of-Slope**



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.

Staff examined the area of the proposed Elementary School on the west side of the property. Based upon a very preliminary assessment, the site appears to be free from potential slope failure associated with Marlboro Clay. The best available information indicates that Marlboro Clay is subsurface of the flatter areas in the western portion of the proposed school site. Construction of a school in the eastern portion of the school site should pose no extraordinary engineering problems.

The only road alignment that has overwhelming geotechnical problems is the segment connecting to the southernmost pod of the South Village. The schematic arrows and road segment symbol are in what is probably the worst possible location. Several field visits have indicated that this particular location has active failure areas and multiple old failures. Staff recommend that the CDP be revised to move this symbol be moved 500 to 600 feet to the east, as indicated on the Staff Exhibit.

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 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.=

#### **Issues not considered in the approval of A-9763-C:**

Of principal concern from an environmental viewpoint is the creation and maintenance of a 30-acre lake. The lake is not only a stormwater management facility, but will be a focal point in the overall development. Maintaining both water quality and surface elevation will present special challenges. The lake is to be principally created by constructing a dam across the East Branch of the Collington. Preliminary dam-breach danger reach studies have indicated that its can be constructed safely. Staff have studied computations

of the watershed which will supply surface flow to fill and sustain the lake. It is not at all certain that collection of surface water runoff will maintain the lake surface level. The use of an auxiliary well to pump groundwater from the Cretaceous aquifer will almost certainly be needed.

The lake is subject to review and permitting by the US Army Corps of Engineers for a Section 404 Wetlands Permit and Maryland Department of the Environment (MDE) and Maryland Department of Natural Resources (DNR) for a Section 401 Water Quality Certification and a possible Water Appropriations Permit. The 404 and 401 permits are required for impacts to wetlands and waterways. A Water Appropriations Permit will be required if the applicant desires to pump groundwater for the lake. The applicant has received the 404 and 401 permits based upon the original Villages of Belmont plan. The addition of the golf course will require modifications to those approvals. A Water Appropriations Permit has not been issued.

On 23 January 1998, a meeting was held at DNR. The meeting attendants were Greg Golden from DNR Environmental Review, Jonathan McKnight from DNR Natural Heritage, Mark Filar from MDE Water Appropriations, Dave Boellner from MDE Wetlands and Waterways Division, staff from M-NCPPC, and the applicants representatives. The topics of discussion concentrated primarily on the Stripeback Darter, lake, stream buffers, wetland permit conditions, Marlboro Clay, tree conservation, establishing water quality monitoring and Integrated Pest Management protocols for the golf course.

Maintaining base flow in East Branch is of paramount importance toward sustaining the viability of the Stripeback Darter. In reviewing the applicant's water appropriations request from 1996, Mark Filar was able to determine that if approval is granted to withdraw water from one of two available confining aquifers for the purpose of filling the lake, then base flow in the stream, or unconfined aquifer, can be maintained. Mr. Filar stated that an instream flow splitter can be installed to allow base flows in the stream to bypass the proposed impoundment. Since the storm splitter will serve to sustain stream base flow elevations, staff would concur that the lake may be a workable proposal. However, in reviewing the Geotechnical Report, staff contends that the sandy geology and soils found within the approximate area of the proposed lake bed will not be conducive for sustaining water levels in the lake. Rather, water seepage will occur. In order to prevent the lake from leaking, some kind of impervious lining will need to be constructed within the lake bottom and along the side slopes. Cohesive and expansive clays are typically used as the sealant. Staff has learned that MDE will not issue a permit to withdraw water from any of the confined aquifers if the lake leaks, and DNR has already determined that base flow must be maintained in the stream. Therefore, staff would contend that in the event water levels cannot be sustained in the lake by pumping from one of the confining aquifers, then the applicant must revise the CDP to remove the lake and provide some other method of stormwater control.



According to the conditions enumerated in the state wetland permit, the applicant was to prepare a Habitat Management Plan by 17 October 1996. In consideration of the Stripeback Darter issues, on 5 December 1997, the Natural Resources Division also requested a copy of the Plan. However, to date, a Plan has not been submitted to any of the aforementioned agencies. Rather, staff has learned that the applicant recently made a request to the state to extend the deadline to 1 March 1998, three days after the scheduled Planning Board Hearing. The Habitat Management Plan must demonstrate that water quality and any species of state concern will not be adversely impacted. Since the Habitat Management Plan has not been prepared, staff cannot say with certainty that the Stripeback Darter will not be adversely impacted by the current development proposal. In addition, the permit requires that marshy forebays be strategically placed around the lake to provide for effective pollutant removal from impervious surface areas upslope, while a shallow marsh bench is required around the entire lake perimeter. Under the conditions of approval, 68,796 square feet of forested nontidal wetland, and 64,796 wetland buffer will be impacted. To mitigate for said disturbances, the applicant is required to provide 130,680 square feet of forested wetland mitigation on-site. The Mitigation Plan was to be submitted to the state by 17 October 1996; however, staff has learned that an extension has been granted. While the Habitat Plan must be submitted in conjunction with the CDP review, prior to the issuance of any permits, the applicant must adequately demonstrate that all conditions of the state wetland permit have been honored.

As discussed in the 23 January 1998 meeting, water quality monitoring will be required. The applicant recently submitted a draft of the proposed protocols. The applicant will be monitoring the water quality and instream/streamside habitat conditions for base line, interim and proposed conditions. Because of the presence of an endangered species, the protocols typically recommended for golf courses are not entirely adequate. After reviewing the proposal, staff is recommending that the following changes be incorporated into the Plan:

- (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.

An Integrated Pest Management Plan (IPM) must be submitted in accordance with MDE and DNR criteria during the SDP review phase. 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.

In order to prevent the direct transport of pollutants into Collington and East Branches, staff is further recommending that water quality be provided at all stormdrain outfalls. As the review progresses to more detailed renderings, staff will be assessing whether the golf course has been designed to optimally avoid impacts to neighboring streams, wetlands and floodplains, and associated habitats. Thus it is recommended that the applicant further explore golf course designs that prevent, rather than mitigate adverse impacts to the environment.

Based on the above findings, the Natural Resources Division offers the following recommendations for your consideration.

- § The applicant shall obtain separate 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
- § Prior to SDP submittal, a floodplain study shall be approved by DER for any proposed modifications to the 100-year water surface elevation and channel conditions in accordance with the above findings.
- § As a condition of the wetland permit, base flow shall be maintained in East Branch. Therefore, prior to SDP approval, the applicant shall provide to the Natural Resources Division a copy of the approved Water Appropriations Permit to withdraw water from one of several confined aquifers. In the event a permit is not granted from one of the confined aquifers, the applicant shall revise the CDP to reflect the removal of the lake.
- § Prior to CDP certification, the applicant shall delineate all stream buffers in accordance with the considerations enumerated on page 5, sections (C)(3) and (5) of the Basic Plan approval.
- § 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 above findings.
- § Prior to CDP certification, the applicant shall show the approximate location of the required on-site wetland mitigation areas.
- § Prior to the issuance of any permits, the applicant shall demonstrate to the Natural Resources Division that all conditions of the state wetland permit have been honored.

§ Prior to CDP certification, the applicant shall revise the Draft Water Quality Monitoring Program to reflect the above findings.

§ Prior to SDP approval for the golf course, the applicant shall submit an IPM Study in accordance with the above findings.

§ Water quality shall be provided at all stormdrain outfalls.

**Summary of Findings and Recommendations:**

The site is sufficiently large to accommodate all required Woodland Conservation, a golf course, a 30-acre lake, public facilities, residential units, and required infrastructure. While staff have expressed concerns, many can be solved by moving holes 4, 5, and 6 as shown on the CDP. Moving the holes to flatter areas above the stream valley buffers will allow all required Woodland Conservation to occur on site, preserve the stream valleys, protect endangered species, and provide a reasonable use of land which is susceptible to landslides.@

18. The Department of Parks and Recreation agrees that the applicant will provide public parkland and improvements thereto which are a reasonable alternative to dedication of sixty (60) acres of parkland if the provisions of Conditions 32-44 below are fulfilled. The amount of land to be dedicated by the applicant actually exceeds 60 acres, but a portion of the land will be conveyed to the Board of Education for elementary and secondary school sites at such time as funds are appropriated for school construction. In addition, a portion of the dedicated land is likely to be unsuitable for active recreation either because of the location of steep slopes or Marlboro clay or both. The Planning Board finds that the applicant=s proposal to provide significant improvements to the parkland is a reasonable alternative to sixty usable acres of parkland.
19. The Urban Design Planning Division offered the following comments (Lord to Adams, January 7, 1998) regarding conformance of the Beech Tree proposal with the Master Plan for the Subregion VI Study Area, as approved on September 28, 1993, and the Planning Board adopts these comments as its findings:
  1. Changes now being proposed are largely internal to this large site and should not adversely affect implementation of previously approved policies and the general pattern of approved land uses in Planning Area 79. The requested reduction in net residential density is compatible with the Master Plan approach to future development in the Patuxent watershed.
  2. Retention of the 18-hole golf course and equestrian center proposals maintains the spirit of the original Basic Plan. Given the popularity of horse ownership in this part of the county an equestrian theme is consis-

tent with the character of the area and is to be encouraged. Definition of the golf facility as a daily fee course, presumably open to the general public, appears to make this an on-site commercial facility. The equestrian center may also be planned by the applicant as an income-producer. Both will presumably attract considerable numbers of non-residents into the development. The possible impact of these activities on the remainder of the Beech Tree community should be examined during this staff review. Conformance with the terms of the Ordinance should be verified.

3. The needed ROW dedication along US 301 should be made in due course and an identification of the dimensions of this needed ROW should be provided by the appropriate authorities at this time.
  4. A combined park-school concept has been recently endorsed by the county. The possible application of this concept to the proposed schools at Beech Tree should be examined at this time. This may require redistribution of proposed park land and school sites from those in the submitted plan.
  5. Maintenance of the historic structure/site at Beechwood is to be encouraged. It should become a positive asset in the community.
20. The Historic Preservation Section (Pearl to Adams, December 19, 1997) makes the following conclusions regarding the Comprehensive Design Plan application for Beech Tree, which are adopted in their entirety by the Planning Board as its findings:
1. The applicant shall ensure that the Hilleary, Hodges and Smith family cemeteries are shown on the plat of Beech Tree prior to subdivision plan submission.
  2. The applicants shall inform the Historic Preservation Section of any plans regarding the disposition of burials in the Hilleary, Hodges and/or Smith family burial grounds. During the development process, any cemetery which is left in place must be treated in conformance to Subdivision Regulations (Section 24-135.2). If burials are to be removed and reinterred, authorization and procedure must be in conformance to the guidelines of the State's Attorney's office, according to Article 27, #267 of the Annotated Code of Maryland.
  3. The applicants shall submit, prior to submission of a Specific Design Plan application, a report on the Phase I and Phase II archeology that was done (in conformance to Condition #5 of the Zoning Ordinance #61-1989) at the site of Pentland Hills. A copy of this report shall be

transmitted to the Historic Preservation Section for review, in order to determine sufficiency of the work completed.

4. The applicants shall apply for an Historic Area Work Permit for removal of the Pentland Hills ruins.
5. Although the Beechwood Historic Site is not included in this CDP application, several actions in its regard should be anticipated in subsequent stages of the development process:

Since the 25-acre LAC indicated in the CDP plan does not include all of the 5.6-acre Environmental Setting determined for Beechwood, the applicants shall either apply to the Historic Preservation Commission for a revision to the Environmental Setting, or seek Historic Area Work Permits for any work to be done within that area of the Environmental Setting outside of the LAC. Before approval of a Preliminary Plan of Subdivision, the applicants shall show the 5.6-acre Environmental Setting, and shall indicate which of these two courses they intend to pursue.

For the purpose of evaluating the sufficiency of buffering and screening of the Historic Site, the applicants shall provide a preliminary landscape plan for the Environmental Setting that identifies significant specimen trees and natural features. This preliminary landscape plan will also allow consideration of (a) whether the design of structures on parcels adjacent to the Historic Site both to the south and to the west shall (in conformance to Consideration #13) be compatible with the Beechwood Historic Site, and (b) whether the Historic Preservation Section/or Historic Preservation Commission should be given architectural review responsibilities regarding these structures.

At the time of Preliminary Plan and Specific Design Plan submission, it will be necessary for the applicants to ensure that Beechwood is occupied and secured throughout the development process, and to prepare a security plan for its future preservation.

21. The Trails Planning staff of the Transportation Planning Section reviewed the Comprehensive Design Plan for conformance with the Countywide Trails Plan and the Master Plan and provided the following comments (Shaffer to Adams, January 8, 1998), which are adopted by the Planning Board as its findings:
  1. The trails system shall be designed to link all residential areas to all commercial and recreational elements of the proposed development. All development pods shall be connected via the trail system.@

Proposed Condition 1.1. below will ensure that this takes place.

2. Dedicate the land along the Collington Branch Stream Valley to the Parks Department and construct the ten-foot wide hiker-biker trail the entire length of the stream valley.

The applicant is proposing to dedicate the stream valley for public park use. Construction of the ten-foot-wide hiker-biker trail the entire length of the stream valley is recommended by the Department of Parks and Recreation.

3. Preserve the existing equestrian trails as part of the overall trails network.

The applicants have indicated their intent (CDP text, p. 56) to preserve the bridle trails in the stream valley park.

22. The Town of Upper Marlboro, in their letter dated January 22, 1998, stated that AThe Town of Upper Marlboro has no comment to make at this time, but would like to remain a party of record in this case.@

#### Density Increment Analysis

23. The base density allowed by the Basic Plan is 1.6 dwelling units/acre, which (based on the corrected Base Residential Acreage discussed in Finding 1 above) results in 1,734 dwelling units. In order to achieve the proposed 2,400 dwelling units, the applicant must earn a 38 percent density bonus based on public benefit features provided. The following summarizes the applicant's proposal regarding the public benefit features:

- a. For open space land at a ratio of at least 3.5 acres per 100 dwelling units. Maximum increment factor: 25 percent.

! Applicant requests 25 percent (433 units).

! The Planning Board supports this request. Beech Tree will include 208 acres to be dedicated to the Homeowners= Association, approximately 156 acres of which will be usable land outside the floodplain. This land will consist of HOA areas for active and passive recreation that are not yet specifically located on the CDP plan. These 156 acres result in a ratio of nearly 6.5 acres of usable open space per 100 dwelling units, nearly twice the required minimum. The 156 acres do not include any land to be dedicated to the M-NCPPC in fulfillment of the requirement for mandatory dedication of park land, nor do they include any of the 238 acres occupied by the golf course and lake, the land dedicated as school sites, nor the left-over land between groups of townhouses..

b. For enhancing existing physical features. Maximum increment factor: 2.5 percent

! Applicant requests 2.0 percent (34 units).

! The Planning Board does not support this request. The applicant has not provided sufficient detail to explain or quantify any proposed enhancements of physical features that exceed what is necessary and required for every residential development. However, the activity required by Condition 23 below calling for the applicant to clear undergrowth and large dead branches and trees from the edges of wooded areas clearly qualifies as enhancement of existing physical features (thinning and grubbing) and justifies a 1.0 percent increment.

c. For a pedestrian system separated from vehicular rights-of-way. Maximum increment factor: 5 percent.

! Applicant requests 5 percent (86 units).

! The Planning Board supports this request. The applicant is proposing an extensive system of pedestrian trails as indicated on the revised Comprehensive Design Plan and as expanded by Condition 1.1. below. Several miles of pedestrian trail will be constructed. Over a half-mile of pedestrian trail will be located along the western edge of the proposed lake for the enjoyment of the residents of Beech Tree and the general public.

d. For recreational development of open space. Maximum increment factor: 10 percent.

! Applicant requests 5.0 percent (86 units).

! The Planning Board supports this request. The applicant will provide an extensive collection of recreation facilities distributed throughout the site, including a swimming pool/bathhouse, six tennis courts, several playgrounds and picnic areas and a park for homeowners overlooking the lake. Even though the proposed golf course and equestrian center will be for-profit enterprises, they will provide substantial recreational and scenic benefits for many Beech Tree residents and other County residents and are reasonably considered to constitute recreational development of open space for purposes of this public benefit analysis.

- e. For public facilities (except streets and open space areas). Maximum increment factor: 30 percent.
- ! Applicant requests 30 percent (520 units).
  - ! The Planning Board supports this request. The golf course proposed by the applicant will be open to the public but it will be a for-profit enterprise owned by a private entity, so it is not properly considered a public facility. However, the applicant will be providing two sites for future construction of public schools. These school sites (totalling approximately 52 acres) can legitimately be considered public facilities. The applicant has also agreed to construct the hiker-biker trail the entire length of the Collington Stream Valley Park. The hiker-biker trail will be a significant addition to the County's growing public trail system and deserves credit as a public benefit feature. A density increment of 5 percent seems appropriate in this case.
- f. For creating activity centers. Maximum increment factor: 10 percent.
- ! Applicant requests 5 percent (86 units).
  - ! The Planning Board supports this request. A central recreation facility/community building will be included in Beech Tree. In accordance with Finding 26 below, it will provide at least 4,200 square feet of space in addition to approximately 800 square feet for normal bathhouse facilities and will serve as the main activity center within the development. It will feature a multi-purpose room, game room, additional meeting room, offices, coat room, kitchen, storage area, rest rooms and health club/fitness area.
- g. For incorporating solar access. Maximum increment factor: 5 percent.
- ! Applicant requests 0 percent.
  - ! The Planning Board supports this request.

Summary: The applicant is providing enough public benefit features to earn a total of 46 percent in density increments, which is equivalent to 797 dwelling units. The applicant needs density increments of only approximately 38 percent, which translates into 666 dwelling units. Therefore, the theoretical maximum number of dwelling units allowable in Beech Tree is  $1,734 + 797 = 2,531$  dwelling units. However, since the applicant's request is for only 2,400 dwelling units, approval of CDP-9706 will be for no more than 2,400 dwelling units.



Development Standards

24. The Comprehensive Design Plan includes the following development standards, which shall govern development for all Specific Design Plans within the subject Comprehensive Design Plan:

LOT STANDARDS

Project	5,000-5,999 sq. ft. SFD	6,000-7,999 sq. ft. SFD	8,000-9,999 sq. ft. SFD	10,000 sq. ft. and above SFD	1,800 sq. ft. SFA	Multifamily
	75%	60%	45%	40%	N/A	75%
<b>REQUIREMENTS</b>						
Min. Lot Area (sq. ft.)	1250	2,400	4,400	6,000	400	N/A
Min. Front Yard	7'	7'	15'	20'	10' from parking (non-garage)	N/A
Min. Side Yard	1' one side 5' other side	6'	6'	6'	N/A	N/A
Min. Rear Yard	15'	15'	15'	20'	5'	N/A
Min. Setback	5' from any side or rear property line	5' from any side or rear property line	7' from any side or rear property line	7' from any side or rear property line	1' sides 5' rear	N/A
Min. Front Setback	6'	12'	12'	12'	12'	30'
Min. Side Setback	3'	3'	3'	3'	3'	4'
Min. Rear Setback	25'	25'	25'	25'	N/A	N/A
Min. Corner Setback	45'	55'	65'	80'	N/A	N/A

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above Standards may be permitted on a case-by-case basis by the Planning Board at the time of if circumstances warrant.  
h at streetline of flag lots will be 25 feet.  
hs at street on cul-de-sacs shall be 25 feet.

### ARCHITECTURAL STANDARDS

#### Single-Family Detached and Attached:

The most visible side elevations of single-family detached or attached units on corner lots and other lots whose side elevation is highly visible to significant amounts of passing traffic shall have three architectural features such as windows, doors and fireplace chimneys, and these features shall form a reasonably balanced and harmonious composition.

If the rears of single-family detached or attached units are visible from the water surface of the lake or from either of the two road crossings at the north and south ends of the lake, those rears shall have shutters or wide trim on all windows. Houses whose rears are visible but are demonstrably as attractive as the fronts of the houses by virtue of balanced, harmonious and articulated rear facades are exempt from this requirement.

AOppportunity site@ buildings will feature distinctive designs, will be equally attractive from all four sides, and will incorporate high-pitched roof, masonry exterior and facade articulation, unless alternative design treatments can be demonstrated to achieve the same high quality of design and appearance.

The main community center building shall feature a gable, hip or other high-pitched roof which will be compatible with surrounding residential neighborhoods. It shall also feature attractive combinations of exterior facade materials which shall include some masonry harmoniously integrated in the design concept.

### PLANTING STANDARDS

The trees required to be planted on the lot of each detached unit shall be two shade trees and two ornamental or evergreen trees (three shade trees for lots over 20,000 square feet). The trees to be planted on attached lots shall be in accordance with the *Landscape Manual*.

Landscape strips for all quasi-public "opportunity sites" shall be a minimum of 15 feet wide. Where parking is located adjacent to the strip, landscaping in excess of *Landscape Manual* requirements shall be provided.

25. The CDP application does not include a general scheme and standards for treatment of the streetscape. To insure an attractive and consistent streetscape treatment throughout Beech Tree, a separate Specific Design Plan will be devoted exclusively to streetscape elements, as indicated in Condition 13 below.
26. The following private recreation facilities will be provided in the Beech Tree development on Homeowners' Association land which is not closely associated with a particular housing tract:
- ! **Main Community Building** (800-square-foot bathhouse, 4,200-square-foot encompassing multi-purpose room, game room, additional meeting room, offices, coat room, kitchen, storage area, rest rooms and health club/fitness center)
  - ! **Swimming Pool adjacent to Main Community Building** (25-meter competition pool with 9 lanes, separate wading pool)
  - ! **Six (6) tennis courts adjacent to Main Community Building**
  - ! **8-foot-wide Asphalt Trail System** throughout the community.
  - ! **Lake View Park** (gazebo and/or viewing platform overlooking lake, three (3) picnic areas, three (3) sitting areas, two (2) tot lots)

In order to insure that the facilities listed above and the other facilities required by the Basic Plan will be constructed in phase with development, bonding and construction requirements are hereby established as shown in Condition 25 below.

27. The Planning Board considers it vital that the golf course and adjacent residential areas be designed to minimize the risk of errant golf balls landing in homeowners' yards or hitting their houses, endangering lives and property. There is no way to completely eliminate the risk of such conflicts in a golf course community. However, by employing appropriate setbacks of lot lines from fairways and careful placement of tees, hazards and greens, the risks can be minimized. Based on the conceptual layout of the golf course on the CDP plan, the golf course appears for the most part to conform to the golf course safety corridor dimensions set forth in the Urban Land Institute publication *Golf Course Development and Real Estate* (1994). In order to insure that the detailed design of the course and the course after construction reflect the utmost attention to safety, Conditions 11 and 12 below are provided.
28. The CDP text (p. 35) states that AThere will be other tot lots and recreational facilities provided in other parts of the community that will be detailed as the detailed planning proceeds. There will also be other open space within each development parcel.@ It is incumbent upon the applicant at the time of Comprehensive Design Plan to give the Planning Board and District Council a complete picture of the proposed recreation

facilities proposed for the development. The Comprehensive Design Plan should show all proposed recreation areas located in residential areas and the applicant=s most accurate projections of specific recreation facilities to be provided in those areas. Specific recreation facilities identified on the CDP may be revised at the time of Specific Design Plan if the Planning Board finds at that time that equal or better facilities are being offered.

29. The developer of Beech Tree has indicated that homeowners in the development will receive some special privileges in regard to use of the golf course.
30. To insure that the recreational needs of handicapped residents are not overlooked, the Planning Board provides Condition 26 below.
31. The 5.0-acre Neighborhood Commercial area shown on the Basic Plan south of Leeland Road has been divided into two parts and relocated on the proposed Comprehensive Design Plan. Part of the Neighborhood Commercial is located in the East Village across the street from the main community building/recreation center. With proper attention to design details, this location can work appropriately. The other part of the Neighborhood Commercial is shown in the southeast corner of the site immediately north of and across the street from the proposed Middle School site. This location creates the potential that the commercial area will become a Ahang-out@ with all of the possible negative ramifications. Therefore, in accordance with Condition 1.m. below, this portion of the Neighborhood Commercial should be carefully limited in regard to allowed uses.
32. A development as large as the Comprehensive Design Plan for Beech Tree is expected to result in numerous Specific Design Plans (SDP) for the various phases of the development. To assist the staff and interested citizens in keeping track of the approved SDPs and attendant Tree Conservation Plans (TCP), Condition 7 below requires the developer to provide a key plan of the entire Beech Tree project with each SDP submitted showing the number and location of all previous SDP=s and TCP=s approved or submitted.

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 I Tree Conservation Plan (TCPI/73/97) and further APPROVED Comprehensive Design Plan CDP-9706, subject to the following conditions:

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.
- c. The CDP shall have a note added indicating that at the time of Specific Design Plan the road access to the southernmost pod of South Village shall be studied to determine if it should be shifted to the east as shown on the staff exhibit.
- 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.@
- e. The following note shall be placed on the CDP:

AThe 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.@
- 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.
- g. The applicant shall revise the CDP to show the approximate location of the required on-site wetland mitigation areas.

- h. The applicant shall delineate on the CDP all stream buffers in accordance with the Considerations 3 and 5 of the A-9763-C.
- 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.
- j. The location of the Hilleary, Hodges and Smith family cemeteries shall be shown and labeled on the CDP.
- k. The exact boundaries of the approved Environmental Setting for the Beechwood Historic Site shall be illustrated on the CDP.
- l. 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.
- m. The CDP shall be revised to indicate that the Neighborhood Commercial area north of the Middle School site will not include uses such as fast food, amusement arcades, or convenience commercial.
- n. A list of the possible uses for the Aopportunity sites@ shall be provided on the CDP plan. The list shall include churches, day care centers, professional or medical offices, post offices, and libraries.

- o. The CDP shall be amended to show all proposed recreation areas located in residential areas and the applicant's most accurate projections of specific recreation facilities to be provided in those areas. Specific recreation facilities identified on the CDP may be revised at the time of Specific Design Plan if the Planning Board finds at that time that equal or better facilities are being offered.
2. Approval of the Equestrian Center as a component of CDP-9706 is contingent upon passage by the District Council of legislation (currently pending presentation) making an equestrian center or riding stable an allowed use in the R-S zone.
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.
4. At the time of Preliminary Plat of Subdivision, the Planning Board shall determine, based upon advice from the Prince George's County Fire Department, the amount of any contribution to be made by the applicant toward the construction of a new fire station on Leeland Road and an ambulance unit for that station.
5. Prior to approval of a Preliminary Plat in which any of the family cemeteries on the Beech Tree property is located, the applicant shall notify the Subdivision Section and the Historic Preservation Section of its plans regarding disposition of the burials located within the boundaries of the subject Preliminary Plat. In accordance with Condition 4 of the Basic Plan, all burials shall be located to one of the three cemeteries on-site, or all burials shall be removed to a related church or family cemetery off-site. During the development process, any cemetery which is left in place must be treated in conformance with the Subdivision Regulations (Section 24-135.2). If burials are to be removed and reinterred, authorization and procedures must be in accordance with the guidelines of the State's Attorney's office, according to Article 27, #267 of the Annotated Code of Maryland.
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.
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.
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.

9. Prior to issuance of any grading permit which includes the lake, the applicant shall demonstrate to the satisfaction of the Natural Resources Division that a lake of at least 25 (plus or minus) acres can be maintained.
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.
11. Prior to approval of the Specific Design Plan for the golf course or of the Preliminary Plat of Subdivision for the residential areas adjacent to the golf course, the applicant shall submit a graphic study prepared by a nationally recognized golf course architect showing the most likely direction and distance of the errant golf shots expected from all tee locations of all holes, and from all other locations on those holes from which errant shots may be expected. If, in the judgement of the Planning Board or District Council, the layout of the golf course presents too great a hazard to residents or their property, the golf course layout shall be revised or, if this is not possible, the affected areas of residential lots shall be prohibited for residential use and shall become homeowners= open space or part of the golf course.
12. If, after the golf course is completed and in use and the adjacent residential areas are completed and occupied, it becomes apparent that errant golf balls are creating an unexpected hazard to persons or property off the golf course by repeatedly leaving the golf course property, the developer and/or golf course operator shall be required to retrofit the golf course with landscape screens or nets, as determined by the Planning Director and in heights and locations specified by the Planning Director, sufficient to prevent the travel of golf balls beyond the lot lines of the site on which the golf facility is located. Such screens or nets shall be continuously maintained so as not to fall into disrepair.
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 Aneo-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.



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.
15. Pursuant to the conditions imposed by the Prince George=s District Council on Zoning Application No. A-9763-C, 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).

16. The Specific Design Plan for Beech Tree in which the Pentland Hills Historic Site (#79-38) is located shall include the results of the Phase I and Phase II archeological survey work completed for Pentland Hills. Prior to approval of this Specific Design Plan, the results of the archeological survey shall be reviewed by the Historic Preservation Section to determine whether sufficient documentation has taken place on the Pentland Hills Historic Site. If additional documentation is determined by the Historic Preservation Section to be necessary, that documentation shall be completed and approved by the Historic Preservation Section prior to release of any grading or building permits pursuant to the subject Specific Design Plan. An Historic Area Work Permit shall be obtained for removal of the Pentland Hills ruins.
17. All Specific Design Plans for land adjacent to the Beechwood Historic Site shall illustrate the environmental setting approved by the Historic Preservation Commission for Beechwood. Stands of trees and specimen trees within the environmental setting shall also be shown to illustrate the effectiveness of natural screening of the historic site. In addition, these SDP=s shall, if determined to be appropriate, demonstrate to the satisfaction of the Historic Preservation Section and/or the Historic Preservation Commission that proposed architecture for structures within these SDP=s will be in harmony with the historic property by incorporating references to aspects of Beechwood's architectural design (for example, scale, materials, details and rooflines) into the design.
18. The District Council shall review and approve all Specific Design Plans for Beech Tree.

19. Where single-family attached housing is placed adjacent to property not owned by the applicant or its successors or assigns, setback and screening approved by the Planning Board shall be provided. Such setback shall not be required beyond 100 feet.
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.
21. An open space buffer shall be provided where residential development is to be located adjacent to US 301. This buffer shall be at least 200 feet wide, measured from the ultimate right-of-way of US 301, and shall include no structures or paving of any kind (except walls for mitigation of sound, if determined to be necessary). Where no existing trees will be preserved, naturalistic berms and heavy landscaping shall be employed in this buffer. Rear facades of houses directly and highly visible from US 301 shall be designed to include similar architectural features (e.g., shutters, windows, trim elements, dormers, cross gables) as the fronts.
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.
23. Prior to the issuance of the 501st, 1,001st, 1,501st, and 2,001st building permits, the edges of tree preservation or nondisturbance areas which are adjacent to internal subdivision streets, to the lake or to major recreation areas shall be inspected by M-NCPPC staff in order to identify those areas where thick undergrowth (such as brambles, climbing vines and poison ivy), large dead branches (still attached to the tree or on the ground), or dead trees create an unsightly appearance. Those areas so identified shall be cleared of undergrowth, large dead branches and dead trees for a minimum of 30 feet into the interior of the woods prior to the issuance of any additional permits.
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.
25. The private recreational facilities shall have bonding and construction requirements as follows. Requirements for those facilities in bold type below shall be incorporated in Recreational Facilities Agreements (as specified in the *Parks and Recreation Facilities Guidelines*) prior to Final Plat of Subdivision:

<b>BEECH TREE PHASING OF AMENITIES</b>		
<b>FACILITY</b>	<b>BOND</b>	<b>FINISH</b>

		CONSTRUCTION
Golf Course	N/A	Complete by 600th building permit
Equestrian Center	N/A	Complete by 2000th building permit
<b>Main Community Building</b>	<b>Prior to 600th building permit</b>	<b>Complete by 1,000th building permit</b>
<b>Swimming Pool Adjacent to Main Community Building</b>	<b>Prior to 600th building permit</b>	<b>Complete by 1,000th building permit</b>
<b>Six (6) Tennis Courts Adjacent to Main Community Building</b>	<b>Prior to 600th building permit</b>	<b>Complete by 1,000th building permit</b>
<b>8-foot-wide Asphalt Trail System (not on public park land)</b>	<b>Prior to 800th building permit</b>	<b>Complete by 2,200th building permit</b>
<b>Lake View Park</b>	<b>Prior to 600th building permit</b>	<b>Complete by 1,200th building permit</b>
<p><b>It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25%, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.</b></p>		

26. All play areas shall comply with the requirements of the Americans with Disabilities Act and with the *Parks and Recreation Facilities Guidelines*.
27. All recreational facilities to be constructed on park land shall be built in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.

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  $\$497.84/\text{residential DU} \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ .
  - 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.
29. 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.
30. 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% 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= 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.

31. Prior to the issuance of residential building permits, the applicant, his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$1740 per single family dwelling unit, \$2690.00 per townhouse dwelling unit, and \$2970.00 per multifamily dwelling unit to Prince George=s County [these amounts have been adjusted to reflect deduction of current surcharge amounts], of which \$810-single family, \$1431-townhouse, \$1675-multifamily shall be placed in an account to relieve overcrowding at Perrywood Elementary School, \$393-single family, \$499-townhouse, \$599-multi-family shall be

placed in an account to relieve overcrowding at J. Madison Middle School and \$537-single family, \$760-townhouse, \$696-multi-family shall be placed in an account to relieve overcrowding at Frederick Douglass High School.

No permits shall be issued for the residential portion of this CDP until the projected percentage of capacity at Perrywood @ Belair Elementary , J. Madison Middle and Frederick Douglass High Schools are less than or equal to 130% or four years have elapsed since date of the adoption of the resolution of the approval of the Preliminary Plat of Subdivision.

32. The applicant shall construct an 8- to 10-ft.-wide asphalt hiker-biker trail through the stream valley park and the community as shown on The Department of Parks and Recreation (DPR) Exhibit AB.@ 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 developed for those portions of the trail which lie within the planned community and 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.
33. The applicant shall dedicate 35 acres to The M-NCPPC on the east side of the site as shown on DPR Exhibit AB.@ The applicant shall also dedicate the Collington Branch Stream Valley Park (floodplain plus 50-foot buffer) as generally shown on DPR Exhibit AB.@
34. The applicant shall dedicate 27.7 acres to The M-NCPPC on the west side of the site as shown on DPR Exhibit AB.@
35. All lands dedicated to The M-NCPPC shall be subject to the conditions of attached DPR Exhibit AA.@
36. The applicant shall develop a concept plan for proposed development on both areas of park dedication considering the geotechnical information available indicating the location of Marlboro clays. The plan shall be approved by the Department of Parks and Recreation and the Natural Resources Division prior to submission of the first Preliminary Plat of Subdivision.
37. The 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. The applicant shall construct a softball field and football/soccer field on the land dedicated on the west side of the site, and two softball and two football/soccer fields on the land dedicated on the east side of the site. Driveways and parking lots shall be constructed on both sites. All facilities shall be constructed in accordance with The M-NCPPC=s Parks and Recreation Facilities Guidelines. The total cost of all work described above, as

determined by the Department of Parks and Recreation based on actual past experience, shall not exceed \$400,000.

38. In the event soil problems preclude construction of any of the facilities cited in Condition 37 above, alternative lands shall be provided to accommodate the proffered recreation facilities.
39. The park site on the eastern side of the development shall be graded and all facilities constructed prior to issuance of the 600th building permit.
40. The park site on the west side of the development shall be graded and all facilities constructed prior to the 1200th building permit.
41. The Master Plan hiker-biker trail shall be constructed in phase with construction and in accordance with the following schedule: 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 M-NCPPC property containing the trail until the trail is under construction. Installation of base material will be considered evidence of construction.
42. The schedule for construction of the recreation facilities on public park land may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25%, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.
43. Prior to submission of the Final Plat of Subdivision for any parcels to be dedicated to The M-NCPPC, the applicant, his heirs, successors and/or assigns shall enter into a Recreational Facilities Agreement (RFA) with The M-NCPPC for grading and construction of facilities on park property. The RFA shall be submitted to the Department of Parks and Recreation and be recorded among the land records of Prince George=s County prior to the submission of the Final Plat of Subdivision.
44. Prior to the issuance of any grading permits for any park parcel, the applicant, his heirs, successors and/or assigns shall submit to and have accepted by the Department of Parks and Recreation a performance bond for grading and construction of recreation facilities on park land.

#### Specific Design Plan Considerations

1. Traditional names of the property, owners and family homes shall be considered for use within the proposed development.
2. The applicant shall explore the feasibility of a bridge or tunnel to eliminate golf cart/automobile conflicts where the path from Hole 11 to Hole 12 crosses the entrance drive near US 301.

\* \* \* \* \*

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, Dabney and Hewlett voting in favor of the motion, and with Commissioner Boone absent, at its regular meeting held on Thursday, February 26, 1998, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of March 1998.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SA:aj





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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

PGCPB No. 07-200

File No. SDP-0614

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 25, 2007, regarding Specific Design Plan SDP-0614 for Beechtree, East Village, Section 6, the Planning Board finds:

1. **Request:** The subject application is for approval of ten single-family semidetached and one single-family detached units in the R-S Zone.
2. **Development Data Summary:**

	Existing	Proposed
Zones	R-S	R-S
Uses	Vacant	Single-Family Semidetached/Detached
Acreage (in the subject SDP)	3.03	3.03
Lots	11	11

**Architectural Model Data:**

Model	Base Finished Square Footage
Milano	3,445
Siena	3,277
Verona	3,700

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-0614, East Village, Section 6, is in the central area of the Beech Tree development, east of Beech Tree Lake.
4. **Surrounding Uses:** The subject site (of SDP-0614) is located in the central portion of the Beech Tree development. The site is bounded to the north by vacant land in the Beech Tree development; to the east by Beech Tree Parkway; to the south by vacant land, which is the future site of the Fairwood Community Recreation Center; and to the west by Beech Tree Golf Course and Beech Tree Lake

The Beech Tree development, as a whole, is bounded on the north by Leeland Road, on the east by Robert Crain Highway (US 301) and 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 ten single-family semidetached (duplexes) and one single-family detached units within the larger Beech Tree project. The 1,194-acre site was rezoned from the R-A Zone to the R-S Zone through Zoning Map Amendment A-9763-C, which approved 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 subdivision were 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 have also been approved for the entire 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 nine times. In addition, there are another 18 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 and 5, for 65 single-family detached residential lots; **SDP-0410** for North Village, Section 6, for 158 townhouse units; **SDP-0412** for Beech Tree Recreation Center; **SDP-0415** for North Village, Sections 7, 8 and 9, for 83 single-family detached houses and 57 townhouse units; **SDP-0416** for South Village, Section 4 and 5, for 84 single-family detached houses; **SDP-0507** for Beech Tree Golf Club House; **SDP-0512** for West Village, Sections 1, 3 and 6, for 107 single-family detached units; **SDP-0617** for West Village, Sections 2, 4 and 5, for 113 single-family detached and 43 single-family attached units.

Various types of tree conservation plans have also been approved for the above-mentioned preliminary plans of subdivision and specific design plans. This SDP has an approved Stormwater Management Concept Approval number 10307-2007-00, which will be valid through May 22, 2010.

6. **Design Features:** The SDP proposes to develop ten single-family semidetached (duplex) and one single-family detached houses on the eastern side of Beech Tree Lake between the golf course and Beech Tree Parkway. The proposed units are accessed from Beech Tree Parkway via Sissinghurst

Place, a loop road which reconnects to Beech Tree Parkway creating a small "island" on which two units are located. These units will front on Sissinghurst Place and back up to Beech Tree Parkway. A 6-foot privacy fence flanked by 9-foot stone pillars is proposed in order to attractively screen the rear yards of these two units from the public right-of-way. Ten additional units are located on the opposite side of Sissinghurst Place, seven of which back up to Beech Tree Golf Course. Three additional units to the south are immediately adjacent to the Beech Tree Community Recreation Center. The proposed lot sizes for the 11 lots included in this SDP vary from 6,760 to 15,035 square feet. A stormwater management facility is situated north of the proposed units.

The proposed architecture features detail and materials of exceptional quality. Each unit has a full front façade of brick, masonry or a brick/masonry combination and all side and rear elevations feature a brick water table. Materials and architectural features are organized logically and the front facades are well articulated with details such as specialty windows, detailed moldings, board and batten shutters, rowlock, carriage style garage doors and accent standing seam metal roofing. Various roof lines are incorporated in the design, and dimension is created through the use of varied projections, recessed entries and the incorporation of both side-load and front-load garages. The single-family detached model will be chosen from one of the three models included in the semidetached form.

In order to be consistent with the District Council's recent approvals for Beech Tree, a condition with regard to façade and side wall treatment that was based on the District Council's condition regarding single-family detached homes has been proposed in the Recommendation section of this report.

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-C, 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 1,500<sup>th</sup> 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 reach 1,728 units, and the Board of Education has been made aware of

this. However, a school surcharge for each dwelling unit will be collected in accordance with current school surcharge regulations at the time of each building permit

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

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

**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. In a letter dated June 29, 2007 (Patz to Adams) S. Patz and Associates, Inc. indicated that their recommended 2007 new home sale prices at Beech Tree for single-family detached units is \$450,000. This value was determined by S. Patz and Associates, Inc. to be the equivalent of \$225,000 in 1989 dollars. In fact, the 2006 average sales price for single-family detached homes in Beech Tree was \$508,000. According to the applicant, the sales price for the houses included in this SDP will be much higher than \$450,000.

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

**Comment:** This consideration was carried over in Conditions 6 and 8 of CDP-9706 and will be implemented during the review of the Technical Stormwater Management Plan.

**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.**

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

**Consideration 4. The applicant shall prepare a noise study for approval 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 from exceeding 65 dBA (Ldn) exterior and 45 dBA (Ldn) interior.**

**Comment:** A noise study was reviewed and approved with East Village, Phase 1, SDP-9907. According to the Environmental Planning Section, it was determined pursuant to the review of this study that the distance provided from the highway by the intervening HOA parcels and golf course mitigated the projected highway noise. This finding is incorporated in Prince George's County Planning Board Resolution No. 00-111. The Environmental Planning Section indicated that the area of SDP-0614 is farther from US 301 and exterior noise levels are expected to be lower than those experienced within the limits of East Village, Phase 1, SDP-9907.

**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 above consideration 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 geotechnical report dated March 2006 has been submitted for the development contained in this SDP. According to the review by the Environmental Planning Section (Stasz to Zhang, August 14, 2007), the above condition has been fulfilled. The environmental planner indicated that high-risk areas do not occur on this portion of the Beech Tree site, but in some areas special drainage measures, road construction, and foundation construction methods may be needed. As usual, the Prince George's County Department of Environmental Resources will require a soil report in conformance with CB-94-2004 during the permit review process.

**Consideration 11. The trails system shall be designed to link all residential areas to all commercial and recreational elements of the proposed development.**

**Comment:** A comprehensive trail plan was approved as part of Comprehensive Design Plan CDP-9706 for the entire Beech Tree development. The subject SDP contains only residential development. The Transportation Planning Section (Janousek to Zhang, July 24, 2007) has indicated that there are no issues related to trail connectivity in this SDP.

**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, including 1,680 single-family detached, 480 single-family attached, and 240 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 has been built in the Eastern Branch stream valley, and is 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. None of the above amenities is included in the subject SDP. These amenities have been either the subject of previously approved SDPs or will be the subject of future SDPs.

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 modified 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 coversheet is not adequate because there are no Tree Conservation Plan numbers listed. In addition, the list of specific design plan numbers should be updated to reflect all recently approved and submitted specific design plans. A condition has been proposed in the Recommendation section of this report, which would require this information prior to signature approval of the subject SDP.

- 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 10307-2007-00 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):**

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

**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.

21. **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.**

**Comment:** This condition will be addressed prior to the issuance of permits.

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:** The Environmental Planning Section knows of no violations of this condition and no requests for permission to selectively remove trees.

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 are applicable to this specific design plan review:

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.**

**Comment:** Since the origination of this condition, the Department of Public Works and Transportation (DPW&T) has taken over the review of Technical Stormwater Management Plans. The timing mechanism of this condition is prior to approval of permits, however, the design of the stormwater management facilities significantly impact the design of the SDPs. Staff has recommended a condition to address the issue of the final design of stormwater management facilities.

7. **Prior to the issuance of any permits for Beech Tree, the applicant shall demonstrate that all applicable conditions of the State wetland permit have been fulfilled.**

**Comment:** In a memorandum dated August 14, 2007 (Stasz to Zhang), the Environmental Planning Section indicated that a Corps of Engineers 404 Permit and Maryland Department of the Environment Water Quality Certification have been obtained. Copies are in the Environmental Planning Section files and this condition will be addressed prior to the issuance of any permits.

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-0614 and determined that high-risk areas do not occur on this portion of the Beech Tree site.

11. **Prior to 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.**

**Comment:** The fee of \$201.65 per dwelling unit was assessed to be a fair share contribution towards the construction of the proposed Leeland Road Station and acquisition of an ambulance to provide services to areas, including the subject site, which



are currently not able to be served within the response time standards. This condition will be carried forward as condition of approval for this SDP.

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 of roadways 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 the concentration of particular species as an identifying feature for particular neighborhoods. The Planning Board approved SDP-9905 on October 14, 1999. The subject SDP has no signage element due to the fact that it is an internally located site. In addition, the site does not contain any key intersections, facilities or trail heads. Therefore the 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 improvement 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 2, 2007 (Rizzi to Burton), the applicant provided evidence to fulfill the above three requirements. The review by the Transportation Planning Section indicates that the proposed development along with 400 previously approved permits will bring the total permit number to 411, which is above the threshold of Phase III of the Beech Tree project. The Transportation Planning Section concludes that the subject development will be adequately served within a reasonable period of time, if the application is approved with conditions for Phases IV-VI. The conditions recommended by the Transportation Planning Section have been included in the Recommendation section of this report.

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.**

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

**Comment:** According to the applicant's above referenced letter, these improvements are included in Phase II residential development and have 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 of the residential development and will fall into the building permit range of 132-1,000. The Transportation Planning Section has determined that the subject SDP constitutes a modification of the previously approved phasing plan included in SDP-9907 and recommends carrying over the conditions of approval associated with the phasing of transportation improvements for Beech Tree. Those conditions recommended by the Transportation Planning Section have been included as conditions of approval of this SDP.

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 original approval of SDP-0001, three revisions have been approved. The units approved by SDP-0001 ranged from 2,494 to 5,096 square feet. The base square footage of the units proposed in this SDP ranges from 3,277 to 3,700 square feet. Of the three conditions attached to the approval of SDP-0001, one is applicable to the review of this SDP.

1. **Prior to certification of SDP-0001, the architectural drawings shall be revised to show more articulation and design features for the rear elevations of Lots 1 to 10 and Lots 19 to 25 on Folkshire Drive so that they are as attractive as the front elevations.**

**Comment:** This condition was derived from a finding that the rear elevations of Lots 19 to 25 along Folkshire Drive would face the proposed golf course and the rear elevations of

Lots 1 to 10 along Folkshire Drive would face Beech Tree Parkway. As a result, the above condition was incorporated to ensure that exposed rear elevations were appropriately treated and articulated. A similar situation exists within the subject application: Lots 3-8 back to the golf course, the side of the unit on Lot 9 faced the golf course and Lots 11 and 12 back to Beech Tree Parkway. Therefore staff has incorporated the above condition in modified form for these lots in the Recommendation section of this report.

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

a. The proposed ten single-family semidetached and one single-family detached units are part of a larger project known as Beech Tree, which is the subject of numerous previous approvals. The subject SDP is a detailed implementation of previous approvals for East Village, Section 6, and is therefore 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 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 and the applicable standards of the Landscape Plan, and for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274 (a) (1) (B) and (a) (11), and the applicable regulations for townhouses set forth in Section 27-433 (d) and, as it applies to property in the L-A-C Zones, if any portion lines within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulation set forth in Section 27-480(d) and (e);**

**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*.

This SDP does not propose the construction of townhouse units and thus is not subject to the requirements of Section 27-274 (a) (1) (B) and (a) (11) and the regulations for townhouses set forth in Section 27-443 (d).

(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 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 review by the Transportation Planning Section (Burton to Zhang, July 11, 2007), the subject SDP proposal is consistent with the previous transportation adequacy findings with slight modifications of the previously approved phasing plan. The staff concludes 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.

According to a memorandum by the Public Facilities and Historic Preservation Section, (Harrell and Izzo to Zhang, September 26, 2007), the development as proposed in this SDP will be adequately served by the existing and programmed fire, rescue and police service in the area.

- (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 subject site has a stormwater management concept approval number 10307-2007-00. 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. Although the Department of Public Works and Transportation (DPW&T) provided a referral response for the subject project (Abraham to Zhang, June 28, 2007) this response failed to verify that the proposed development is consistent with the approved stormwater management concept. A condition has been proposed in the recommendation section of this report, which would require the applicant to provide evidence from DPW&T that the subject SDP is consistent with the approved stormwater management concept prior to signature approval.

- (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/49/98-12 has been submitted with this SDP. TCPII/49/98-12 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/49/98-12 subject to one condition that has been incorporated into the Recommendation section of this report.

14. **Landscape Manual:** The proposed construction of single-family detached and single-family semidetached houses in R-S Zone is subject to Section 4.1, Residential Requirements, of the *Landscape Manual*.
  - a. The subject SDP includes 10 single-family semidetached and one single-family detached units. Per Section 4.1 (f), 15 shade trees and 10 ornamental or evergreen trees are required for the single-family detached lots. According to Section 4.1(c), 2 shade trees and 1 ornamental tree is required for the single-family detached lot. The Landscape Plan provides 39 shade trees, 10 ornamental trees and 2 evergreen trees and complies with the *Landscape Manual*. However, the landscape schedule incorrectly calculates the 4.1 requirements for 11 single-family detached units. A condition has been proposed in the Recommendation section of this report that would require the applicant to revise the Landscape Plan prior to certification of this specific design plan.
  - b. The plan proposes the clearing and grading of off-site woodland between the golf course and the rear of the proposed single-family lots, including Lots 2–7. Written permission from the adjacent property owner for this disturbance will be required prior to signature approval of this specific design plan. Although the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual* are not applicable to Comprehensive Design Zones, a Type B bufferyard would be required between the golf course and the adjacent lots if the property were located in a Euclidian Zone. The applicant has proposed landscaping equivalent to a Type B bufferyard between the golf course and the proposed lots. In order to guarantee the perpetual preservation and maintenance of this bufferyard, staff recommends that a covenant be recorded among the land records of Prince George's County.
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 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/49/98-12, 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.
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 (Campbell to Zhang, October 3, 2007) has stated that this application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier and conforms to the 1993 Subregion VI Master Plan Study Area and SMA recommendations for residential land uses. The community planner indicated that

the lot design for the southwest portion of the site does not create harmonious relationships with the residential structures on lots 3, 4, and 5, as required by Guideline 12 of the 1993 *Subregion VI Master Plan*. In addition the planner recommended that in an effort to create harmonious relationships with the residential structures and the adjacent roadway, facades exposed along Beech Tree Parkway, on Lots 1, 10, 11 and 12, should have the same quality design and treatments as the front facades.

**Comment:** The community planner's concerns regarding the relationship of lots 3, 4, and 5 have been addressed by revisions to the plans. The applicant has deleted one lot and has provided individual access for each unit. See Findings 6 and 12 above for detailed discussion of the required treatment of highly visible elevations. Several conditions have been incorporated in the Recommendation section of this report, which would assure that highly visible side and rear elevations are designed to be as attractive as front elevations.

- b. The Transportation Planning Section (Burton to Zhang, July 11, 2007) has listed all of 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-0614 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 four conditions of approval of this SDP.

In a separate memorandum (Janousek to Zhang, July 24, 2007) regarding specific design plan review for master plan trail compliance, the Transportation Planning Section has indicated that there are no master plan trail issues and provided sidewalks are adequate.

- c. The Environmental Planning Section (Stasz to Zhang, August 14, 2007) 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-0614 and TCP II/49/98-12 subject to one condition, which has been incorporated into the Recommendation section of this report.
- d. The Subdivision Section (Lockard to Zhang, October 1, 2007) has indicated that the property is the subject of Preliminary Plan of Subdivision 4-00010, which was approved subject to numerous conditions that dealt with environmental constraints, parkland dedication and required transportation improvements. The Subdivision planner indicated that there are no subdivision related conditions applicable to this section of the development (see above Finding 9 for a discussion of the conditions attached to the approval of 4-00010 that are applicable to the review of this SDP). The Subdivision planner concluded that the proposed development is in general compliance with the approved preliminary plan.
- e. The Permit Section (Linkins to Zhang, July 5, 2007) indicated that several revisions to the plans will be required. These revisions have either been addressed by the applicant or incorporated in the Recommendation section of this report.

- f. The Department of Parks and Recreation (DPR) (Solomon to Reed, September 28, 2007) indicated that the proposed development has no effect on park property.
- g. The Historic Preservation and Public Facilities Planning Section (Moore to Zhang, June 6, 2007) has reviewed the subject SDP for historic sites and concluded that this SDP has no impact on historic resources.

In a separate memorandum (Stabler to Zhang, June 22, 2007), the staff archeologist indicated that a Phase I archeological survey was completed on the Beech Tree property and no further archeological investigations are necessary for the area covered by SDP-0614.

- h. The State Highway Administration (SHA) (Foster to Zhang, July 18, 2007) has indicated that the SHA has no objection to the approval of this SDP.
- i. The Washington Suburban Sanitary Commission (WSSC) (Thacker to Zhang, June 25, 2007) has noted that water and sewer extension will be required for this portion of the subdivision.
- j. The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Zhang, September 26, 2007) has noted that the development will be adequately served by the existing police service, but the existing fire and rescue services are beyond response time guideline standards. A new station has been included in the approved Capital Improvement Program Fiscal Year 2007-2012. The station is currently estimated for completion in 2013 to fully serve this development. Preliminary Plan 4-00010 was approved with a condition that required the applicant to submit a fair share fee payment of \$201.65, prior to the issuance of each building permit, for the construction of this fire station.

**Comment:** This preliminary plan condition has been carried over as a condition of approval of this specific design plan and has been incorporated in the Recommendation Section of this report.

- k. The Department of Public Works and Transportation (DPW&T), Prince George's County (Abraham to Zhang, June 28, 2007) indicated that all development would be required to meet its guidelines and specifications, the site has an approved Concept Plan 10307-2007, dated May 22, 2007 and that a soils investigation report including subsurface exploration and a geotechnical engineering evaluation is required. DPW&T's requirements will be addressed through their separate permitting process.

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 I Tree Conservation Plan (TCPI/49/98-12), and further APPROVED Specific Design Plan SDP-0614 for the above-described land, subject to the following conditions:

1. Prior to signature approval of this specific design plan, the applicant shall:
  - a. Revise the site plan and landscape plan as follows:
    - (1) Provide all approved or submitted Tree Conservation Plan and Specific Design Plan numbers (including revisions) on the coversheet.
    - (2) Revise the architectural elevations to show that the rear elevations of Lots 10 and 11 shall be finished with a minimum of 80 percent brick and/or stone and the side elevation of Lot 9 shall be finished with a minimum of 50 percent brick and/or stone.
    - (3) Provide construction details depicting the height, style and materials of the proposed fence and stone or composite piers to be reviewed and approved by the Urban Design Section as the designee of the Planning Board.
    - (4) Provide the correct case number in the approval block.
    - (5) Provide written evidence from the adjacent property owners that the off-site clearing and landscaping are permissible.
    - (6) Revise the landscape schedules to accurately reflect the requirements of Section 4.1(d) and 4.1(f) of the *Landscape Manual*.
  - b. Provide evidence from DPW&T that the subject SDP is consistent with the approved stormwater concept plan.
2. The applicant and the applicant's heirs, successors and/or assignees shall provide the following transportation related improvements:

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

  - a. Prior to the issuance of the 1,001<sup>st</sup> building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
    - (1) Widen southbound US 301 to provide three exclusive through lanes from 1,000 feet north of Leeland Road to Beech Tree Parkway.



- (2) Widen northbound US 301 to provide three exclusive through lanes from 1,000 feet south of Leeland Road to 2,000 feet north of Leeland Road
- (3) Widen Leeland Road to provide two exclusive left turn lanes and one free flowing right turn lane.

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

- b. Prior to the issuance of the 1,501<sup>st</sup> building permit for any residential unit of the development, the following improvements shall be completed by the applicant:

- (1) Widen 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. This improvement will augment an improvement from a previous phase.

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

- c. Prior to the issuance of the 1,993<sup>rd</sup> 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.
  - d. Any changes to the sequencing of transportation improvements and/or changes to the development thresholds identified in Conditions a. through d. above will require the filing of an SDP application, and a new Staging Plan reflecting said changes must be included with the application.
3. Prior to the issuance of building or grading permits, the M-NCPPC Environmental Planning Section shall review all Technical Stormwater Management Plans approved by the Department of Public Works and Transportation (DPW&T). The Environmental Planning Section shall work with DPW&T 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. At time of issuance of building permit, the applicant shall pay \$201.65 per unit for ambulance service 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.

5. The following architectural standards shall apply to the proposed development:
  - a. All units shall have a full front façade (excluding gables, windows, trim and doors) constructed of brick, stone or stucco or shall be treated with a full width front porch.
  - b. Any side elevation which faces the public street shall be designed with materials and details in a manner consistent with the front elevation. In the event the opposite side of such dwelling unit is not highly visible from the public street and, as a result, the homeowner chooses not to display such treatment, the side yard of such unit shall be planted with an evergreen buffer. A side elevation which is highly visible from the public street as a result of being angled on a corner lot or a projecting forward from the neighboring house more than 20 feet, shall display significant architectural features which contribute to the aesthetic of the unit. Significant architectural features include, but are not limited to, bay projections, wrap-around porches, sunrooms, conservatories, pergolas and other architectural embellishments consistent with the architecture defined on the front elevation of the unit.
6. Prior to the final plat, a landscape covenant shall be recorded among the land records of Prince George's County for the landscape bufferyard between the rear of Lots 2-7 and the golf course.
7. No two units located next to, attached to, or directly across the street from each other may have identical front elevations.
8. The developer, its heirs, successors, and/or assigns shall insure that each builder maintains in the appropriate sales office(s) copies of its currently approved architecture (including all exterior elevations of all approved models), copies of currently approved Detailed Site Plans, Landscape Plans and plans for recreational facilities appropriate for that portion of the property being developed, as well as the corresponding approved Comprehensive Sketch Plan and Subdivision Plan.

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, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, October 25, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of November 2007.

Oscar S. Rodriguez  
Executive Director

*Frances J. Guertin*  
By Frances J. Guertin  
Planning Board Administrator

OSR:FJG:JR:bjs

APPROVED AS TO LEGAL SUFFICIENCY.  
*Serge [Signature]*  
M-NCP-PC Legal Department  
Date 11/13/07