

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



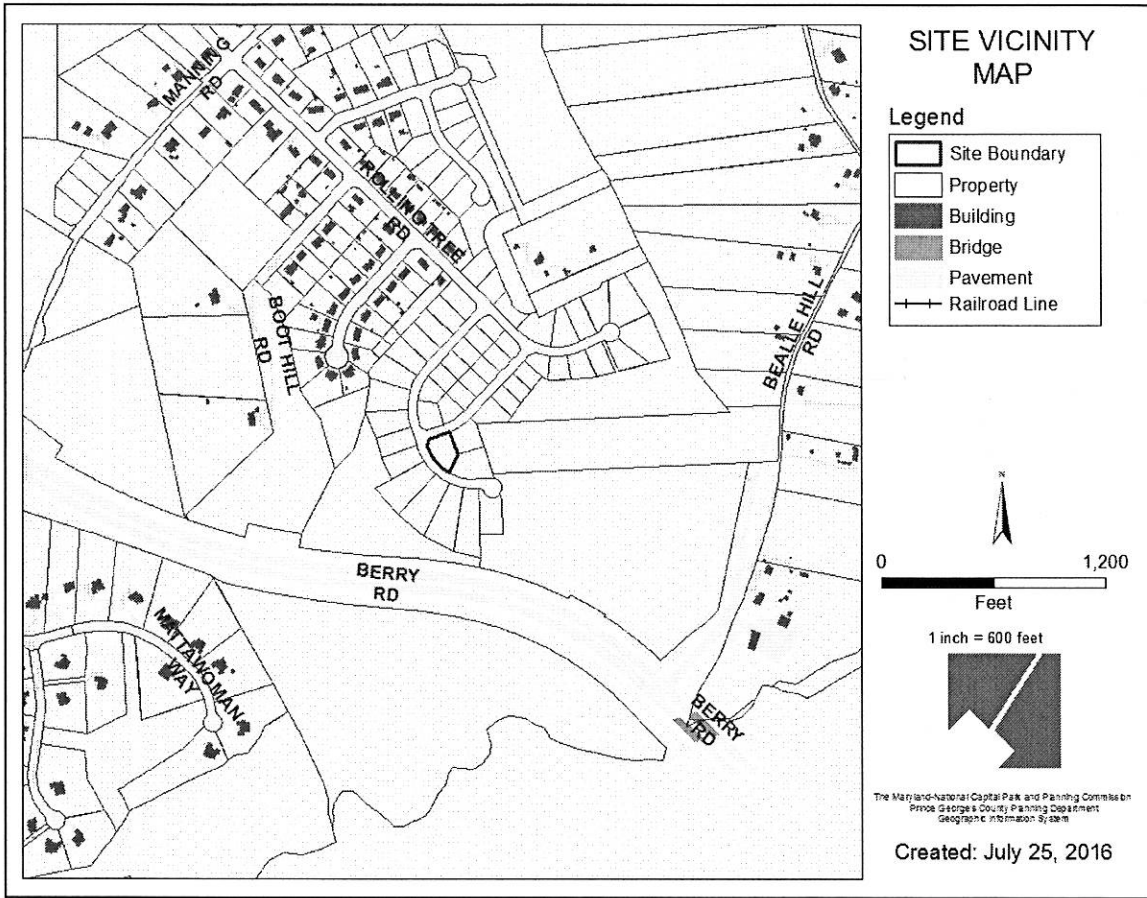
Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).

# Homeowner's Minor Amendment to a Comprehensive Design Plan CDP-9503-H1

Application	General Data	
<b>Project Name:</b> Bealle Hill Forest, Block B, Lot 19 (Coates Gazebo)  <b>Location:</b> On the southeast corner of the intersection of Bealle Hill Forest Lane and Bellevue Ridge Road.  <b>Applicant/Address:</b> Angernette Coy-Coates 16800 Bealle Hill Forest Lane Accokeek, MD 20607	Planning Board Hearing Date:	01/12/17
	Staff Report Date:	12/28/16
	Date Accepted:	10/26/16
	Planning Board Action Limit:	01/16/17
	Plan Acreage:	0.50
	Zone:	R-L
	Dwelling Units:	1
	Gross Floor Area: (sq. ft.)	N/A
	Planning Area:	84
	Council District:	09
	Election District	05
	Municipality:	N/A
200-Scale Base Map:	222SE01	

Purpose of Application	Notice Dates	
Proposed gazebo in the rear yard of an existing single-family detached dwelling.	Informational Mailing:	08/16/16
	Acceptance Mailing:	08/16/16
	Sign Posting Deadline:	12/13/16

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Kosack Jill, RLA, ASLA <b>Phone Number:</b> 301-952-4689 <b>E-mail:</b> Jill.Kosack@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Homeowner's Minor Amendment to a Comprehensive Design Plan CDP-9503-H1  
Bealle Hill Forest, Block B, Lot 19 (Coates Gazebo)

PUBLIC HEARING

In accordance with the comprehensive design plan provisions of Section 27-522 of the Prince George's County Zoning Ordinance, a public hearing is scheduled before the Prince George's County Planning Board at 10:00 a.m. on January 12, 2017. The purpose of this hearing is to review and approve Homeowner's Minor Amendment to a Comprehensive Design Plan CDP-9503-H1 for Bealle Hill Forest, Block B, Lot 19 (Coates Gazebo).

INTRODUCTION

The Development Review Division of the Prince George's County Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department, has coordinated a review of the subject application with all offices having any planning activities that might be affected by the proposed development. This staff report documents that process and presents findings and a recommendation to be acted upon by the Planning Board.

RECOMMENDATION SUMMARY

The Urban Design staff recommends APPROVAL of the comprehensive design plan revision, with conditions, as stated in the Recommendation section of this report.

COMPREHENSIVE DESIGN ZONES

The comprehensive design plan (CDP) phase of the three-phase Comprehensive Design Zone (CDZ) review process requires the submission of a plan that establishes the general location, distribution, and size of buildings and roads. The plan includes several drawings, the schedule for development of all or portions of the proposal, and standards for height, open space, public improvements, and other design features. The regulations for any of the CDZs are at the same time more flexible and more rigid than those of other zones in Prince George's County. The zones are more flexible in terms of permitted uses, residential densities, and building intensities. They are more rigid because some of the commitments made by a developer carry the force and effect of law once approved by the Planning Board and the District Council.

The principal difference between CDZs and conventional zones is that the CDZ includes a list of public benefit features and density or intensity increment factors. If a development proposes to include a public benefit feature in a development, the Planning Board, at this stage of the process, may grant an increment factor that increases the dwelling-unit density or building intensity. The value of the public benefit feature proposal determines the size of the increase in density or intensity. A public benefit feature is an item that will improve the built environment or lessen the public cost of a development. The intent is

to create a development, through the granting of incremental density increases, which will result in a better quality residential, commercial and industrial environment.

EVALUATION CRITERIA

- a. The requirements of the following sections of the Prince George’s County Zoning Ordinance:
  - (1) Section 27-515 regarding uses permitted in the R-L (Residential Low Development) Zone;
  - (2) Section 27-514.10 regarding regulations in the R-L Zone;
  - (3) Section 27-521 regarding required findings in comprehensive design plan applications; and
  - (4) Section 27-524 regarding amendments to approved comprehensive design plan applications.
- b. The requirements of Zoning Map Amendment (Basic Plan) A-9874-C;
- c. The requirements of Comprehensive Design Plan CDP-9503;
- d. The requirements of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance;
- e. Referral comments.

FINDINGS

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

- 1. **Request:** The subject homeowner’s minor amendment to a comprehensive design plan (CDP) is a request to construct a 16-foot octagonal gazebo in the rear yard of an existing single-family detached dwelling within the rear-yard setback.
- 2. **Development Data Summary:**

	<b>EXISTING</b>	
Zone	R-L	
Use	Residential	
Lot size	21,859 square feet	
Lot	1	
Number of Dwelling Unit	1	
	<b>REQUIRED</b>	<b>PROVIDED</b>
Total parking spaces	2	6

3. **Location:** The subject property is located on the southeast corner of the intersection of Bealle Hill Forest Lane and Bellevue Ridge Road, within the Bealle Hill Forest Subdivision. The property is also located in Planning Area 84 and Council District 9.
4. **Surrounding Uses:** The subject property is bounded to the east and south by single-family detached units, to the west by the public right-of-way of Bealle Hill Forest Lane with single-family detached units beyond, and to the north by the public right-of-way of Bellevue Ridge Road, with single-family detached units beyond, in the Residential Low Development (R-L) Zone.
5. **Previous Approvals:** On September 14, 1993, the District Council approved the *Subregion V Master Plan and Sectional Map Amendment* (SMA), which included the Comprehensive Design Zone Application A-9874 for the subject property. This action rezoned the property from the R-A Zone to the R-L Zone, as stated in Council Resolution CR-60-1993 with 13 conditions and four considerations. Subsequent to the rezoning of the property to the R-L Zone, the southern 53.5 acres of the site were sold to the Maryland State Highway Administration (SHA) in association with the construction of Berry Road (MD 228). On February 26, 1998, the Planning Board approved Comprehensive Design Plan CDP-9503 (PGCPB Resolution No. 98-51).
6. **Design Features:** The subject application includes a proposal for a 16-foot dark bronze metal octagonal gazebo, with a concrete base, in the rear yard of an existing single-family detached dwelling, which was constructed in 2012. The subject property, known as Lot 19, Block B of Bealle Hill Forest, is an interior lot with an existing dwelling, which fronts on Bealle Hill Forest Lane to the west. The proposed gazebo, which was constructed without permits in approximately 2015, is free-standing and is located approximately 13 feet from the rear property line, which encroaches approximately seven feet into the rear-yard setback.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The project is in compliance with Section 27-515 of the Zoning Ordinance regarding uses permitted in the R-L Zone. A single-family detached dwelling is a permitted use in the R-L Zone. The project is also in compliance with the requirements of Section 27-514.10, which includes regulations applicable to the R-L Zone. The project also conforms to the requirements of Section 27-521 regarding required findings for comprehensive design plan (CDP) applications and Section 27-524 regarding amendments to approved CDP applications. See Findings 12 and 13 below for a more detailed discussion of this conformance.
8. **Zoning Map Amendment (Basic Plan) A-9874-C:** The project is in compliance with the requirements of Basic Plan A-9874-C, as incorporated into District Council Resolution CR-60-1993. The proposed gazebo in the rear-yard setback does not alter the previously made findings of approval of the basic plan that were made at the time of approval of the CDP.
9. **Comprehensive Design Plans CDP-9503:** The project is in compliance with the requirements of Comprehensive Design Plan CDP-9503, except regarding the required rear-yard setback. Whereas, the CDP stipulates a 20-foot minimum rear-yard setback, the proposed gazebo would sit approximately 13 feet from the rear property line.
10. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** The subject lot does not contain any woodland conservation; the addition of the proposed gazebo

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.

11. **Referral Comments:** The application was referred to the concerned agencies and divisions. Referral comments are summarized as follows:

- a. **Bealle Hill Forest Homeowners' Association, Inc. (HOA)**—In a letter dated June 20, 2016, Bealle Hill Forest Homeowners' Association, Inc. (HOA) indicated that the request for a gazebo associated with this application had been approved.
- b. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated November 4, 2016, DPIE provided the following comments:
  - (1) The applicant proposes to build a backyard gazebo within a recorded County storm drain easement (L. 30402, F. 289). The ground elevation is surveyed at 302.4 feet and the existing storm drain top of pipe elevation is determined at 296.4 feet. The proposed bottom of the gazebo footings is set at elevation 299.4 feet.
  - (2) DPIE has no objection to a proposed gazebo in the backyard, provided it is not located within the recorded County storm drain easement.

**Comment:** The submitted application is necessary to allow the constructed gazebo to be within the required rear-yard setback established by the original CDP approval. DPIE is correct that the already constructed gazebo lies within a recorded storm drain easement, above an existing pipe. The 35-foot-wide easement, which covers the majority of the rear yard along the entire rear property line, is not shown on the record plat and was not known to the homeowner when the lot was purchased and subsequently when the gazebo was built. The homeowner indicated that the HOA will not allow a gazebo within the front or side yards of the home, therefore, leaving no possibility to relocate the gazebo outside of the rear yard. They also proffered that at such time as the storm drain pipe requires maintenance, they are willing to remove the gazebo at their expense.

Staff recognizes that the subject CDP application is required in order to keep the gazebo where it is right now. The gazebo being within an easement is a separate issue, which DPIE has the jurisdiction over through their permitting process. After approval of this application, the homeowner still has to obtain approval of a permit for the gazebo, which may be denied by DPIE and can then be appealed through the appropriate processes relative to permit approval. Staff believes that the proposed gazebo meets all of the required findings for approval of a Homeowner's Minor Amendment to a Comprehensive Design Plan.

12. Prior to approving a CDP, the Planning Board must make the required findings found in Section 27-521(a) of the Zoning Ordinance:

- (1) **The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in**

**conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

**Comment:** The CDP was previously found to be in conformance with the Basic Plan (A-9874-C) as incorporated into District Council Resolution CR-60-1993. The proposed gazebo does not affect that finding.

- (2) **The proposed plan would result in a development with a better environment than could be achieved under other regulations;**
- (3) **Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project;**
- (4) **The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**
- (5) **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;**
  - (B) **Building setbacks from streets and abutting land uses; and**
  - (C) **Circulation access points**
- (6) **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;**
- (7) **The staging of development will not be an unreasonable burden on available public facilities;**

**Comment:** Conformance with these requirements were found at the time of approval of the original CDP and the proposed gazebo does not change those findings.

- (8) **Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**
  - (A) **The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting;**
  - (B) **Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site;**
  - (C) **The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site;**

**Comment:** The proposed revision does not propose an adaptive reuse of a historic site.

- (9) **The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a)(11), where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);**

**Comment:** Conformance with this requirement was found at the time of approval of the original CDP and the proposed gazebo does not change that finding.

- (10) **The Plan is in conformance with an approved Tree Conservation Plan;**

**Comment:** Conformance with this requirement was found at the time of approval of the original CDP and the proposed gazebo does not change that finding.

- (11) **The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

**Comment:** There are no regulated environmental features on the subject lot.

- (12) **Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

**Comment:** Conformance with this requirement was found at the time of approval of the original CDP and the proposed gazebo does not change that finding.

- (13) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

**Comment:** The subject lot is not part of a regional urban community.

13. Section 27-524(b)(3) of the Zoning Ordinance sets forth the criteria for granting minor amendments to approved CDPs 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, as follows:

- (A) **The Planning Board shall conduct a public hearing on the requested amendments.**
- (B) **Findings. The Planning Board may grant the minor amendment if it finds that the requested modifications will not substantially impair the intent, purpose, or integrity of the approved Comprehensive Design Plan.**
- (C) **The Planning Board shall approve, approve with modification, or disapprove the requested amendments, and shall state its reasons for the action.**



**The Planning Board's decision (resolution) on the minor amendment shall be sent to all persons of record in the hearing before the Planning Board and to the District Council.**

**Comment:** The subject CDP application is being reviewed by the Planning Board in conformance with criterion (A) above. The Planning Board is required to make a decision on the CDP application in conformance with criterion (C) above. In regards to criterion (B), staff believes that the requested gazebo will not substantially impair the intent, purpose, or integrity of the approved CDP. The modification of the rear building restriction line (BRL) to 13 feet for the proposed gazebo will not be detrimental to the community, nor will it negatively impact the visual characteristics of the neighborhood because the gazebo sits over 60 feet from the adjacent homes to the east and south and over 90 feet from the nearest public right-of-way, affording privacy to the occupants of both the subject property and the adjacent homeowners.

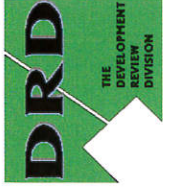
#### RECOMMENDATION

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 Comprehensive Design Plan CDP-9503-H1 for Bealle Hill Forest, Block B, Lot 19 (Coates Gazebo).

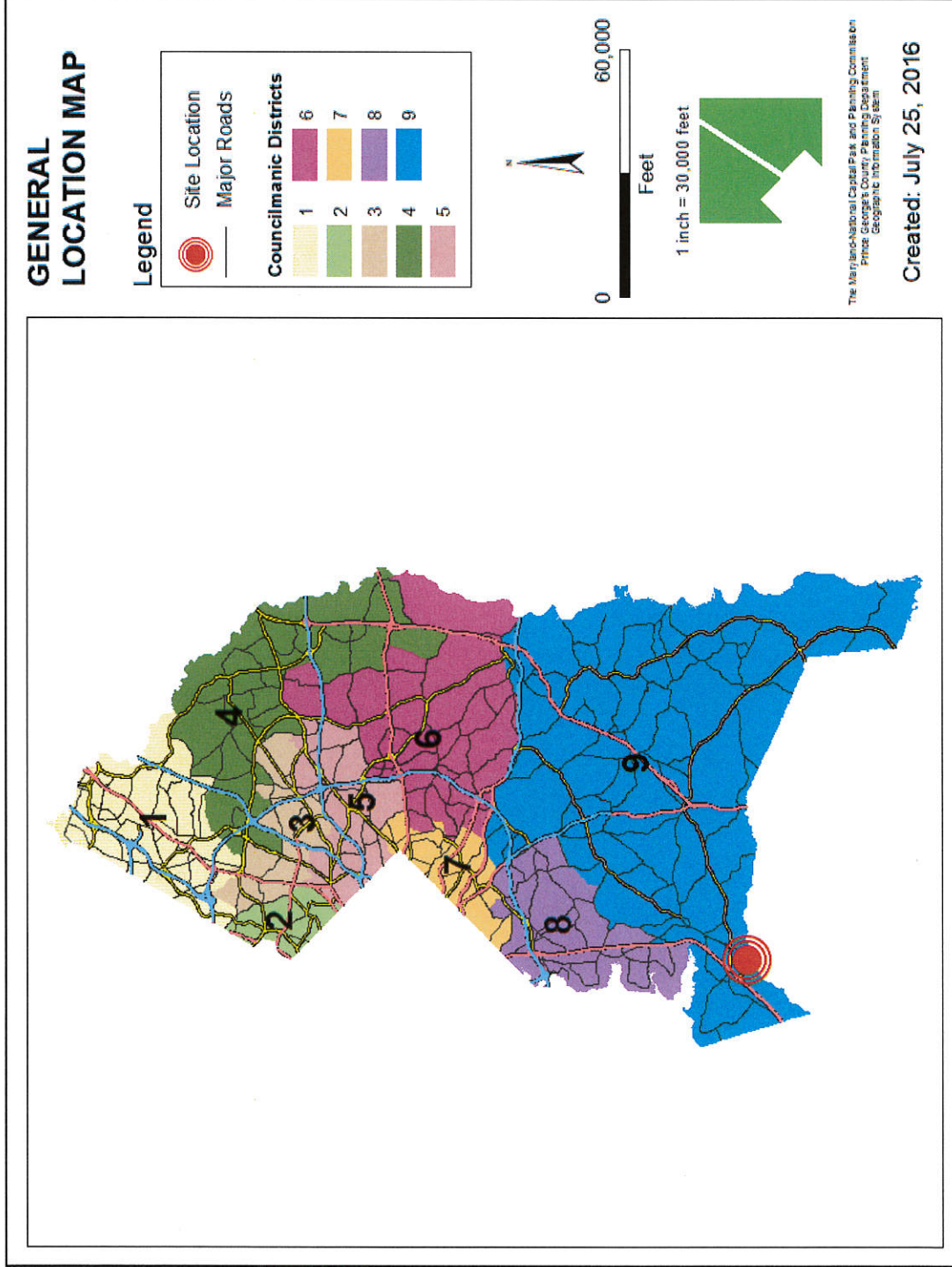
**ITEM:**

**CASE: CDP-9503-H1 & SDP-0619-H1**

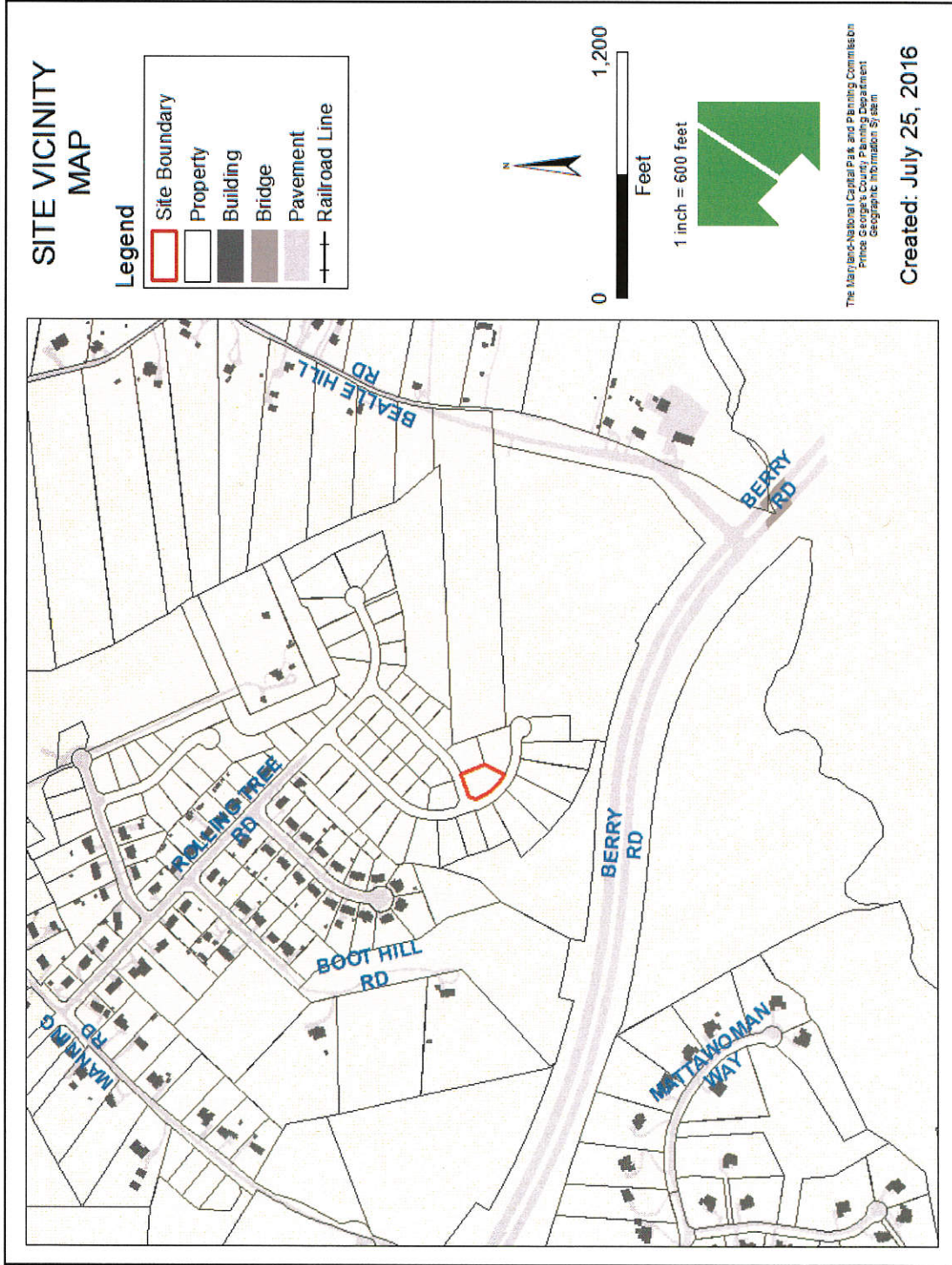
**BEALLE HILL FOREST  
BLOCK B, LOT 19**



# GENERAL LOCATION MAP



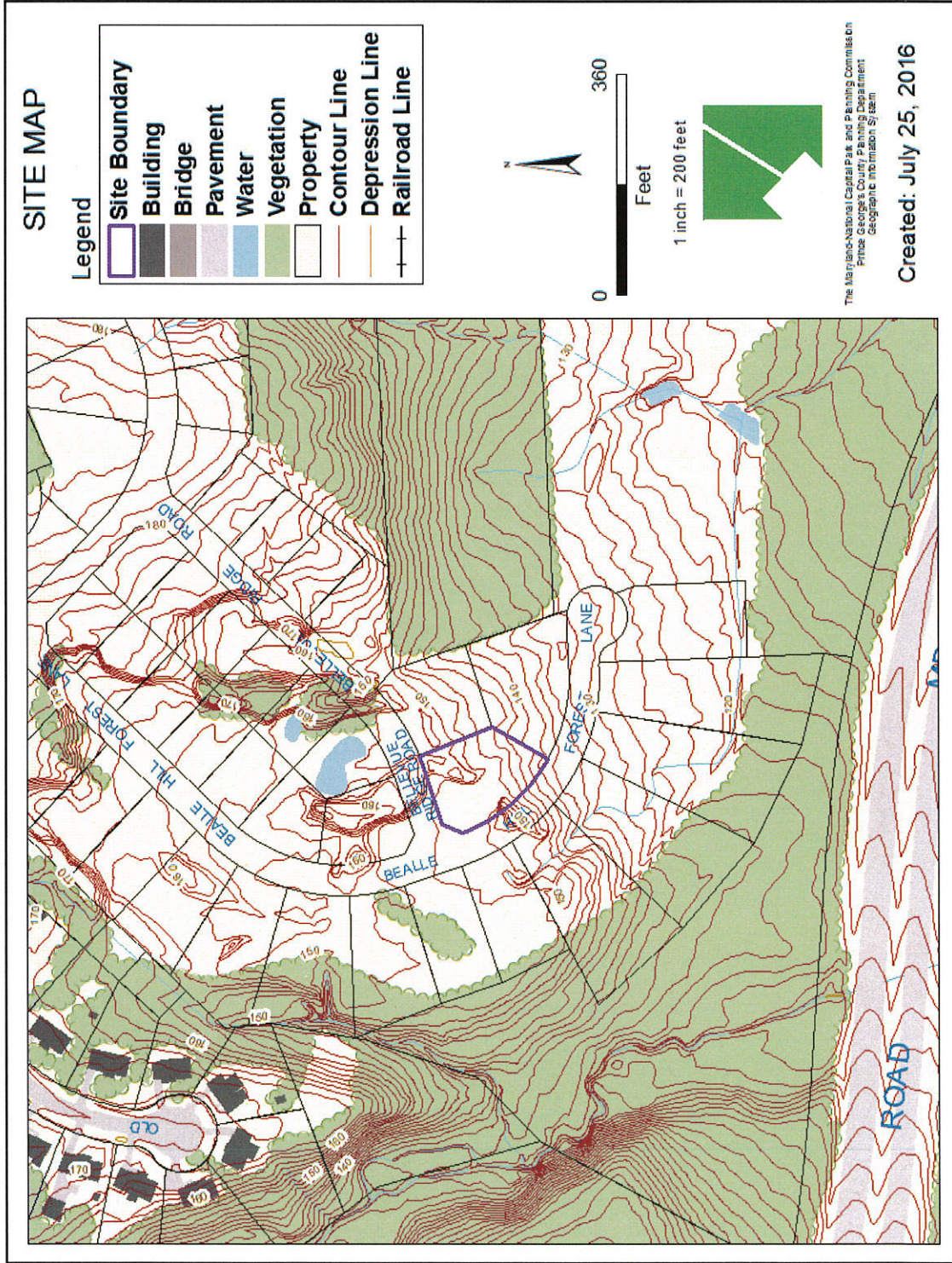
# SITE VICINITY







# SITE MAP



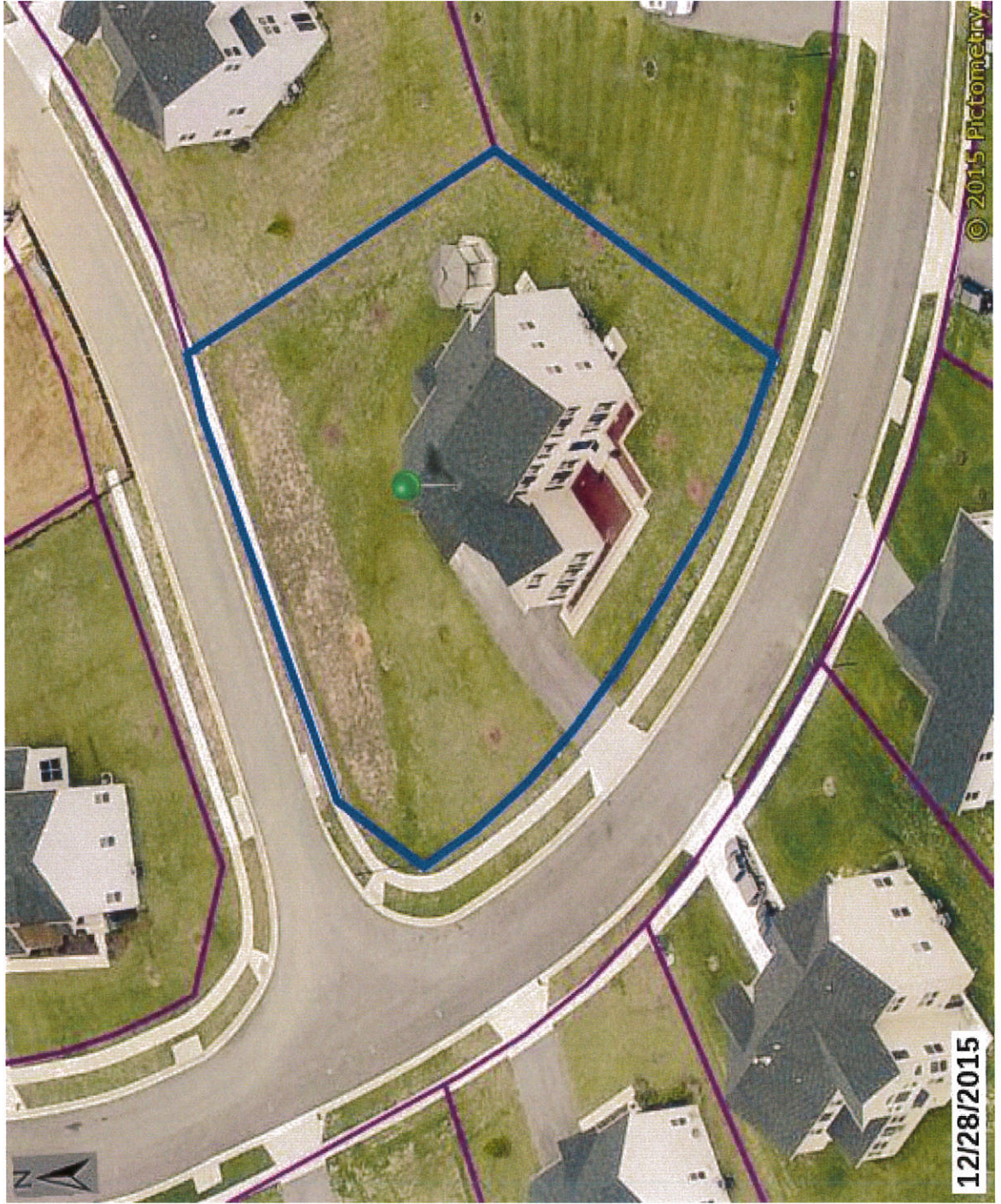




# NEIGHBORHOOD AERIAL



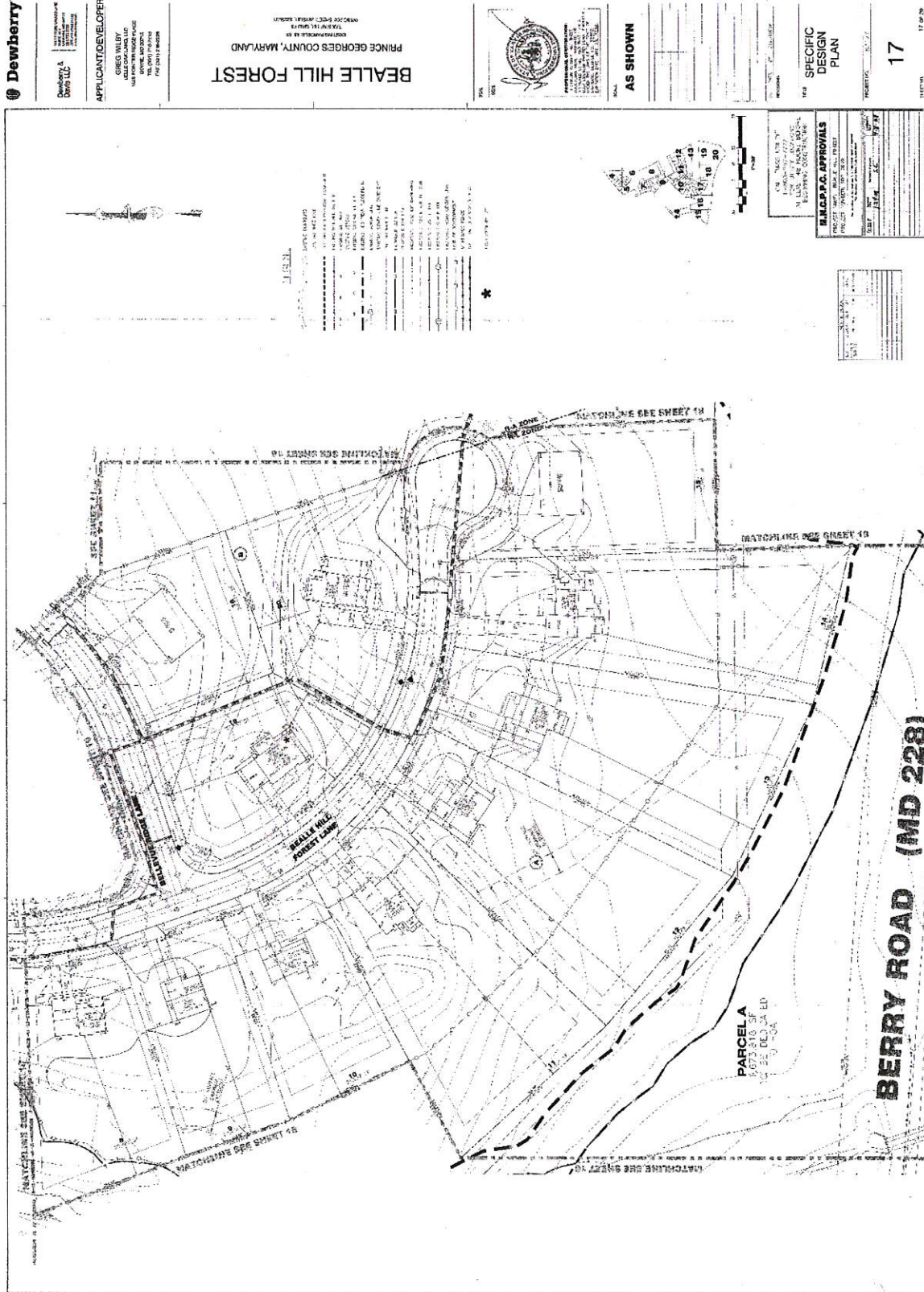
# BIRD'S-EYE VIEW LOOKING NORTH



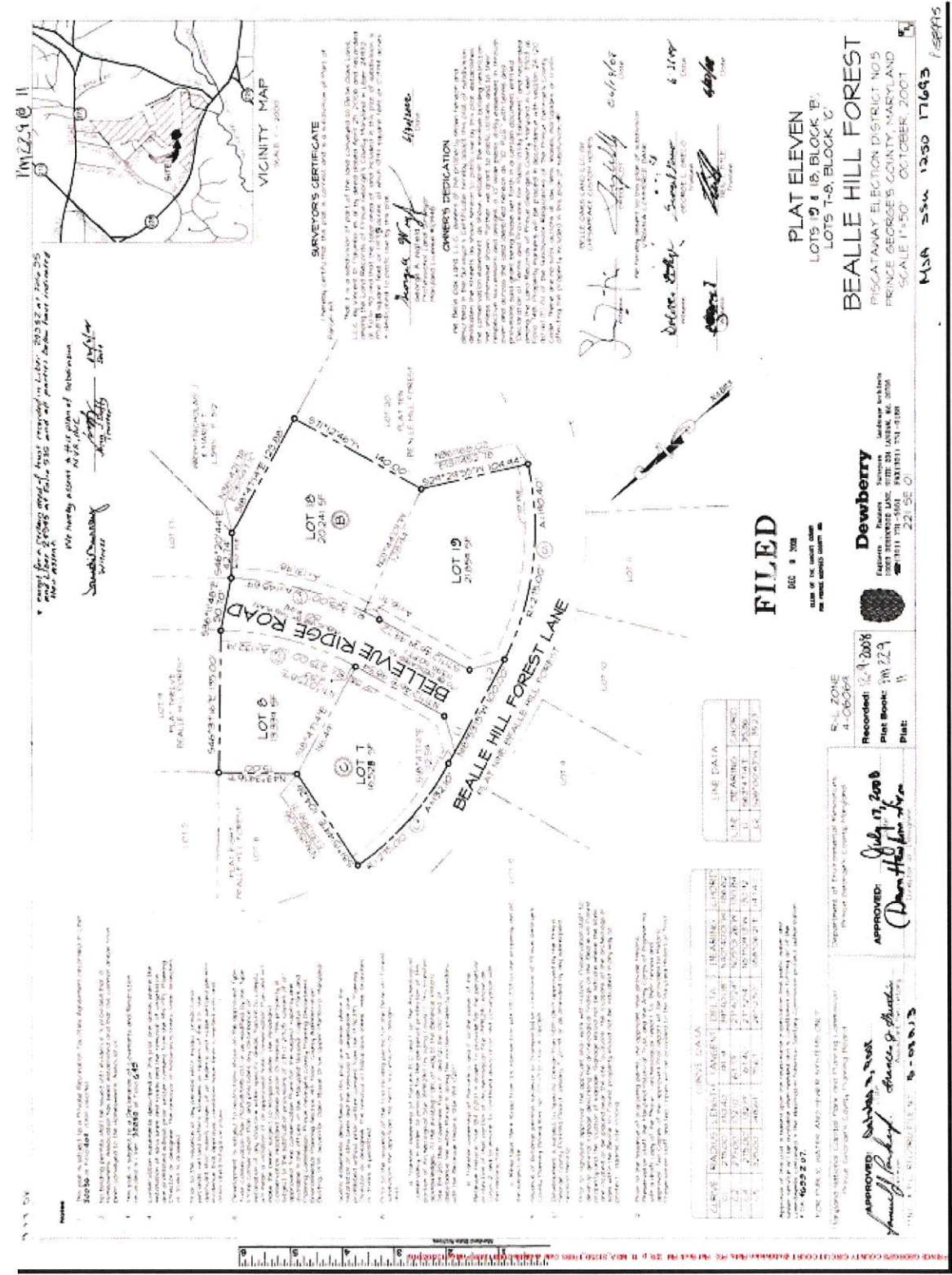
01/12/2017

Slide 9 of 13

# APPROVED SPECIFIC DESIGN PLAN



RECORD PLAT



Slide 11 of 13

01/12/2017



# PERMIT PLAN

CERTIFICATION FOR HOUSE TYPE REVISIONS  
 A REVISION OF SINGLE-FAMILY HOUSING TYPE IS REQUESTED FOR THE LOT IDENTIFIED BELOW

Permit Number: \_\_\_\_\_  
 Subdivision: BEALLE HILL FOREST  
 Lot: 19  
 Detailed Site Plan or Specific Design Plan Number: SDP 0619  
 Plan Page Number: 17  
 Prince Georges County Planning Board Resolution Number: 08-02  
 District Council Ordinance Number (if applicable): N/A

- This building permit application conforms to all previously approved conditions of approval.
- The architectural elevations submitted are approved for use in this subdivision.
- The revised house type does not effect any previously approved Landscape Plan or Tree Conservation plans.
- The house type shown on the plan will not be adjacent to or across the street from an identical house type which has been built or approved on a building permit.
- This subdivision is not the subject of any pending condition that could affect the approval of this application on this lot has been recorded in the tracking chart, the new proposed house type will not require any modifications to the tracking chart.  
 (Change to any tracking chart cannot be processed through the walk-through process and will require submission of a complete set of plans.)

I hereby certify that Statements 1-5 above are true and correct as they pertain to the house type revision request for the permit application identified above.

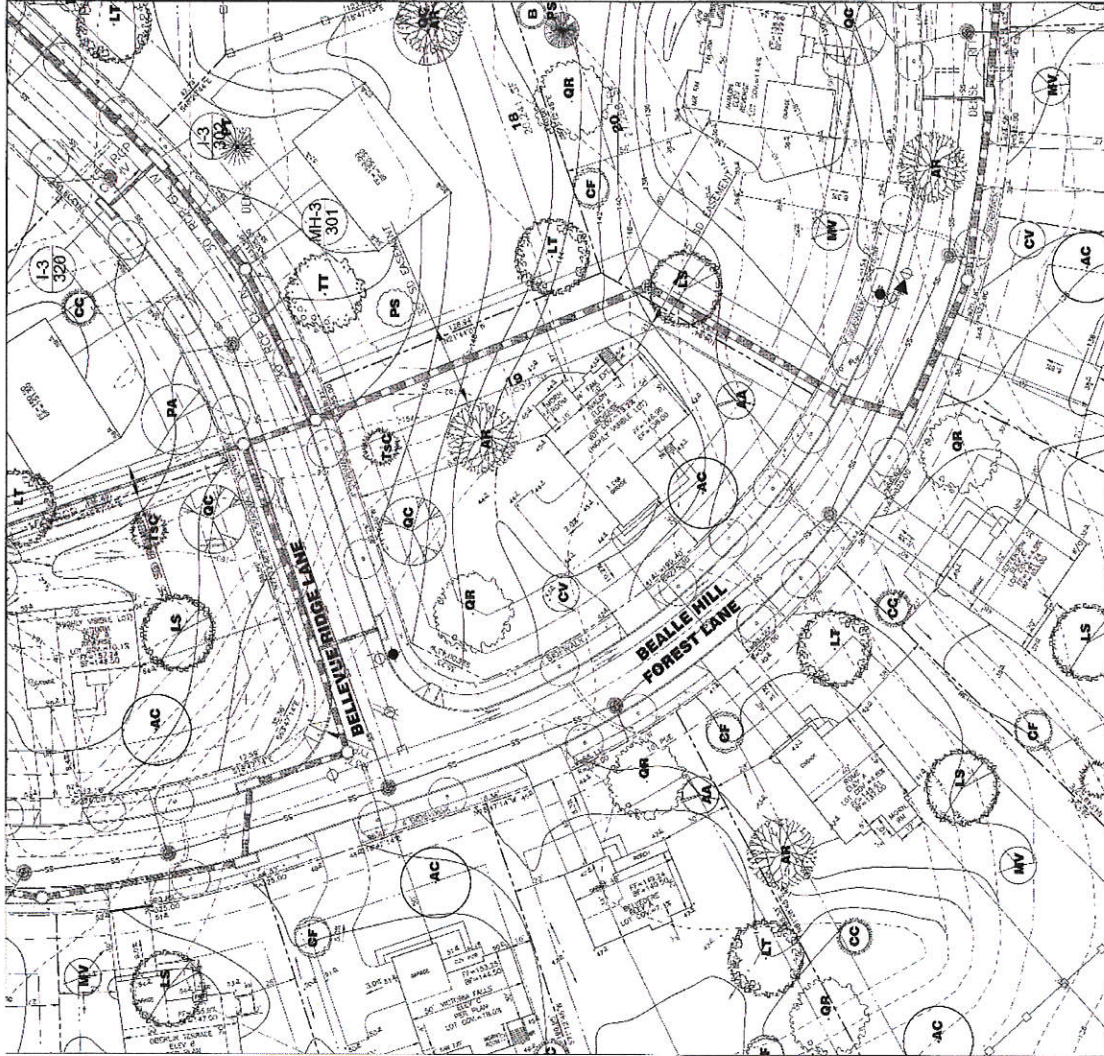
Signed: ERIC R. BECKER

Date: 07/23/2012



PROFESSIONAL CERTIFICATION:  
 I HEREBY CERTIFY THAT THE ARCHITECTURAL ELEVATIONS SUBMITTED FOR THIS PROJECT ARE TRUE AND CORRECT AS THEY PERTAIN TO THE HOUSE TYPE REVISION REQUESTED FOR THE PERMIT APPLICATION IDENTIFIED ABOVE.

The Maryland-National Capital  
 Park and Planning Commission  
 11/11 - 2011 - 50000-01  
 APPROVED OK for HTC: Amela  
 PERMIT #



AREA STATEMENT COVERAGE INFORMATION			
LOT NUMBER / BLOCK NUMBER	TOTAL LOT AREA SF.	DISTURBED AREA SF.	LOT COVERAGE S.F. %
19 / B	21,859 SF.	21,859 SF.	3,978 SF. 18.2%

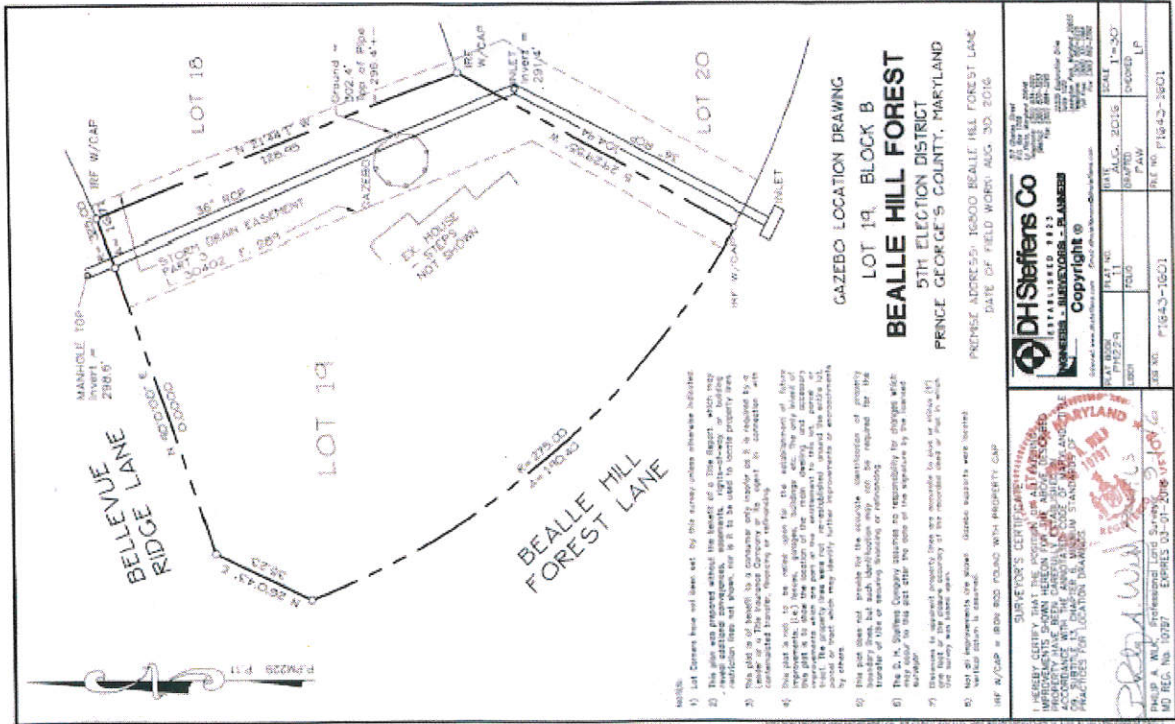
**Dewberry**  
 Dewberry & Davis, LLC  
 1000 WOODBINE AVENUE  
 SUITE 200  
 WASHINGTON, DC 20002

SITE AND LANDSCAPING PLAN  
 LOT 19 BLOCK B  
 BEALLE HILL FOREST

5TH ELECTORAL DISTRICT  
 PRINCE GEORGES COUNTY, MARYLAND

DESIGN: JCT  
 DRAWN: CPS  
 CHECKED: ERB  
 DATE: 07/23/2012  
 SHEET: 1 OF 1  
 FILE NO.

# GAZEBO LOCATION



01/12/2017

Slide 13 of 13

Angernette Coy-Coates  
16800 Bealle Hill Forest Lane  
Accokeek, MD 20607

July 25, 2016

Maryland-National Capital Park & Planning Commission  
Permit Review Section  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Dear Ms. Summerlin,

Reference Coates Gazebo, 30745-2016-RG

My husband, John, and I desire a gazebo in our back yard in order to provide a shaded sitting area. The gazebo design is octagonal in shape, dark bronze in color and made of aluminum, galvanized steel, and steel. The dimensions of the gazebo are 16ft x 14'6ft x 10'5ft tall. Additional and more detailed specifications are included as a separate sheet within the application package.

The gazebo request has been approved by the community homeowners association and the design complies with the Bealle Hill Forest Homeowners bylaws, Article VII as to the "safety, harmony of external design, topography and conformity with the design concept for the community." The gazebo will add to the beautification of my home and the community.

Due to the minor nature of this revision, I request a review at staff level.

If you have questions or need additional information, please contact me at [nettecoi@netzero.net](mailto:nettecoi@netzero.net) or call (210) 557-1258. I thank you for your time and consideration regarding this minor revision.

Regards,



Angernette Coy-Coates

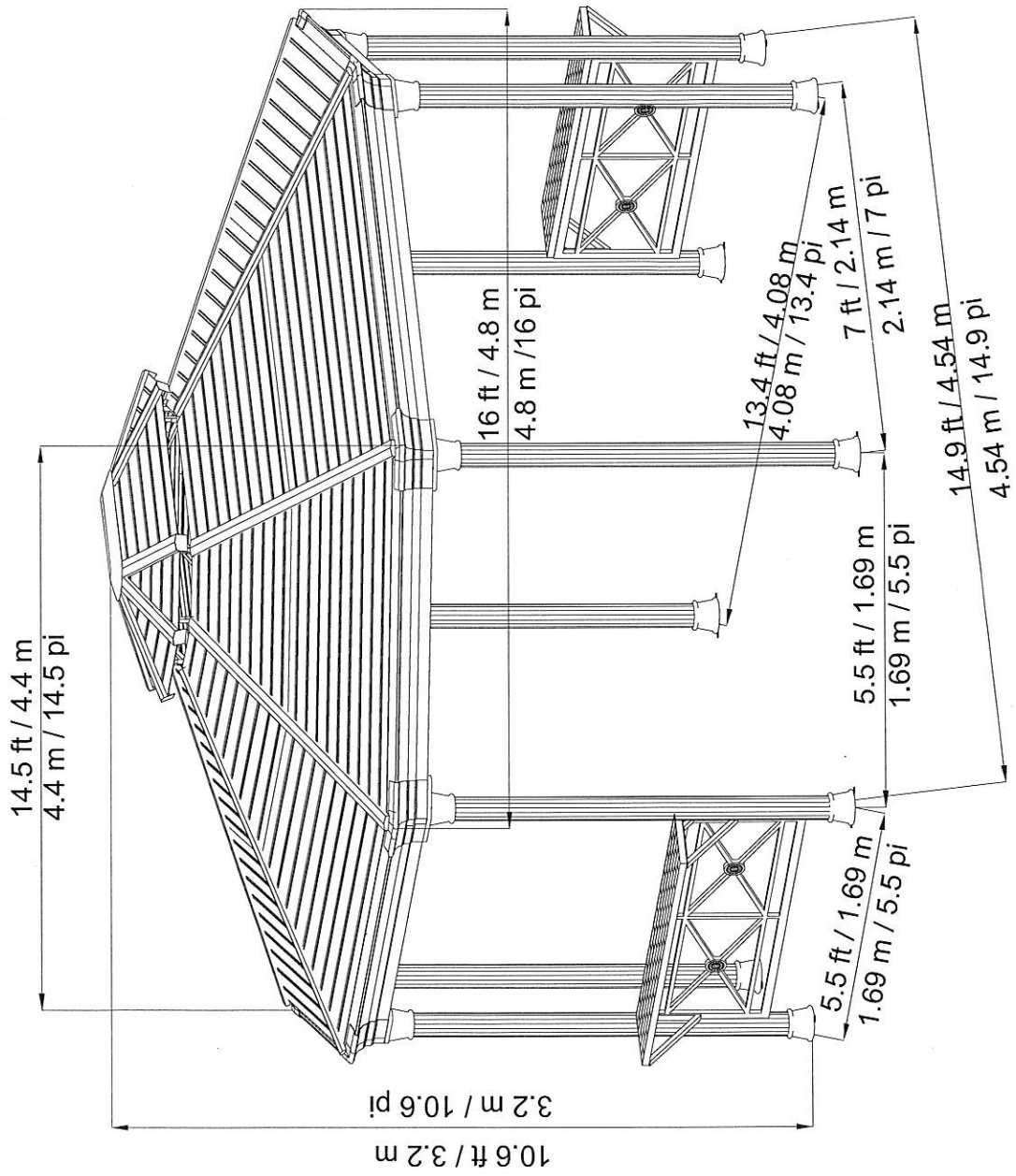
## LAURENTIN GAZEBO 853330 SPECIFICATIONS

- **Brand:** Sunjoy Industries
- **Collection Name:** Laurentin
- **Color:** Dark Bronze
- **Dimensions:** 16 ft. x 14'6" ft. x 10'5" ft. tall. Opening height from ground to gutters: 6'8".
- **Frame Material:** Powder-coated Aluminum, Galvanized Steel, and Steel
- **Roof Material:** Galvanized Steel
- **Posts, Gutters, Fence:** Aluminum
- **Shelves:** 2 Porcelain tile shelves
- **Shape:** Octagonal
- **Shipping Weight:** 921 lb. in 3 boxes (330 lbs. 288 lbs. 303 lbs.). Net Weight: 755 lbs.
- **Resists wind up to 50 mph when firmly anchored using stakes to the ground.**
- **Resists wind up to 63 mph when firmly anchored using expansion bolts into a suitable concrete base.**
- **Roof can withstand up to 550 lbs / 249 kg weight load.**
- **Maximum load for the center hook:** 87 lbs. / 39.9 kg.
- Product Features:**
  - Aluminum Posts and Gutters
  - Structurally integrated roof panels for durability and ease of construction
  - Multi-purpose structure for dining, entertaining, weather protection
  - Porcelain tile shelves that are removable
  - Upper roof has covered opening to allow wind and smoke to escape
  - Gazebo can easily be assembled with 3 people, 2 ladders, cordless drill, metric socket/wrenches and carpenter's level.

### BASE

- ✓ Excavation: 34" depth and leveled
- ✓ Crushed Rock: 6 tons of PR6
- ✓ Foundation Strength: Both wire mesh and wrought iron material
- ✓ Concrete: 7-8 tons
- ✓ Anchor points: 8 columns, two expansion bolts per column
- ✓ Block Décor: Level with the surface of concrete





PM 1229 @ 11  
 I hereby certify that this plan is correct and is a subdivision of part of Parcel 65.

NOTES

- This plat is subject to a Private Recreational Facilities Agreement recorded in Liber 30036 of Folio 400 (DSP-030786)
- No building permits shall be issued with evidence as provided that a Homeowners' Association has been established and that the common areas have been conveyed to the Homeowners' Association
- This plat is subject to a Declaration of Covenants and Restrictions recorded in Liber 30050 of Folio 643
- Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation, or the prohibition of their removal, will not be required to protect the scenic, natural, or historic resources of the State.
- This plat is subject to the easements shown on the approved plans.
- Development is subject to restrictions shown on the approved plans, including the Conservation Plan and any future amendments thereto.
- The installation of any structure within, on, or adjacent to the large lot shall be consistent with the approved plans, including the Conservation Plan, and shall be subject to the notification provisions of CP 0-20.05. Copies of all approved plans are available to the public at the Prince George's County Planning Department, Prince George's County Planning Department, Department of Environmental Resources, Prince George's County Planning Department, 14500 Robert R. Taylor Drive, Upper Merion Station, Maryland 21074.
- Specific easements shown on this plat are areas where the installation of structures and the removal of vegetation or the prohibition of their removal is prohibited without prior written consent from the H.H.E.P.P., Planning Department or approved the removal of vegetation from the lot, branches or trunks is prohibited.
- This plat is subject to the final building permit for the Belle Hill Forest.
- This plat is subject to the easements shown on the approved plans, including the Conservation Plan and any future amendments thereto.
- The installation of any structure within, on, or adjacent to the large lot shall be consistent with the approved plans, including the Conservation Plan, and shall be subject to the notification provisions of CP 0-20.05. Copies of all approved plans are available to the public at the Prince George's County Planning Department, Prince George's County Planning Department, Department of Environmental Resources, Prince George's County Planning Department, 14500 Robert R. Taylor Drive, Upper Merion Station, Maryland 21074.
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- This plat is subject to the final building permit for the Belle Hill Forest.

PRINCE GEORGE'S COUNTY  
 PLANNING DEPARTMENT  
 PLANNING STAFF

APPROVED: *[Signature]*  
 DATE: *[Date]*

WITNESSES:  
*[Signatures]*

BEARINGS AND DISTANCES

LINE BEARING CHORD  
 L1 546°31'16"E 135.00'  
 L2 571°12'46"W 102.94'  
 L3 192°15'10"W 100.00'  
 L4 192°15'10"W 100.00'  
 L5 546°31'16"E 135.00'

BEARINGS AND DISTANCES

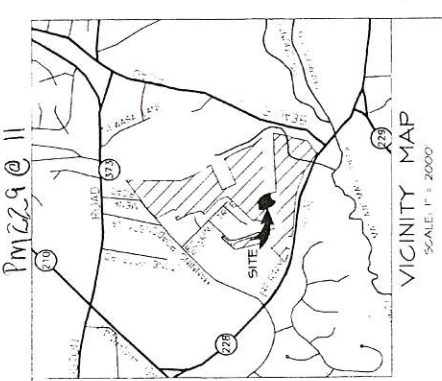
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BEARINGS AND DISTANCES

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BEARINGS AND DISTANCES

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 L3 192°15'10"W 100.00'  
 L4 192°15'10"W 100.00'  
 L5 546°31'16"E 135.00'



BEARINGS AND DISTANCES

LINE BEARING CHORD  
 L1 546°31'16"E 135.00'  
 L2 571°12'46"W 102.94'  
 L3 192°15'10"W 100.00'  
 L4 192°15'10"W 100.00'  
 L5 546°31'16"E 135.00'

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 L2 571°12'46"W 102.94'  
 L3 192°15'10"W 100.00'  
 L4 192°15'10"W 100.00'  
 L5 546°31'16"E 135.00'

**SURVEYOR'S CERTIFICATE**

I hereby certify that this plan is correct and is a subdivision of part of Parcel 65.  
 That it is a subdivision of part of the land conveyed to Belle Oaks Land, L.L.C. by Vincent D. Polombo et al. by deed dated April 25, 2006 and recorded in Liber 30036 of Folio 400 and that the total area of land included in this plan of subdivision is 353.18 square feet or 1.415 acres, of which 13.411 square feet or 0.3144 acres is dedicated to public use by this plan.

George A. McNeil  
 Professional Land Surveyor  
 Professional License #10048  
 Date 6/15/2008

**OWNER'S DEDICATION**

Mr. Belle Oaks Land, L.L.C., owners of the property shown hereon and described in the Surveyor's Certificate hereto accept this plan of subdivision and dedication of public use and agree to maintain the property in a conservation easement, as shown on the plan, in accordance with the respective easement shown further, be grant to public utilities, and to their successors and assigns, a 10' wide public utility easement in, through, over and across the land identified herein as "P.U.E." with terms and conditions as shown on the plan and easements for Public Utility Easement and recorded among the Land Records of Prince George's County, Maryland in Liber 3103 at Folio 148. Property markers will be placed in accordance with section 24-120 (b) (4) (i) of the Subdivision Regulations of the Prince George's County Department of Public Works, Engineering and Surveying, and all other easements or covenants affecting the property included in this plan of subdivision.

George A. McNeil  
 Date 06/19/08

Witness: *[Signatures]*  
 Date 6-21-08  
 Trustee: *[Signatures]*  
 Date 6/21/08

**BEARINGS AND DISTANCES**

LINE BEARING CHORD  
 L1 546°31'16"E 135.00'  
 L2 571°12'46"W 102.94'  
 L3 192°15'10"W 100.00'  
 L4 192°15'10"W 100.00'  
 L5 546°31'16"E 135.00'

**FILED**

DEC 9 2008

CLERK OF THE CIRCUIT COURT  
 FOR PRINCE GEORGE'S COUNTY, MD

R-L ZONE  
 4-060694

Recorded: 12-9-2008  
 Plat Book: PM 1229  
 Plat: 11

APPROVED: *[Signature]*  
 DATE: 12-9-2008

Department of Environmental Resources  
 Prince George's County, Maryland

APPROVED: *[Signature]*  
 DATE: July 17, 2008

Director of Engineering

FOR PUBLIC WATER AND SEWER SYSTEMS ONLY  
 Prince George's County Planning Board

APPROVED: *[Signature]*  
 DATE: 7-15-08

Assistant Secretary

29

**Dewberry**  
 Engineers • Planners • Surveyors • Landscape Architects  
 1000 DEERWOOD LANE, SUITE 300 LANHAM, MD, 20706  
 (301) 731-5651 FAX (301) 731-0188  
 221 SE 01

MSA 554 1250 17693  
 f158995

BEALLE HILL FOREST HOMEOWNERS ASSOCIATION, INC

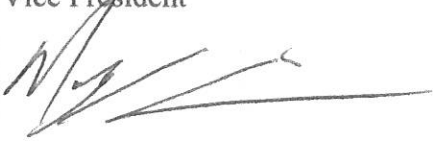
June 20, 2016

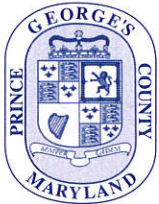
Prince George County DPIE  
9400 Peppercorn Pl  
Upper Marlboro, MD 20774

Sir/Ma'am,

The Bealle Hill Forest Homeowners Association approves the gazebo for the Coates residence at 16800 Bealle Hill Forest Lane, Accokeek, Maryland 20607. Specifications are attached.

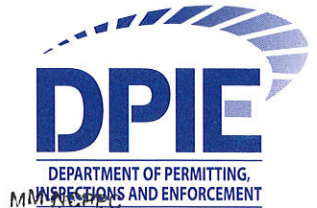
Myron Kimes  
HOA Vice President

A handwritten signature in black ink, appearing to read 'Myron Kimes', with a long horizontal line extending to the right.



Rushern L. Baker, III  
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT  
Department of Permitting, Inspections and Enforcement  
Site/Road Plan Review Division



MEMORANDUM

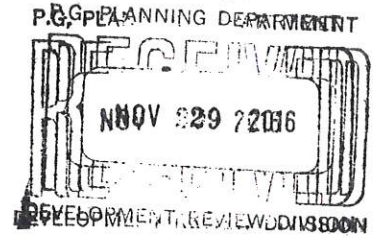
November 4, 2016

**TO:** ✓ Jill Kosack, Urban Design  
Development Review Division, M-NCPPC

**FROM:** Mary C. Giles, P.E., Associate Director  
Site/Road Plan Review Division, DPIE

**RE:** Coates (Gazebo) Property  
Specific Design Plan No. SDP-0619/H1  
Comprehensive Design Plan No. CDP-9503/H1

**CR:** Bealle Hill Forest  
**CR:** Bealle Hill Forest Lane  
**CR:** Bellevue Ridge Lane



*mg 11/29/16*

In response to the Specific Design Plan No. SDP-0619/H1 and Comprehensive Design Plan No. CDP-9503/H1 referral for an addition of a backyard gazebo for the Coates residence at 16800 Bealle Hill Forest Lane, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The subject site is located at 16800 Bealle Hill Forest Lane within the Bealle Hill Forest Subdivision.
- The applicant proposes to build a backyard gazebo within a recorded County storm drain easement (L30402, F289). The ground elevation is surveyed at 302.4 feet and the existing storm drain top of pipe elevation is determined at 296.4 feet. The proposed bottom of the gazebo footings is to set at elevation 299.4.
- DPIE has no objection to a proposed gazebo in the backyard, provided it is not located within the recorded County storm drain easement.

If you have any questions or need additional information, please contact Mr. Nanji Formukong, at 301.636.2060.

MG:Nf:dar  
cc: Nanji Formukong, Engineer, S/RPRD, DPIE  
Mary Rea, Senior Planner, S/RPRD, DPIE  
John and Angernette Coates, 16800 Bealle Hill Forest Lane,  
Accokeek, Maryland 20607

514). (The Adopted Plan recommended Suburban Residential land use.)

- o SMA - Retain the existing I-2 (Heavy Industrial) Zone for approximately 50 acres of the A.H. Smith property (Tax Map 125, Parcel 62). (Transmitted SMA Change C-1 proposed R-80.)

AMENDMENT 29

- o Master Plan - Revise text regarding administration of the adequate public facility ordinance to indicate that the adequacy of public school facilities should also be considered.

AMENDMENT 30

- o Master Plan - Revise text concerning the Mount Vernon viewshed area to recommend further study to determine whether additional protection of the view of the Maryland shoreline from Mount Vernon is merited, and if so, the appropriate techniques to be utilized.

SECTION 2. BE IT FURTHER RESOLVED that the District Council concurs with the determinations of the Planning Board in PGCPB Resolution Nos. 92- 290 and 93-82 and finds that the requirements of Zoning Ordinance Section 27-195(b) have been met for the following Comprehensive Design Zone Basic Plans, which are hereby approved as part of the SMA pursuant to Zoning Ordinance Section 27-226(f) (4) for the land use types, quantities, relationships, conditions and considerations listed below:

CDZ AMENDMENT 1: (Bellewood Preserve, Zoning Application A-

9874):

- 1) Place the 155-acre tract known as the "Bellewood Preserve," located west of Bealle Hill Road and north of Mattawoman Creek, in the R-L (Residential Low Development, 1.0 to 1.5 du/acre) Zone. (Previous zoning was R-A; the transmitted SMA proposed R-L (1.0-1.5) Zone per Planning Board Resolution PGCPB No. 92-290.)
- 2) The Basic Plan referenced in application A-9874 shall be revised to show this 155-acre tract and land use types, quantities, relationships, conditions and considerations in accordance with this resolution within 60 days of its effective date.

A) Land Use Types:

- Single-family Detached Dwellings
- Single-family Attached Dwellings
- Recreation Center or Other Recreational Facilities
- Day Care Facilities for Children
- Accessory Uses

B) Land Use Quantities:

	Gross Acreage	155 acres
	Less One-Half Floodplain	-13 acres
	Adjusted Gross Acreage	142 acres
	Base Density of Zone	1.0 du/acre
units	Base Residential Development	142 dwelling
	Approved Basic Plan Density	1.09 du/acre
units	Maximum Residential Development*	155 dwelling

\* The actual number of dwelling units will be determined during review of the Comprehensive Design Plan

(CDP) on the basis of adjusted gross acreage in the CDP application, the approved development density, and the proposed public benefit features.

(C) Land Use Relationships:

The Amended Basic Plan contained in the record of Application A-9874 generally indicates the spatial relationship of land uses proposed. The following conditions and considerations for development shall be listed on the Basic Plan:

o Conditions:

1. Prior to the issuance of building permits, the applicant shall resurface Menk Road from its intersection with MD 373 to the applicant's property line.
2. The applicant shall complete a traffic signal warrant study for the intersection of MD 373 and Bealle Hill Road (south) at the time of Specific Design Plan (SDP). If a traffic signal is found warranted at that time by the State Highway Administration (SHA), then the applicant shall be responsible for his pro rata share of the costs for the design and construction of the traffic signal. The pro rata share shall be based upon the applicant's percentage contribution to peak hour traffic. Prior to the issuance of building permits, if said traffic signal has not been constructed, the applicant

shall pay his pro rata share of the costs of the traffic signal to the appropriate governmental agency.

3. At the time of Specific Design Plan, if MD 228 Relocated has been constructed and opened to traffic between MD 210 and the Charles County line, and assuming that traffic patterns on MD 228 Relocated have stabilized to the satisfaction of the SHA, then the applicant shall complete a traffic signal warrant study for the intersection of MD 228 Relocated and Bealle Hill Road. If SHA determines that a signal is warranted, then the applicant shall be responsible for his pro rata share of the cost, based on the applicant's percentage contribution to peak hour traffic, for the design and construction of the traffic signal. Prior to the issuance of building permits, if said traffic signal has not yet been constructed, the applicant shall pay his pro rata share of the costs for the traffic signal to the appropriate governmental agency.

4. A buffer area of 100 feet (including the rural lane) shall be established surrounding the Bellevue Historic Site to protect the view from the historic site. Future Comprehensive and/or Detailed Site Plan and subdivision plans shall



permit the creation of an outlot for the purpose of conveyance to the owner of the Historic Site.

5. Immediate access, beginning at the outside edge of the buffer, to Bellevue should remain as a rural lane rather than being finished as a subdivision street.
6. At the time of Specific Design Plan, the applicant shall address siting, height, size, style, design, and materials for units adjacent to Bellevue for the purposes of insuring compatibility with the historic site.
7. Prior to approval of the Phase II Comprehensive Design Plan, a Type I Tree Conservation Plan shall be submitted to the Natural Resources Division for review. A minimum of 25% of the net tract area shall be placed in a conservation easement.
8. A stormwater management concept plan shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to approval of the Phase II Comprehensive Design Plan (CDP).
9. In conjunction with approval of the CDP, buffers shall be established along all perennial streams and wetlands in accordance with criteria set forth in Section 24-130 of the Prince George's County Code.

10. A 100-year floodplain study shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to approval of the Phase III Specific Design Plan. The study should include proposed ultimate channel conditions.
  11. The applicant shall establish a 50-foot buffer from the 100-year floodplain and the 100-year water surface elevation of proposed stormwater management ponds to lot lines.
  12. The applicant shall provide 7.77 acres of public parkland suitable for active recreation in the southwest quadrant of the subject property.
  13. No dwelling units may be constructed unless and until the Board of Education finds adequate capacity for affected schools as identified by the Board of Education.
- o Other Considerations:
1. Protection of specimen trees shall be a design consideration at CDP.
  2. The applicant shall consider the use of audible alarms, fencing, and private security to prevent crime during the construction phase of the project.
  3. The applicant shall consider establishment of a Neighborhood Watch Program and encourage

membership of all residents.

4. The applicant shall address specific screening in the buffer area along the Bellevue Historic Site in order to assure protection of the plantation house which is most proximate to the southern boundary.

CDZ AMENDMENT 2: ("Brandywine Village," Zoning Application A-9878)

- 1) Place 212 acres of the Brandywine Investment Associates, Inc. property, also known as Brandywine Village, located on the west side of MD 5/US 301 north of Clymer Drive in the E-I-A Zone, the L-A-C (Village Center) Zone, and the R-M (5.8-7.9 du/acre) Zones. (Existing zoning is M-A-C; transmitted SMA proposed R-R as base zone for comprehensive design zone (CDZ) applications. A pending CDZ application was subsequently reviewed by the Planning Board, recommended for approval in PGCPB Resolution No. 93-82, and forwarded to the District Council for consideration as part of this SMA.)

- 2) The Basic Plan contained in the record of application A-9878 shall be revised to show the approved zone boundaries, land use types, quantities, relationships, conditions and considerations in accordance with this resolution within 60 days of its effective date.

A) Land Use Types:

- o E-I-A Zone

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-9503 for Belle Oaks Village the Planning Board finds:

1. The Belle Oaks Village Comprehensive Design Plan (CDP) application concerns an irregularly shaped land area of approximately 155 acres located in the Accokeek area south of Manning Road East, north of the Prince George=s County/Charles County line, and west of Bealle Hill Road.
2. On September 14, 1993, the District Council approved the Subregion V Master Plan and Sectional Map Amendment (SMA) which included the Comprehensive Design Zone Application A-9874 for the subject property. This action rezoned the property from the R-A Zone to the R-L Zone for the subject property as stated in Council Resolution CR-60-1993 with 13 conditions and 4 considerations. Subsequent to approval of the R-L Zone, the southern 53.5 acres of the site were sold to the Maryland State Highway Administration for construction of MD 228. The applicant now requests CDP approval to construct 109 detached single-family dwelling units on the 101.5± acres north of MD 228. It should be noted, that the entire 155 acres is the subject of this application.
3. On June 30, 1995, Jack Blevins, Landvision, Inc., on behalf of Vincent D. Palumbo, filed a Comprehensive Design Plan application for the total 155 acres of land in accordance with Section 27-518 of the Zoning Ordinance. The application was sent to the appropriate agencies for submittal requirement review. The application was completed and accepted for processing by the Development Review Division on November 28, 1995. The case was originally scheduled to be heard by the Prince George=s County Planning Board on April 11, 1996. John McDonough, Esquire, on behalf of the applicant requested a continuance of the hearing to an indefinite date in order to resolve outstanding issues with the State Highway Administration. The Planning Board granted the request. Since that date, the applicant has submitted numerous revisions to the plans, the most recent of which was received by this office on February 12, 1998.
4. The Basic Plan was approved with the following land use types and quantities as stated in CR-60-1993:

Land Use Types

§      Single-Family Detached Dwellings

- \$ Single-Family Attached Dwellings
- \$ Recreational Center or Other Recreational Facilities
- \$ Day Care Facilities for Children
- \$ Accessory Uses

**Land Use Quantities**

Gross Acreage	155 acres
Floodplain Less One-Half	13 acres
Adjusted Gross Acreage	142 acres
Base Density of Zone	1.0 du/acre
Base Residential Development	142 dwelling units
Approved Basic Plan Density	1.09 du/acre
Maximum Residential Development	155 dwelling units*

\* The actual number of dwelling units will be determined during review of the Comprehensive Design Plan (CDP) on the basis of adjusted gross acreage in the CDP application, the approved development density and the proposed public benefit features.

5. The Comprehensive Design Plan indicates that the existing 100-year floodplain is substantially larger than was originally indicated on the Basic Plan. The applicant is currently working with the Department of Environmental Resources (DER) on a 100-year floodplain study of the existing conditions on site. Although the study is not yet approved by the DER, the study indicates that the floodplain is approximately 40.5 acres. Therefore, the Land Use Quantities must be adjusted as shown below:

Gross Acreage	155 acres
Floodplain Less One-Half	20.25 acres
Adjusted Gross Acreage	134.75 acres
Base Density of Zone	1.0/du acre
Base Residential Development	134 dwelling units
Approved Basic Plan Density	1.09 du/acre
Maximum Residential Development	146 dwelling units

6. The Comprehensive Design Plan proposes a total of 109 single-family detached dwellings. There are a variety of lot sizes proposed, ranging from 10,000 square feet in size to 40,000 square feet. The lots are largest along the eastern perimeter of the development, adjacent to existing residential lots in the R-A Zone. The lots on the western perimeter of the site are a minimum of 20,000 square feet, adjacent to existing residential lots in the R-R Zone, in the Bellevue Estates Subdivision. Lots to the interior of the site range from a minimum of 10,000 square feet to approximately 15,000 square feet.

Open space is proposed in areas of steep slopes, wetland areas and 100-year floodplain. Most of the open space is concentrated directly north of MD 228. The entire land area south of MD 228, which is property owned by the State Highway Administration, is proposed as open space, consistent with the Basic Plan. There are also open space parcels within the development, most of which will be tree preservation areas and will preserve other existing natural features such as wetland or floodplain. Two stormwater management ponds are proposed within the open space areas of the development.

The circulation proposed for the development indicates the main access off of Manning Road East. A spine road is proposed in a north/south direction which will connect to Bealle Hill Road through an adjacent property. The adjacent property is under the same ownership as the north portion of the subject application (Palumbo). Cul-de-sacs are proposed off of the main spine road. Some lots are proposed as flag lots with driveways connecting to the road system. No vehicular connection is proposed between the subject property and the adjacent existing residential development to the east, known as Bellevue Estates.

7. There are no density increments applied for in this application because the proposed density is less than the base density.

Findings Required by Section 27-521 of the Zoning Ordinance (Findings 8-17 below)

8. The Comprehensive Design Plan for Belle Oaks Village, when modified by the proposed conditions described below, will be in conformance with the conditions of Zoning Application No. A-9874C as expressed in CB-60-1993. The following conditions warrant discussion regarding conformance of the Comprehensive Design Plan with the Basic Plan and are provided below:

- (1) **Prior to the issuance of building permits, the applicant shall resurface Menk Road from its intersection with MD 373 to the applicant=s property line.**

Comment: This condition requires the resurfacing of Menk Road between MD 373 and the subject property prior to the issuance of building permits. This condition will be enforced at the time of building permit.

- (2) **The applicant shall complete a traffic signal warrant study for the intersection of MD 373 and Bealle Hill Road (south) at the time of Specific Design Plan (SDP). If a traffic signal is found warranted at that time by the State Highway Administration (SHA), then the applicant shall be responsible for his pro rata share of the costs for the design and construction of the traffic signal. The pro rata share shall be based upon the applicant=s percentage contribution to peak hour traffic. Prior to the issuance of building permits, if said traffic signal has not been constructed, the applicant shall pay his pro**

**rata share of the costs of the traffic signal to the appropriate governmental agency.**

Comment: This condition concerns a signal warrant study at the intersection of MD 373 and Bealle Hill Road (south) at the time of Specific Design Plan and resulting funding of such signal provided it is warranted. Although current traffic patterns do not suggest that there is an inadequacy at this intersection, this condition will be carried forward and enforced at the time of Specific Design Plan.

- (3) **At the time of Specific Design Plan, if MD 228 Relocated has been constructed and opened to traffic between MD 210 and the Charles County line, and assuming that traffic patterns on MD 228 Relocated have stabilized to the satisfaction of the SHA, then the applicant shall complete a traffic signal warrant study for the intersection of MD 228 Relocated and Bealle Hill Road. If SHA determines that a signal is warranted, then the applicant shall be responsible for his pro rata share of the cost, based on the applicant's percentage contribution to peak hour traffic, for the design and construction of the traffic signal. Prior to the issuance of building permits, if said traffic signal has not yet been constructed, the applicant shall pay his pro rata share of the costs for the traffic signal to the appropriate governmental agency.**

Comment: This condition concerns a signal warrant study at the intersection of MD 228 and Bealle Hill Road at the time of Specific Design Plan and resulting funding of such signal provided if it is warranted. The signal has been installed as a part of the MD 228 improvements, and no further enforcement of this condition will be required.

- (4) **A buffer area of 100 feet (including the rural lane) shall be established surrounding the Bellevue Historic Site to protect the view from the historic site. Future Comprehensive and/or Detailed Site Plan and subdivision plans shall permit the creation of an outlot for the purpose of conveyance to the owner of the Historic Site.**

Comment: The plans propose a 100-foot buffer around the historic site. The area within the 100-foot buffer is shown as a landscaped/tree preservation area. At the time of Preliminary Plat, the conveyance of the land should be indicated. However, prior to the conveyance of the land, it should be recognized that the buffer area is a visually dominant component of the streetscape. A protective easement, to assure the protection of the landscaping and to prohibit the erection of structures within the buffer, and to prevent future subdivision is necessary to protect the visual benefit to the overall community.

- (5) **Immediate access, beginning at the outside edge of the buffer, to Bellevue should remain as a rural lane rather than being finished as a subdivision street.**

Comment: The CDP indicates that the immediate access to the Bellevue Historic Site will remain as a rural lane.

- (6) **At the time of Specific Design Plan, the applicant shall address siting, height, size, style, design and materials for units adjacent to Bellevue for the purposes of insuring compatibility with the historic site.**

Comment: The condition will be addressed at the time of the SDP through the architectural elevations. However, the CDP also establishes guidelines that will govern the development of the site at the time of the SDP. It is important that some of the guidelines address the architectural issues associated with development immediately surrounding the historic site in order to set some parameters for the development. This will establish some level of comfort that the development will not be detrimental to the historic site, and provide a workable solution for the applicant and/or subsequent builders on the property.

- (7) **Prior to approval of the Phase II Comprehensive Design Plan, a Type I Tree Conservation Plan shall be submitted to the Natural Resources Division for review. A minimum of 25 percent of the net tract area shall be placed in a conservation easement.**

Comment: The Natural Resources Division reviewed the proposed Tree Conservation Plan (TCPI/87/95) and provided their analysis in memorandum dated January 8, 1998, Metzger to Lareuse. A review of the Forest Stand Delineation and Type I Tree Conservation Plan (TCPI/87/95), indicates that all necessary information and required woodland data are provided. The minimum woodland requirement of the site is 22.56 acres (25 percent of the net tract) and additional 11.6 acres due to removal of woodland, for a total minimum requirement of 34.40 acres. The applicant has proposed to meet the requirement with 34.16 acres of on-site preservation and 4.5 acres of on-site reforestation for a total of 34.40 acres. Natural Resources Division is satisfied that the Forest Stand Delineation and revised TCPI/87/95 meets and exceeds minimum requirements to recommend their acceptance and approval. The future Type II Tree Conservation Plan will serve as the conservation easement to protect the minimum 25 percent tree conservation.

- (8) **A stormwater management concept plan shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to approval of the Phase II Comprehensive Design Plan (CDP).**



Comment: The applicant has obtained approval of the conceptual stormwater management plan (#988004150).

- (9) **In conjunction with approval of the CDP, buffers shall be established along all perennial streams and wetlands in accordance with criteria set forth in Section 24-130 of the Prince George=s County Code.**

Comment: Section 24 of the Prince George=s County Code is the Subdivision Regulations. The Comprehensive Design Plan protects environmental sensitive areas.

- (10) **A 100-year floodplain study shall be approved by the Watershed Protection Branch of the Department of Environmental Resources prior to approval of the Phase III Specific Design Plan. The study should include proposed ultimate channel conditions.**

Comment: This requirement will be fulfilled prior to approval of the Specific Design Plan. According to the applicant, the floodplain study is currently under review by the Department of Environmental Resources.

- (11) **The applicant shall establish a 50-foot buffer from the 100-year floodplain and the 100-year water surface elevation of proposed stormwater management ponds to lot lines.**

Comment: This requirement must be fulfilled prior to approval of the Specific Design Plan when the topographic survey and the 100-year floodplain study will be completed.

- (12) **The applicant shall provide 7.77 acres of public parkland suitable for active recreation in the southwest quadrant of the subject property.**

Comment: The Park Planning and Development Division has reviewed the proposed CDP and recognizes that the Subregion VI Master Plan calls for the establishment of a stream valley park along Mattawoman Creek as well as the establishment of a community park south of MD 228 in this area. The park symbol on the master plan prompted the Department of Parks and Recreation=s original recommendation during the consideration of the rezoning of this property, that the applicant dedicate land suitable for active recreation to The Maryland-National Capital Park and Planning Commission and to convey additional acreage of the Mattawoman Creek floodplain for the planned stream valley park.

Since then, all land south of MD 228 has been purchased by the State Highway Administration along with the access rights to make the road a limited access highway. Since the property south of MD 228 no longer has public access, it is

not suitable for use as a community park. While the Department of Parks and Recreation will accept any lands south of MD 228 for inclusion in the stream valley park, this land could not be used for active recreation.

The originally submitted CDP proposed land north of MD 228 for conveyance to the M-NCPPC as an alternative to meet the Basic Plan Condition No. 12. The Department of Parks and Recreation rejected that proposal because the land is not suitable for active recreation due to its configuration, size, location and natural features. Also, this land will not meet the requirements for mandatory dedication of parkland, which will have to be addressed during the subdivision of the subject property. The revised CDP application does not show the parkland south of MD 228, therefore, it is not in conformance with the approved Basic Plan. It may be difficult to bring CDP-9503 into conformance with the Basic Plan, without either amending the Basic Plan requirements or requiring the applicant to convince SHA to satisfy the requirement. A condition has been attached to the approval of this plan to either conform to the intent of Condition No. 12 of the Basic Plan or amend the Basic Plan to delete the condition.

- (13) **No dwelling units may be constructed unless and until the Board of Education finds adequate capacity for affected schools as identified by the Board of Education.**

Comment: The Countywide Planning Section, Community Planning Division, has reviewed the application in regard to the issue of adequacy of capacity for the affected schools in memorandum dated February 2, 1998, Izzo to Lareuse. The staff used the principles and standards set forth in the *Regulations to Analyze the Development Impact on Public School Facilities* (CR-4-1998). The following chart provides the staff's analysis.

Projected Impact on Affected Public Schools								
Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5-Year Projection	Adjusted Enrollment	Total Projected Enrollment	Preferred Operational Capacity	Projected % Capacity
Henry Ferguson Elementary School	109 SF	.22	23.98	740	0	763.98	532	143.60%
Eugene Burroughs Middle School	109 SF	.08	8.72	821	0	829.72	925	89.69%
Gwynn Park High School	109 SF	.13	14.17	1429	0	1443.17	1240	116.38%

*Source: Prince George's County Planning Department, M-NCPPC, January 1998*

The Adopted FY 98-03 Capital Improvement Program (CIP) indicates that there are plans to add a 150-seat addition to Gwynn Park High School. The Board of Education has shown this improvement in the unfunded category. All classroom additions are funded on a year-by-year basis, therefore it is not possible to predict exactly in which fiscal year program the addition would be funded. The staff is unable to predict the year of the improvement, any boundary changes associated with the expanded capacity of the school, or the expected future enrollment after the addition is built onto the school. Also, there are no planned school projects in the County's Capital Improvement Program to relieve the overcrowding at Henry Ferguson Elementary School.

Since the affected Henry Ferguson Elementary School and Gwynn Park High Schools projected percentage of capacities are greater than 105 percent, the Adequate Public Facilities fee is \$3,280 per dwelling unit. However, the amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge fee of \$2,500 per dwelling unit. Therefore, an Adequate Public Facilities fee would be required in the amount of \$780 per dwelling unit.

*The Regulations to Analyze the Development Impact on Public School Facilities (CR-4-1998)* states that if any affected school's projected percentage of capacity exceeds 130 percent, no permits may be issued until (a) capacity exists below 130 percent in all affected schools; or (b) 4 years have elapsed since the time of the approval of the Preliminary Plan of Subdivision.

The following condition is recommended in order to address the issue of adequate schools:

- (A) Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$780 per dwelling unit to Prince George=s County, of which \$470 shall be placed in an account to relieve overcrowding at Henry Ferguson Elementary School and \$310 shall be placed in an account to relieve overcrowding at Gywnn Park High School.

No building permits shall be issued for this Comprehensive Design Plan until the projected percentage of capacity at Henry Ferguson Elementary School is less than or equal to 130 percent or 4 years have elapsed since date of the adoption of the resolution of the approval of this Comprehensive Design Plan. A new test will be done at the time of the Preliminary Plan. At that time, this condition may be modified.

In another matter, the Adopted and Approved Master Plan for Subregion V notes a floating symbol for an elementary school adjacent to the subject site. This symbol was placed upon the plan in order to accommodate future growth in this general area. In fact, the subject site was given serious consideration for providing the school site, but staff believes that this site will not meet the necessary requirements for an elementary school. The primary reason being that when the District Council adopted the subject Sectional Map Amendment (September 14, 1993) they included the subject application. Thus, because the application was approved without including a school site and to change this now would require an amendment of the Approved Basic Plan. This action would be very difficult given the fact that the necessary findings are extremely difficult to meet. Namely, the need has not been identified in the current CIP (1998-2003), nor is funding indicated for this purpose. In addition, there are other potential parcels in the general vicinity which could support a school and may be available in the future when the site will be needed. Also, the subject properties unique, rather narrow shape and its= uneven topography preclude obtaining a suitable 15-acre school site without severely impacting the access to the remainder of the tract.

9. The following Considerations were included in the approval of the Basic Plan:

**1. Protection of specimen trees shall be a design consideration at CDP.**

Comment: Specimen trees were identified on the Forest Stand Delineation and are proposed to be preserved to the extent possible.

2. **The applicant shall consider the use of audible alarms, fencing and private security to prevent crime during the construction phase of the project.**
3. **The applicant shall consider establishment of a Neighborhood Watch Program and encourage membership of all residents.**

Comment: These considerations are included as conditions in the Recommendation Section of this report.

4. **The applicant shall address specific screening in the buffer area along the Bellevue Historic Site in order to assure protection of the plantation house which is most proximate to the southern boundary.**

Comment: The Historic Preservation Commission reviewed the application at its January 20, 1998 meeting and recommends in lieu of reforestation of the buffer area surrounding the Bellevue Historic Site (#84-20), at the time of Specific Design Plan (SDP) review, the applicant shall provide a detailed plant list, planting scheme and fence elevations for any supplemental plantings within the buffer area to ensure the compatibility within the adjacent Historic Site and its Environmental Setting. Plant materials used within the buffer area shall be substantial in size and character to ensure proper screening upon installation and during the course of construction adjacent to the Historic Site.

10. The proposed Comprehensive Design Plan will result in a development with a better environment than could be achieved under other regulations, if conditions are adopted relating to the creation of open space pockets that will preserve existing trees in highly visible areas. The proposed development integrates the Bellevue Historic Property into the subdivision design and protects the National Historic Register Site. The application is sensitive to the natural environmental features of the site.
11. Approval of the CDP is warranted by the way in which it integrates the natural environment, includes design elements such as the required entrance feature, facilities and amenities to meet the needs of the residents, employees or guests of the project.
12. The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings, including the adjacent residential development, the Historic Bellevue Estates and MD 228.
13. Each of the staged units of development (as well as the total development) will exist as a unit capable of sustaining an environment of continuing quality and stability, if the spine road is built to connect to Bealle Hill Road in a timely manner. Each stage should logically relate to completion of portions of the infrastructure, such as streets. The 109 single-family detached homes within Belle Oaks Village will most likely be built in phases. It is anticipated that development will begin off of Manning Road East and develop south as the main spine road is built. It is logical to create a timetable at this time, to determine the full construction of the spine road in order to be sure that the

development will be capable of sustaining an environment of continuing quality and stability, in regard to its impact on the surrounding neighborhood.

The connection of streets to the adjacent neighborhood is an issue that is critical to the integration of this development to the surrounding neighborhood. The concerns of residents that live in Bellevue Estates is that the connection of streets will mean more traffic on their streets. In order to alleviate those concerns, the Comprehensive Design Plan proposes a southerly access to Bealle Hill Road across property that is not a part of the application. This deliberate planning for a southern access point is an improvement over the previous submission, which simply indicated a stub street at the south end of the property. If built, this road will help to diffuse trip patterns to and from this subdivision and, to some degree, alleviate the burden on subdivision streets to the north. However, since the related property is not included in the application, the requirement of the construction of the spine road to take traffic out to MD 228 is appropriate. A preliminary plat and final plat of subdivision must be approved for the adjacent property, as well as permits to construct the street through the adjacent property. The appropriate timetable should consider the release of building permits for those units south of the recommended road connection to Rolling Tree Road. Approximately 50 percent of the building permits for the subject property could be released, at which time the spine road should be completed and open to traffic.

14. The Transportation Planning Division has reviewed the revised Comprehensive Design Plan (CDP) application. The applicant prepared a traffic impact study dated April 1995. The Transportation staff prepared a memorandum detailing findings and recommendations based upon a review of that traffic study on March 28, 1996. That review expressed concern about the age of the traffic study, and noted that, although the traffic counts in the study were less than one year old, with the opening of the MD 228 facility in December 1995 the counts clearly were not representative of traffic conditions which existed at that time. In memos dated January 30, 1996 and March 21, 1997, the Transportation staff suggested that the applicant consider updating the traffic study in order to respond to potential citizen, Planning Board and Council concerns that could arise. In the meantime, the staff has reviewed another study in the area and done additional field work in the area. While the staff believes that the study for this development should have been redone, we currently have enough current data in the area to make reliable findings and will use all available data to make the findings required for a Comprehensive Design Plan. If this application is approved, the Transportation staff would recommend that an up-to-date traffic study be submitted at the time of Preliminary Plat of Subdivision.

#### Staff Analysis of Traffic Impacts

The following intersections have been analyzed in the staff's traffic analysis:

- § MD 210 and MD 373 (signalized)
- § MD 228 and Bealle Hill Road (signalized)

- \$ MD 373 and Menk Road (unsignalized)
- \$ MD 373 and Bealle Hill Road--south (unsignalized)
- \$ MD 373 and Bealle Hill Road--north (unsignalized)

Under existing traffic, the analysis shows that, with the recent widening project along MD 210 and the connection of MD 228, there is little operational problem in the immediate area during either weekday peak hour. Existing traffic assignments in the area are summarized on Attachment 1, and existing conditions are summarized as follows:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210 and MD 373/Livingston Road	1091	1226	B	C
MD 373 and Menk Road	6.3*	6.8*	--	--
MD 373 and Bealle Hill Road (south)	7.7*	8.2*	--	--
MD 373 and Bealle Hill Road (north)	6.3*	9.3*	--	--
MD 2228 and Bealle Hill Road	864	1309	A	D

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the *Guidelines*, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.

A list of background developments is provided as Attachment 2. Individual background assignments are provided as Attachments 3a through 3m. Consistent with other studies in the area, the staff has estimated the growth in through traffic along MD 210 to be two percent per year, and growth along MD 228 is estimated to be 1.8 percent per year. Because the background development list in the area is fairly complete and the other roadways serve a more local function, no through traffic growth was assumed along Livingston Road, Bealle Hill Road or MD 373. The growth in through traffic is provided as Attachment 4.

The background traffic assignment is provided as Attachment 5, and the background traffic conditions are summarized as follows:

BACKGROUND CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210 and MD 373/Livingston Road	1309	1745	D	F
MD 373 and Menk Road	8.0*	11.6*	--	--
MD 373 and Bealle Hill Road (south)	11.9*	29.3*	--	--
MD 373 and Bealle Hill Road (north)	8.9*	22.0*	--	--
MD 2228 and Bealle Hill Road	990	1436	A	D

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the *Guidelines*, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.

Background conditions indicate that the MD 210/MD 373 intersection operates unacceptably under background conditions during the PM peak hour. This intersection may require transportation-related conditions to restore it to acceptable LOS D operations.

The applicant proposes to develop the property under the R-L Zone with 109 single-family detached residences. Under the rates in the *Guidelines*, the development of the site under the proposed CDP would generate 82 AM peak hour vehicle trips (17 in, 65 out) and 98 PM peak hour vehicle trips (64 in, 34 out). The site traffic assignment is provided as Attachment 6. The total traffic assignment is provided as Attachment 7, and total traffic conditions are summarized as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210 and MD 373/Livingston Road	1320	1747	D	F
MD 373 and Menk Road	9.3*	13.7*	--	--
MD 373 and Bealle Hill Road (south)	12.6*	34.3*	--	--
MD 373 and Bealle Hill Road (north)	9.2*	23.6*	--	--
MD 2228 and Bealle Hill Road	997	1439	A	D

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the *Guidelines*, an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations.



The analysis indicates that the MD 210/MD 373 intersection operates unacceptably during the PM peak hour. Otherwise, all intersections in the study area will operate acceptably in both peak hours with the development of the subject property.

The Transportation staff has identified the following improvements at the MD 210/MD 228/Livingston Road intersection that would be required in order to achieve LOS D operations during both peak hours:

- § Provision of an eastbound right-turn lane along Livingston Road approaching the intersection.
- § Provision of a second left-turn lane from westbound MD 373 onto southbound MD 210.

With the provision of these improvements, the intersection would operate at LOS D, with a CLV of 1,428, during the PM peak hour. Therefore, we would recommend that these improvements be made a condition of the development. The original traffic study did not recommend improvements at this intersection; however, that study used counts that are currently three years old and excluded key sites in the area which are now included in the staff's analysis of background development.

The State Highway Administration (SHA) has commented in the past that the development of this site will require a westbound exclusive left-turn lane along MD 373 at Menk Road and a two-lane approach (exclusive left-turn and exclusive right-turn) along northbound Menk Road at MD 373.

#### Plan Comments

This Division is very concerned about access to the subject property. Menk Road has always been proposed as the primary access to the property; however, Menk Road is a narrow paved public street within a 30-foot right-of-way which cannot be expanded without acquisition of right-of-way from adjacent residences. The zoning approval partially addressed this concern by requiring that the applicant repave Menk Road between the subject property and MD 373 prior to the issuance of building permits. This would help ensure that a uniform pavement width is provided along this section of Menk Road.

The Transportation staff realizes that Menk Road is not adequate to serve all of the traffic which would be generated by this application. The level of development proposed by this application would generate approximately 1,000 daily vehicle trips; it is important to provide multiple points of access to the development to ensure that Menk Road does not receive the entire impact.

For this reason, the staff supports the connections shown to existing Farmhouse Road and Rolling Tree Road on the Basic Plan. If these connections are provided, the subject

property would have an alternative means of reaching MD 228 and MD 210. The staff also supports a connection through the Bellevue Subdivision between the southeastern portion of the property and Bealle Hill Road. Lacking any condition, this connection would not be provided until a resubdivision of the Bellevue Subdivision occurs at an unknown time in the future. By providing these connections, a significant portion of the impact of this development to Menk Road would use the alternative site access points. These connections, with an emphasis on the connections to Farmhouse Road and Rolling Tree Road, would also provide key neighborhood connections and would encourage the formation of pedestrian links between neighborhoods as well as facilitating the delivery of public services, particularly emergency services, into the area. Considering that the *Subregion V Master Plan* shows a potential school site in this general area, there is a need to ensure that street connections, or at the very least pedestrian connections, are provided between the subject property and the existing neighborhoods.

There is another access point shown on the Basic Plan which is not reflected on the submitted CDP. An access point shown on the Basic Plan at the southern end of the subject property to MD 228 is not provided on the CDP. The staff supports no access at this location; the Subregion V Master Plan treats MD 228 between Charles County and MD 210 as a limited access facility, and the SHA has indicated in the past that they would not support additional access points along this facility.

There will be concerns about transitions between the roadways on this site with the existing adjacent roadways off-site, and these are concerns that must be addressed by the County Department of Public Works and Transportation (DPW&T) at the time of Preliminary Plat of Subdivision. The alignment of the southern connection to Bealle Hill Road must also be determined at a later time. The Transportation staff would recommend that the applicant determine an alignment for this connection, along with the timing of its construction, prior to approval of a Preliminary Plat of Subdivision.

### Conclusions

The proposed development will not be an unreasonable burden on transportation facilities which are existing, under construction or for which 100 percent construction funding is contained in the County CIP or the State CTP. Therefore, the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met if the application is approved. The transportation-related conditions approved as part of the Basic Plan will continue to be enforced. Five new conditions are stated below:

- a. Prior to the issuance of building permits within the subject property, the following improvements at the intersection of MD 210 and MD 373/Livingston Road shall (a) have full financial assurances, (b) have been permitted for construction and (c) have an agreed-upon timetable for construction with the SHA and/or DPW&T:

- (1) The construction of an eastbound right-turn lane along Livingston Road approaching the intersection.
- (2) The construction of a second left-turn lane from westbound MD 373 onto southbound MD 210.

These improvements should be designed to the satisfaction of the DPW&T and/or the SHA.

- b. Prior to the issuance of building permits within the subject property, the following improvements at the intersection of MD 373 and Menk Road shall (a) have full financial assurances, (b) have been permitted for construction and (c) have an agreed-upon timetable for construction with the SHA and/or DPW&T:

- (1) The construction of a westbound left-turn lane along MD 373 approaching the intersection.
- (2) The construction of a two-lane approach along northbound Menk Road approaching the intersection in order to provide exclusive left-turn and right-turn lanes.

These improvements should be designed to the satisfaction of the DPW&T and/or the SHA.

- c. The CDP shall be revised to reflect a street connection between the subject property and existing Farmhouse Road.
  - d. The CDP shall be revised to reflect a street connection between the subject property and existing Rolling Tree Road.
  - e. The CDP shall continue to reflect a stub street connection to the adjacent Bellevue Subdivision. Prior to the approval of a Preliminary Plat of Subdivision for the subject property, the applicant shall determine the alignment of a potential street connection across the Bellevue Subdivision to Bealle Hill Road, and shall recommend a timetable for completion of the connection.
15. The Countywide Planning Section has reviewed this Comprehensive Design Plan in accordance with Section 27 of the Zoning Ordinance which states that the staging of the development will not be an unreasonable burden on available public facilities.

Fire

Paramedic services are beyond the recommended travel time standards for the proposed single-family residential land uses. The *Adopted and Approved Master Plan for Subregion V* contains a recommendation to relocate Station #24 to the proposed Village Activity Center on Indian Head Highway, which would contain a new medic unit. When this action takes place the inadequacy will be eliminated.

Required Service	Station	Travel Time Standard (min)	Actual Travel Time (min)	Within/Beyond Standard
ENGINE	Station # 24	5.25	5.15	Adequate
AMBULANCE	Station # 24	6.25	5.15	Adequate
MEDIC	Station # 47	7.25	10.46	Beyond Standard

Police

The proposed development is within the service area of District V-Clinton. The staff of the Countywide Planning Section concludes that the existing County's police facilities are adequate to serve the proposed Belle Oaks Village development.

Library

There is sufficient service in the County's library system to accommodate the proposed development.

16. The subject Comprehensive Design Plan does not include a proposal for adaptive reuse of a Historic Site.
17. The detailed standards in the section of the CDP document incorporate the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9 of the Zoning Ordinance.

Referral Responses

18. The Natural Resources Division is concerned about the impact of noise generated from MD 228 and recommends that a noise study be submitted at the time of Specific Design Plan review. A final determination concerning adequacy of noise reduction should be made at the time of Specific Design Plan.

The Natural Resources Division is also concerned about impacts to wetlands and recommends that evidence be submitted from Federal or State approvals, if those approvals are required.

19. The Historic Preservation Section provided input to the following findings:
  - a. The subject property does not contain any designated Historic Sites or Resources, it abuts the Bellevue Historic Site (#84-20) on three sides. Bellevue, a mid-nineteenth century, Greek Revival-style plantation house, is listed in the National Register of Historic Places.
  - b. The Historic Preservation Commission reviewed this application at its January 20, 1998 meeting for conformance with development conditions 4, 5 and 6, established as part of Basic Plan approval.
  - c. Burial grounds historically associated with Bellevue Historic Site (#84-20) may be located on the Belle Oaks property. The presence and exact location of these burials should be verified by the applicant (with non-invasive means such as ground-penetrating radar) before approval of a preliminary plat of subdivision. Every effort should be made to retain the burials in their historic location, with appropriate protective measures such as fencing and lighting. Should the burials require relocation, all applicable County and State regulations should be followed and the appropriateness of reburial on the grounds of Bellevue Historic Site (#84-20) should be explored.
  - d. The applicant's proposal to establish a 100' buffer will serve to partially screen the new development from the Historic Site. The proposed buffer area currently contains vegetation; the removal of this material and its later reforestation seem unnecessary. Instead, existing plant materials should be supplemented with appropriate specimens to enhance screening potential. The introduction of supplemental plants and trees within the buffer area should be done in consultation with the Natural Resources Division to ensure an appropriate mix of plant materials and a natural effect that will enhance both the Historic Site's Environmental Setting, and buffer and screen out, to the extent possible, the surrounding development. Any fencing used within the view of Bellevue should also be compatible with the architectural and historic character of the Historic Site.
  - e. A review of the proposed Urban Design Guidelines with reference to building type, architectural character, and the design, height, scale and siting of buildings and fences within view of the Historic Site, will ensure compatible design. The review should take place prior to approval of the first Specific Design Plan for the development.

- f. In spite of the proposed buffer, the architectural character of a number of neighboring building lots will impact the views to and from the Historic Site's Environmental Setting. In particular the design, massing, siting, scale, height and materials of buildings and any fencing proposed for those lots currently identified as 32-41 (south of the Historic Site) and lots 31, 11 and 12 north of the Historic Site and opposite its entry lane) and lots 1 and 2 west of the Historic Site, should be given detailed consideration.
- g. In order to ensure the historic and architectural character of the adjacent Bellevue Historic Site (#84-20), the Historic Preservation Commission ( by a 7-0 vote) recommends:
- (1) All future submittals shall identify the Historic Site as *Bellevue Historic Site (#84-20)* either in a text reference or on a drawing and indicate the acreage of the Environmental Setting as well as the acreage of any buffering land to be conveyed to the owner of the Historic Site, which would enlarge the Environmental Setting.
  - (2) All future submittals shall identify and locate any historic burials found within the Belle Oaks property. For any location within Belle Oaks which might contain burial grounds, appropriate means of protecting and securing the burials, such as appropriate fencing and lighting, shall be undertaken. If the burials are to be relocated, all applicable County and State regulations shall be followed.
  - (3) The proposed 100-foot buffer shall be delineated on all future submittals.
  - (4) At the initiation of Specific Design Plan (SDP) review, a review of proposed Urban Design Guidelines shall be conducted by the Historic Preservation Commission with reference to buildings and sites adjacent to or within view of the Historic Site (lots 32-41 south of the Historic Site, lots 31, 11 and 12 north of the Historic Site and opposite its entry lane, and lots 1 and 2 west of the Historic Site. The purpose of this review of the proposed Design Guidelines is to ensure the use of traditional materials and construction methods including but not limited to the use of horizontal board siding, divided-light windows, window shutters, brick chimneys and traditional roof forms.
  - (5) Specific Design Plan review is required for those lots adjacent to or substantially within view of the Historic Site. This review shall ensure that the architecture of buildings to be constructed on lots currently identified as Nos. 32-41 in Block A-south of the Historic Site, lots 31, 11 and 12 north of the Historic Site and opposite its entry lane, and lots 1 and 2 west of the Historic Site, are given detailed consideration. Special

emphasis shall be placed on the design and materials of building elevations facing the Historic Site.

- (6) In lieu of reforestation of the buffer area surrounding the Bellevue Historic Site (#84-20), at the time of Specific Design Plan (SDP) review, the applicant shall provide a detailed plant list, planting scheme and fence elevations for any supplemental plantings within the buffer area to ensure the compatibility within the adjacent Historic Site and its Environmental Setting. Plant materials used within the buffer area shall be substantial in size and character to ensure proper screening upon installation and during the course of construction adjacent to the Historic Site.

Comment: These recommendations are included in the Recommendation Section of this report. Conditions 4 and 5 above have been modified slightly.

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

LARGE LOT COMPONENT

(adjacent to the R-A Zone to the east of Belle Oaks Village)

Minimum Lot Size	40,000 sq. ft.
Minimum Front Yard Setback	25 feet
Minimum Rear Yard Setback	20 feet
Minimum Side Yard Setback	17 feet
	(35 feet combined total)
Minimum Lot Width at Street Line *	50 feet

LOTS ALONG THE WESTERN BORDER

(adjacent to the Bellevue Estates Subdivision)

Minimum Lot Size	20,000 sq. ft.
Minimum Front Yard Setback	25 feet
Minimum Rear Yard Setback	20 feet
Minimum Side Yard Setback	8 feet
	(17 feet combined total)
Minimum Lot Width at Street Line	50 feet

INTERIOR LOTS

Minimum Lot Size	10,000 sq. ft.
Minimum Front Yard Setback	20 feet
Minimum Rear Yard Setback	20 feet
Minimum Side Yard Setback	8 feet
	(17 feet combined total)
Minimum Lot Width at Street Line	17 feet

\* Does not apply to flag lots; they will be determined at time of the Preliminary Plan of Subdivision

ARCHITECTURAL STANDARDS

The architectural elements shall be harmonious to the historic atmosphere of the property. Attached garages shall not protrude beyond the face of the front wall or covered porch any farther than six feet. Any units that have rear facing walls to Manning Road shall have rear shutters or other architectural detailing to provide character.

For the houses located on corner lots or for those that have highly visible side elevations, there shall be a combination of at least three architectural features to along the side(s) that are highly visible. These shall include windows, chimneys (masonry) or doors placed creatively along the wall for a balanced appearance.



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

1. The applicant shall provide 7.77 acres of public parkland suitable for active recreation in the southeast quadrant of the subject property (south of MD 228) or amend the Basic Plan to delete Condition 12 in accordance with Section 27-197 of the Zoning Ordinance.
3. Prior to approval of the Preliminary Plat of Subdivision and the Specific Design Plan, each plan must demonstrate conformance to Section 24-130 in regard to required buffers along perennial streams and wetlands.
4. Prior to Specific Design Plan approval, a 100-year floodplain study, including the ultimate channel conditions, shall be approved by DER.
5. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$780 per dwelling unit to Prince George's County, of which \$470 shall be placed in an account to relieve overcrowding at Henry Ferguson Elementary School and \$310 shall be placed in an account to relieve overcrowding at Gywnn Park High School. No building permits shall be issued for this Comprehensive Design Plan until the projected percentage of capacity at Henry Ferguson Elementary School is less than or equal to 130 percent or 4 years have elapsed since date of the adoption of the resolution of the approval of this Comprehensive Design Plan. This condition may be modified at the time of Preliminary Plat of Subdivision review.
6. If deemed necessary by further traffic study at the time of Preliminary Plat of Subdivision, the following condition shall apply. Prior to the issuance of building permits within the subject property, the following improvements at the intersection of MD 210 and MD 373/Livingston Road shall (a) have full financial assurances, (b) have been permitted for construction and (c) have an agreed-upon timetable for construction with the SHA and/or DPW&T:
  - a. The construction of an eastbound right-turn lane along Livingston Road approaching the intersection.
  - b. The construction of a second left-turn lane from westbound MD 373 onto southbound MD 210.

These improvements should be designed to the satisfaction of the DPW&T and/or the SHA.

7. If deemed necessary by further traffic study at the time of Preliminary Plat of Subdivision, the following condition shall apply.

Prior to the issuance of building permits within the subject property, the following improvements at the intersection of MD 373 and Menk Road shall (a) have full financial assurances, (b) have been permitted for construction and (c) have an agreed-upon timetable for construction with the SHA and/or DPW&T:

- a. The construction of a westbound left-turn lane along MD 373 approaching the intersection.
- b. The construction of a two-lane approach along northbound Menk Road approaching the intersection in order to provide exclusive left-turn and right-turn lanes.

These improvements should be designed to the satisfaction of the DPW&T and/or the SHA.

8. The CDP shall be revised to reflect a street connection between the subject property and existing Farmhouse Road.
9. The CDP shall be revised to reflect a street connection between the subject property and existing Rolling Tree Road.
10. Prior to signature approval of the Comprehensive Design Plan, the staging plan shall be revised to indicate the first phase of development as the area south and east of the Historic Site.
11. Prior to the issuance of any permits which impact wetland buffers, streams, Waters of the U.S. or Waters of the State, the applicant will provide the Natural Resources Division with evidence that all Federal and State approvals have been obtained.
12. Prior to the approval of a Preliminary Plat of Subdivision, the wetlands shall be flagged in field on lands north of MD 228.
13. Noise related impacts will be fully determined at the time of Preliminary Plat and Specific Design Plan submittal. Prior to submission of a Preliminary Plat, the applicant shall submit a noise study reflecting the noise generation from MD 228. The plan may require mitigation measures for habitable structures identified within noise contours above 65 dBA (1dn).
14. All future submittals shall identify the Historic Site as *Bellevue Historic Site (#84-20)* either in a text reference or on a drawing and indicate the acreage of the Environmental Setting as well as the acreage of any buffering land to be conveyed to the owner of the Historic Site, which would enlarge the Environmental Setting.

15. All future submittals shall identify and locate any historic burials found within the Belle Oaks property. For any location within Belle Oaks Village which might contain burial grounds, appropriate means of protecting and securing the burials, such as appropriate fencing and lighting, shall be undertaken. If the burials are to be relocated, all applicable County and State regulations shall be followed.
16. The proposed 100-foot buffer around the Historic Site shall be delineated on all future submittals.
17. At the time of Specific Design Plan review, a review of proposed Urban Design Guidelines shall be conducted by the Historic Preservation Commission with reference to buildings and sites adjacent to or within view of the Historic Site. The purpose of this review is to ensure the use of traditional materials and construction methods including but not limited to the use of horizontal board siding, divided-light windows, window shutters, brick chimneys and traditional roof forms.
18. Specific Design Plan review shall ensure that the architecture of buildings to be constructed on lots south of the Historic Site, north of the Historic Site and opposite its entry lane, and west of the Historic Site, are given detailed consideration. Special emphasis shall be placed on the design and materials of building elevations facing the Historic Site.
19. In lieu of reforestation of the buffer area surrounding the Bellevue Historic Site (#84-20), at the time of Specific Design Plan (SDP) review, the applicant shall provide a detailed plant list, planting scheme and fence elevations for any supplemental plantings within the buffer area to ensure the compatibility within the adjacent Historic Site and its Environmental Setting. Plant materials used within the buffer area shall be substantial in size and character to ensure proper screening upon installation and during the course of construction adjacent to the Historic Site.
20. Prior to approval of the Preliminary Plat, the applicant, his heirs, successors and/or assigns shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
21. Prior to the approval of the Specific Design Plan, brick entrance features shall be provided at all street entrances to the subdivision.
22. Prior to the approval of the Final Plat of Subdivision, if the 100-foot buffer around the Historic Site is to be conveyed to the owner of the Historic Site, an easement shall be erected within the buffer, to protect the landscaping within the buffer and to prevent future subdivision of the 100-foot buffer area.
23. Prior to certificate approval of the Comprehensive Design Plan (CDP), the following revisions shall be made or information supplied:

- a. The CDP Plan and text shall be revised to indicate that all units along the spine road shall front on the spine road.
  - b. The CDP Plan and text shall indicate that all flag lots shall be designed so that homes are sited in a courtyard-like fashion.
  - c. Lots 1 and 23, Block A, shall be relocated to create more substantial open space pockets within the development.
24. All Specific Design Plans shall demonstrate a buffer of 50 feet between the 100-year floodplain and the limits of disturbance and between the 100-year water surface elevation of all stormwater management ponds and any lot lines.
25. The stormwater management (SWM) ponds shall be designed to fit harmoniously into the site by means by naturalistic contours and grading in keeping with the general topography of the site. The ponds shall be designed as an amenity with special attention to the appearance of landscaping and of inlet and outlet structures, which shall be clad with attractive masonry if they cannot be substantially screened from view from adjacent streets and dwelling units with berms and plants. If a dam is required for this SWM pond, the outlet structure shall be located in the dam embankment, if determined to be feasible by the Department of Environmental Resources.
26. The following condition shall be incorporated in the Type II Tree Conservation Plan to be submitted at the time of Specific Design Plan:
- Clearing of understory in the wooded common areas is permissible, providing all healthy plants greater than or equal to two inches in diameter at breast height remain intact. In addition, plant removal shall be performed manually, without the use of heavy machinery and/or chemicals that could threaten the tree=s habitat.
27. The Specific Design Plan shall demonstrate that the lots fronting on Farmhouse Road shall transition in size and in width of the street frontage to be compatible with the existing developments along Farmhouse Road.
28. The sideyard setback for the large-lot component (defined as minimum 40,000 square foot lot sizes) shall have a minimum side yard of 17 feet and 35 feet combined.

\* \* \* \* \*

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 Dabney, with Commissioners McNeill, Dabney, Brown 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.

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Adopted by the Prince George's County Planning Board this 19th day of March 1998.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:SHL:ldg