

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on January 20, 2005, regarding Specific Design Plan SDP-0406 for Beech Tree, North Village, Sections 1,2, and 3, the Planning Board finds:

1. **Request:** The subject application is for approval of 169 single-family detached and attached dwelling units in the R-S Zone.

2. **Development Data Summary:**

	Existing	Proposed
Zones	R-S	R-S
Uses	Vacant	Single-family detached and attached
Acreage (in the subject SDP)	50.25	50.25
Lots	-	169
Of which NV 1	-	59
NV 2	-	74 (60 townhouse units)
NV 3	-	36

3. **Location:** The subject site is located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by SDP-0406, North Village, Sections 1, 2 and 3, is in the north-central area of the Beech Tree development and is located around the T-intersection of Beech Tree Parkway and Lake Forest Drive. Section 1 is located east of Lake Forest Drive and south of Beech Tree Parkway. Sections 2 and 3 are located west of Lake Forest Drive and north of Beech Tree Parkway.
4. **Surroundings and Use:** The subject site is located along the internal streets of the Beech Tree development. The site is bounded to the east by a golf course and lake; to the north and south by other residential lots of Beech Tree development; and to the west by a 100-year floodplain and a community park (dedicated to The Maryland-National Capital Park and Planning Commission by the Beech Tree development).

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

5. **Previous Approvals:** The subject site covers 169 single-family detached and attached dwelling units of a larger project with a gross residential acreage of 1,194 acres known as Beech Tree, which was rezoned from the R-A Zone to the R-S (2.7-3.5) Zone through Zoning Map Amendments A-9763 and A-9763-C, for 1,765 to 2,869 dwelling units. A-9763-C was approved (Zoning Ordinance No. 61-1989) by the District Council on October 9, 1989, subject to 17 conditions and 14 considerations. On July 14, 1998, a Comprehensive Design Plan, CDP-9706, for the entire Beech Tree development was approved by the District Council, subject to 49 conditions. Followed the approval of CDP-9706, three Preliminary Plans of Subdivision have been approved: 4-98063 for the golf course; 4-99026 for 458 lots and 24 parcels (PGCPB No 99-154); and 4-00010 (PGCPB No 00-127) for 1,653 lots and 46 parcels.

Two Specific Design Plans for the entire site have also been approved for the Beech Tree development. Specific Design Plan SDP-9905, which was approved by the District Council on October 22, 2000, is a special purpose SDP for community character. Specific Design Plan SDP-0001, which was approved by the District Council on October 30, 2000, is an umbrella approval for architecture for the entire Beech Tree development. So far, SDP-0001 has been revised two times and a third revision is currently under review. In addition, there are eight other approved Specific Design Plans for Beech Tree. They are SDP-9803 for the golf course; Infrastructure SDP-9907 for the East Village for 130 single-family residential lots; Infrastructure SDP-9908 for extending the sewer line from the East Village area to Parcel G; SDP-0111 for the East Village, Phase II, Section I, for 129 single-family residential lots; SDP-0112 for the East Village, Phase II, Section II, for 49 single-family residential lots; SDP-0113 for the South Village, Phase I, Sections 1, 2, and 3 for 93 single-family residential lots; SDP-0314 for 46 townhouse units on 7.3 acres of land known as East Village Section 10; and SDP-0315 proposes 39 townhouse units on 11 acres of land known as East Village Section 4. Various types of Tree Conservation Plans also have been approved for the above-mentioned Preliminary Plans of Subdivision and Specific Design Plans.

This SDP has an approved Stormwater Management Concept Plan, #8004950-2000-00, which covers the entire phase 3 of Beech Tree development.

6. **Design Features:** The SDP proposes to develop 60 townhouse units and 109 single-family detached houses along a curvilinear street pattern consisting of cul-de-sacs and a loop street. The models for single-family detached houses will be chosen from those approved under the Architecture Umbrella Specific Design Plan SDP-0001 for Beech Tree or with new models to be included in a new revision to SDP-0001. Detail information such as type of model and specific building footprint will be shown at time of building permit.

The townhouse models included with this SDP are those approved in SDP-0314 and SDP-0315 for East Village, Sections 4 and 10, including Fairfield, Fairmount and Hazelton townhouses by Ryan Homes and Williamson and Stevenson townhouses by Haverford Homes. The proposed models have various options like brick facades, shutters, windows, window trim, bay windows and entrance porches. The proposed design features contribute to the overall superior quality of

architecture proposed for this development. A condition of approval has been added to ensure that at least 60 percent of the total numbers of units have brick front facades.

The proposed lot sizes for single-family detached houses vary from 6,500 to 14,360 square feet. The proposed lot sizes for townhouses vary from 1,800 to 2,800 square feet. The maximum height of the townhouses is three stories and the maximum lot coverage is 40 percent. The proposed layout of the townhouses ensures that the fronts of the townhouses face the streets.

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

COMPLIANCE WITH EVALUATION CRITERIA

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

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

Comment: This condition was carried forward as Condition 24 in Comprehensive Design Plan CDP-9706 and will be further carried forward as a condition of approval for this SDP.

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

Comment: Beech Tree development contains Beechwood Historic Site (# 79-060), Pentland Hills Historic Site (# 79-038) and three family cemeteries: Hilleary, Susan Hodge and Smith. The subject SDP site includes the site of the Susan Hodges cemetery at what was historically known as "Omaha Hill." The Historic Preservation and Public Facilities Planning Section recommends that certain measures should be provided pursuant to the Subdivision Regulations, Section 24-135.02. The recommendations have been incorporated into the conditions of approval in the recommendation section of this report.

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

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

Since these figures reflect 1989 dollars, construction after 1989 requires that the District Council review and approve dollar amounts for

construction to be constructed at any later year. These dollar amounts shall be reflective of the dollars for the year in which the construction occurs.

Comment: This condition has been carried forward in modified form in Condition 15 of Comprehensive Design Plan CDP-9706. The applicant has previously submitted a letter from ERR Economic Consultants (Patz to Adams, December 8, 1999) stating that the base price of the proposed 130 single-family houses to be built in the East Village will not be lower than \$225,000 in 1989 dollar values. Per the application, the similar assessment for other parts of Beech Tree will be updated annually. Since no information regarding the proposed townhouses and single-family detached houses in this SDP has been provided, the applicable parts of the above condition have been carried forward as Condition 1.d. of approval for this SDP.

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

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

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

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

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

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

Comment: A soils study has been submitted for the development contained in this SDP. Per the review by the Environmental Planning Section, the above condition has been fulfilled. The environmental planner indicates that high-risk areas do occur on this portion of the Beech Tree site; however, the proposed grading will mitigate most of the problem areas. The SDP clearly shows that the only remaining area of unsafe land is not near any proposed development.

8. **Comprehensive Design Plan CDP-9706:** Comprehensive Design Plan CDP-9706 as approved includes a maximum of 2,400 dwelling units, of which 1,680 are single-family detached, 480 are single-family attached, and 240 are multifamily units, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake, to be built in the Eastern Branch stream valley, will be a central focal point of the golf course and of the development as a whole. The Comprehensive Design Plan for Beech Tree is also proposed to include the following: a club house for the golf

course; a recreation center with pool and tennis courts for the homeowners; 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park; 12.5 acres dedicated to M-NCPPC for a community park, which is located to the west of the subject site; 211 acres dedicated as homeowners open space; 11 acres set aside for a private equestrian facility; a 35-acre site to be conveyed to the Board of Education for a middle school site; and a 17-acre site for an elementary school. None of the above amenities is included in the subject SDP. These amenities will be the subject of future SDPs.

Comprehensive Design Plan CDP-9706 was approved with 49 conditions; the conditions applicable to the subject SDP that warrant a discussion are as follows:

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

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

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

Comment: The SDP is in compliance with this condition.

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

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

14. **Prior to approval of each Specific Design Plan for residential use, the applicant shall demonstrate to the satisfaction of the Planning Board and the District Council that prices of proposed dwelling units will not be lower than the following ranges (in 1989 dollars):**

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

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

Comment: See Finding 7 above for discussion.

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

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

23. National Fire Protection Association (NFPA) Standard 13D and all applicable county laws and regulations.

Comment: See above Finding 7 for discussion.

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

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

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

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

9. Preliminary Plan of Subdivision 4-00010: The Preliminary Plan of Subdivision, 4-00010, which covers the subject site, was approved (PGCPB No. 00-127) by the Planning Board on July 6, 2000, subject to 30 conditions. The following conditions of approval attached to 4-00010 are applicable to this Specific Design Plan review:

8. As part of the submission of a Specific Design Plan (SDP) for any High Risk Area, the applicant, his heirs, successors and/or assigns shall submit a geotechnical report for approval of M-NCPPC Environmental Planning Section, the Prince George's County Department of Public Works and Transportation, and the Prince George's County Department of Environmental Resources. The SDP shall show the proposed 1.5 Safety Factor Line. Adjustments to lot lines and the public rights-of-way shall be made during the review of the SDP. No residential lot shall contain any portion of unsafe land.

Comment: A geotechnical report for this portion of the Beech Tree site has been reviewed by the Environmental Planning Section and found to meet all requirements. The Environmental

Planning staff have reviewed SDP-0406 and determined that high-risk areas do occur on this portion of the Beech Tree site; however, the proposed grading will mitigate most of the problem areas. The SDP clearly shows that the only remaining area of unsafe land is not near any proposed development. In some areas special drainage measures, road construction, and foundation construction methods may be needed.

17. The following roadways shall be built to DPW&T's Standard No. 14 (80-foot right-of-way) or as determined by DPW&T and approved by the Planning Board at the SDP stage:

- **The future un-named roadway tie-in to Village Drive extended, northeast of the proposed middle school.**
- **Moors Plain Boulevard, from Road "D" to Leeland Road.**

18. Prior to SDP approval, the applicant and DPW&T shall consider the location of the proposed middle school, the number of lots proposed in Parcels M, N and O, and the density of residences northeast of the commercial/recreational center to determine the necessity for sidewalks on both sides of the right -of-way along the following

- **Presidential Golf Club Drive, from Road "N" to Beechtree Parkway.**
- **Moors Plain Boulevard, from the recreational center/proposed roundabout to Leeland Road.**

Comment: The above improvements are located in the East Village of Beech Tree. The two conditions are not applicable to the subject SDP, which covers only Sections 1,2 and 3 of the North Village.

20. The trail shall be constructed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines* and the accessibility guidelines in the latest edition of the Americans with Disabilities Act for the Outdoor Development Areas. The exact location of the trail shall be determined at the time of Specific Design Plan review for this plat and approved by DPR. Detailed construction drawings, including grading plan sections, shall be submitted to DPR for review and approval prior to submission of the application for the Specific Design Plan for this plat.

Comment: A master plan trail in a north-south orientation is located along the east boundary line of North Village Section 1. Per a review by the Department of Parks and Recreation (DPR), the above condition has not been fully satisfied yet. A condition of approval has been proposed by DPR and has been incorporated into the recommendation section of this report.

23. If the master plan trail is located within a 30-foot right-of-way or easement, berming shall be provided on both sides of the trail and the area extensively landscaped. The

detailed site and landscape plans of the area, cross sections, sign details, shall be submitted to DPR for review and approval in conjunction with the application for the Specific Design Plan controlling this area.

Comment: The site plan only shows the master plan easement on Sheet 5. None of the above-mentioned information has been provided with this SDP. Two conditions of approval have been proposed in the recommendation section of this report. One condition is based on the above-noted condition to require the applicant comply with this requirement prior to certificate approval of this SDP. The other is to require the applicant revise the site plan to show the master plan trail on all sheets.

24. Building permits shall not be approved for residential lots adjoining the M-NCPPC right-of-way easement containing the master plan trail until the portion of the trail adjoining such lots is under construction.

Comment: There are 16 lots in Block B, Section 1, of the North Village adjoining the M-NCPPC right-of-way easement containing the master plan trail. These are Lots 3 to 18, Block B, NV1. The above condition has been modified and carried forward as condition of approval of this SDP to ensure that the portion of the master plan trail has been constructed prior to the construction of the above-mentioned lots.

10. **Special Purpose Specific Design Plan SDP-9905 for Community Character:** SDP-9905 is a Special Purpose Specific Design Plan pursuant to Condition 12 of Comprehensive Design Plan CDP-9706 that was devoted to elements of streetscape including but not limited to street trees, entry monuments, signage, special paving at important facilities and intersections, and design intentions in the neo-traditional area of the East Village. The SDP also addressed utilizing distinctive landscape treatments to emphasize important focal points, intersections and trail heads, and concentration of particular species as an identifying feature for particular neighborhoods. The SDP was approved by the Planning Board on October 14, 1999. The subject SDP is in general compliance with Special Purpose Design Plan SDP-9905 for community character.

11 **Infrastructure Specific Design Plan SDP-9907:** SDP-9907 is an Infrastructure Specific Design Plan for the East Village consisting of 130 single-family detached residential lots. However, SDP-9907 included, for the first time, a staging plan and the accompanying transportation improvements needed for the various development stages of Beech Tree. The Planning Board approved SDP-9907 on June 8, 2000, subject to 14 conditions, of which only the staging- and transportation improvement-related conditions are applicable to the review of this SDP, as follows:

11. If in the future, the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

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

Comment: By a letter dated October 29, 2004 (Stover to Burton), the applicant provided the evidence to fulfill the above three specific requirements. The review by the Transportation Planning Section indicates that the proposed development will be adequately served within a reasonable period of time by transportation facilities.

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

Leeland Road

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

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

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

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

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

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

The above requirements have been incorporated into the condition of approval for this SDP, specifically as Condition 8 in the recommendation section of this report.

12. **Umbrella Specific Design Plan SDP-0001 for Architecture:** SDP-0001 is an umbrella Specific Design Plan for architecture for the entire Beech Tree development. SDP was approved by the Planning Board on June 8, 2000, subject to three conditions. The original SDP-0001 was approved with 16 architectural models for the proposed single-family detached units in the East Village, but the approved models can be used in any other portions of Beech Tree development. Since the approval of SDP-0001, two additional approvals have been approved by the Planning Board, and at the time of this staff report writing, a third revision to SDP-0001 is pending approval by the Urban Design Section.

Of three conditions attached to the approval of SDP-0001, none of them is applicable to the review of this SDP. The two revisions are all Planning Director Designee level cases. No conditions are attached to the approvals. Since the architectural models to be used in the subject approval will be either chosen from the previous approvals or included in a new revision to SDP-0001, the subject application is therefore in general conformance with SDP-0001 and its revisions.

13. **Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of the Zoning Ordinance as follows:
- a. The proposed 169 single-family dwelling units are part of a larger project known as Beech Tree, which is the subject of numerous approvals. Therefore, the subject SDP is in general compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 with regard to permitted use and other regulations such as general standards and minimum size of property.
 - b. The proposed single-family detached part of this application will use architectural models approved under Umbrella Specific Design Plan SDP-0001 for architecture for the Beech Tree development. The proposed single-family attached portion of this application will use townhouse models approved under Specific Design Plans SDP-0314 and 0315. For the general layout and other design considerations, the subject Specific Design Plan must conform to the following design guidelines for townhouses. Section 27-274(a)(1)(B), Design Guidelines, of the Zoning Ordinance states that the plan shall be designed in accordance with the following guidelines:

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

(11) Townhouses and three-family dwellings.

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

Comment: The proposed townhouse portion of this SDP application is located in North Village 2 with a 100-year floodplain to the north and an M-NCPPC park to the south. The townhouse section follows a typical townhouse development layout with sticks along both sides of a curvilinear internal street. Only in one situation does one building stick back up to two other buildings that involve the clearing mentioned in this requirement. Since the open space in the layout is very small, the proposed grading and clearing of the area are justified. All the rest of buildings back up to either the 100-year floodplain or the park.

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

Comment: All the townhouse units are fronting on the internal street. The 60 units of townhouse are distributed in 12 buildings. The layout is acceptable.

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

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

(D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as

roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.

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

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

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

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

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

Section 27-433, R-T Zone (Townhouse), prescribes detailed design requirements for townhouses regarding dwellings, streets, access to individual lots, utilities, minimum area for the development, common area, front elevation, and site plan. The application complies with most of the requirements with one inconsistency that warrants the following discussion:

- (7) **A minimum of sixty percent (60%) of all townhouse units in a development shall have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or stucco. Each building shall be deemed to have only one "front."**

Comment: A condition of approval has been added to ensure that a minimum of 60 percent of the total number of units have a brick front façade.

c. Section 27-528, requires the following findings for approval of a Specific Design Plan:

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

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

Comment: As stated in Findings 8 and 14, the proposed Specific Design Plan conforms to the approved Comprehensive Design Plan and the applicable standards of the *Landscape Manual*.

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

Comment: Findings for adequate public facilities including fire, rescue, police, public school and transportation have normally been made in conjunction with the Preliminary Plan of Subdivision. In this case, a complete staging plan and the accompanying transportation improvements for the entire Beech Tree development was not approved until the Planning Board approved SDP-9907 on June 8, 2000. Per a review by the Transportation Planning Section (December 6, 2004, Burton to Zhang), the subject SDP proposal is consistent with the previous transportation adequacy findings. The staff finds that the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future.

Per a review by the Historic Preservation and Public Facilities Planning Section (January 7, 2005, Harrell & Izzo to Zhang), other existing or planned private and public facilities, which exist, are under construction, or for which construction funds are contained in the first six years of the adopted county Capital Improvement Program (such as schools, recreation areas, water and sewage system, libraries and fire stations) will be adequate for the proposed development.

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

Comment: The Department of Environmental Resources has stated that the proposal is consistent with approved stormwater management concept plan #008004950. Therefore,

adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

Comment: As indicated in Finding 15 below, a Type II Tree Conservation Plan, TCPII/49/98-05, has been submitted with this SDP. TCPII/49/98-05 has been found to meet the requirement of the Woodland Conservation Ordinance according to the review by the Environmental Planning Section. The Environmental Planning Section recommended approval of the subject SDP and TCPII/49/98-05 subject to certain conditions that have been incorporated into the recommendation section of this report.

14. ***Landscape Manual:*** The proposed construction of single-family detached and attached houses in the R-S Zone is subject to Section 4.1, Residential Requirements, and not subject to Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*. But the *Landscape Manual* should be used as a guide for appropriate standards in the Comprehensive Design Zone.

- a. The subject SDP includes 169 dwelling units, of which 60 are townhouse units, 70 lots are smaller than 9,500 square feet, and 32 lots are between 9,500 to 20,000 square feet. Per Section 4.1(c), (d) and (f), 231 shade trees and 169 ornamental or evergreen trees are required. The Landscape Plan provides 231 shade trees, 151 ornamental trees, and 64 evergreen trees and complies with the *Landscape Manual*.
- b. A portion of the proposed single-family detached development (NV1 & NV3) is adjacent to a golf course to the east. Those lots adjacent to the golf course also have rear yards fronting the fairways and greens. But per Section 4.7, Buffering Incompatible Uses, the regulations to buffer incompatible uses are not applicable to this SDP. The Landscape Plan proposes a landscaped strip along the aforementioned boundary line with the plant units based on the requirements of the Section 4.7 Type B bufferyard, which is a 20-foot-wide landscaped strip with 80 plant units per each 100 linear feet of the property line. The proposed landscaped treatment is equal to the minimum requirements of Section 4.7. But the Landscape Plan should be revised to graphically show all proposed plant units and to delete any reference to Section 4.7 and its schedule. A condition of approval has been proposed in the recommendation section of this report.

The Susan Hodges cemetery is located between North Villages 2 and 3, adjacent to both single-family houses and townhouses. There is a wooded area between the townhouses and the cemetery. But nothing has been shown on the Landscape Plan between the single-family detached houses and the cemetery. The Urban Design Section recommends a landscape strip based on the requirements of the Type B landscape buffer be provided between the single-family detached houses and the cemetery. A condition of approval has been proposed in the recommendation section of this report.

15. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and there is a previously approved Tree Conservation Plan, TCPI/73/97.
- a. The Detailed Forest Stand Delineation (FSD) was previously reviewed with the approval of CDP-9407 and Type I Tree Conservation Plan TCPI/73/97 and found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. No further information is required with respect to the Forest Stand Delineation at this time.
 - b. A Type II Tree Conservation Plan, TCPII/49/98, was initially approved with SDP-9803 for the golf course, which covers the entire site. As each Specific Design Plan is approved for the Beech Tree development, TCPII/49/98 will be revised. The revised Type II Tree Conservation Plan, TCPII/49/98-05, submitted with this application has been reviewed and was found to be in compliance with the previously approved Type I Tree Conservation Plan and to address the requirements of the Woodland Conservation Ordinance, subject to certain conditions.
16. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
- a. The Community Planning Division (Foster to Zhang, November 1, 2004) has stated that there are no master plan or General Plan issues related to this Specific Design Plan. General Plan and master plan issues were addressed during the review of the Preliminary Plan of Subdivision application.
 - b. The Transportation Planning Section (Burton to Zhang, December 6, 2004) has listed all the required transportation improvements accompanying the staging plan for the entire Beech Tree project as approved with Infrastructure Specific Design Plan SDP-9907. The transportation planner concludes that the subject development as proposed in SDP-0406 will be adequately served. The transportation improvements that are applicable to the subject SDP have been identified and incorporated into the conditions of approval of this SDP.

In a separate memorandum (Shaffer to Zhang, January 7, 2005) on the specific design plan review for master plan trail compliance, the Transportation Planning Section has provided a review of the trails-related conditions attached to Preliminary Plan of Subdivision 4-00010. The trails planner also has recommended the provision of standards sidewalks along both sides of all internal roads due to the density of the development.

Comment: The conditions attached to the approval of 4-00010 that are applicable to this SDP review have been discussed in Finding 9. Other trails-related conditions will be enforced at time of permit. A condition of approval has been proposed in the recommendation section to require the applicant to provide standard sidewalks along both

sides of all internal roads, unless modified by the Department of Public Works and Transportation.

- c. The Environmental Planning Section (Stasz to Zhang, December 30, 2004) has recommended approval of this Specific Design Plan, SDP-0406, and TCPII/49/98-05, subject to six conditions. These conditions of approval for the SDP have been incorporated into the recommendation section of this report.
- d. The Subdivision Section (Chellis to Zhang, November 1, 2004) has indicated that the property is the subject of Preliminary Plan of Subdivision 4-00010 and listed the conditions of approval that are applicable to this SDP. See Finding 9 above for a discussion on the conditions attached to the approval of 4-00010 that are applicable to the review of this SDP.
- e. The Permit Section (Linkins to Zhang, September 27, 2004) has made 19 comments on the subject SDP regarding the plan's compliance with the Zoning Ordinance and the *Landscape Manual*. The relevant comments have been incorporated into the conditions of approval of this SDP.

Comment: Per the *Landscape Manual*, Section 4.7 is not applicable to the Comprehensive Design Zones (CDZs). The subject SDP is in one of the CDZs, i.e., the R-S Zone, thus is not subject to the requirements of Section 4.7, Buffering Incompatible Uses.

- f. The Department of Environmental Resources (Guzman to Zhang, September 22, 2004) has stated that the site plan for Beech Tree, North Village Sections 1, 2 and 3, is consistent with approved stormwater concept plan #008004950.
- g. The State Highway Administration (SHA) (Foster to Zhang, September 23, 2004) has stated that SHA has no objection to Specific Design Plan DSP-0406 approval.
- h. The Historic Preservation and Public Facilities Planning Section (Carlson-Jameson and Kollmann to Zhang, September 28, 2004) has indicated that the applicant of the Beech Tree project has satisfied the requirements of the Maryland Historical Trust for Phase I archeological investigation for specific sites within the development and no further investigation is required on this portion of the property. But the staff has noted that one of the three cemeteries within the Beech Tree development is located on the subject site and recommended one condition of approval that has been incorporated.
- i. The Department of Parks and Recreation (DPR) (Asan to Zhang, January 5, 2005) has recommended four conditions of approval that have been incorporated into the recommendation section of this report.
- j. The Washington Suburban Sanitary Commission (WSSC) (Thacker to Zhang, September 17, 2004) has indicated that a revision to the existing project has been submitted to WSSC for review and approval for reduction in density, revised phase lines, and construction

dependencies. The staff also has noted that the site plan fails to meet the minimum clearance between a building and a WSSC pipeline at several locations of the site. A condition of approval has been proposed in the recommendation section of this report.

- k. The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Zhang, January 7, 2005) has reviewed the subject SDP for adequacy of public facilities and found that the existing ladder truck service is 2.23 minutes beyond the required response time guideline. In order to alleviate the negative impact on fire and rescue services due to the inadequate services listed, the planners recommend one condition that has been incorporated into the recommendation section of this report. The planner has indicated that in accordance with the approved Comprehensive Design Plan, the applicant is required to contribute a fair share toward the provision of the Leeland Road Fire Station and ambulance to alleviate the existing inadequacy of services. The fair share has been calculated in the amount of \$263.34 per dwelling unit to be paid to the Treasury of Prince George's County at the time of building permit.

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

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

- l. The Department of Public Works and Transportation (DPW&T) and the Fire/EMS Department of Prince George's County had not responded to the referral request at the time the staff report was written.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type Tree II Conservation Plan (TCPII/49/98-05), and further APPROVED Specific Design Plan SDP-0406 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this Specific Design Plan, the applicant shall
 - a. Revise the site plan and landscape plan as follows:
 - (1) Submit to the Department of Parks and Recreation for review and approval the detailed construction drawings for the trail construction in the easement. Plans shall include trail layout, grading, cross sections, limit of disturbance, and any needed construction details.
 - (2) Provide a landscape strip between the single-family detached houses in North Village 3 and the property of the Susan Hodges cemetery to be reviewed and

approved by the Urban Design Section as the designee of the Planning Board.

- (3) Delete any reference to Section 4.7 bufferyard and the respective schedule from the Landscape Plan.
- (4) Add three site plan notes as follows:

“At least 60 percent of the total number of townhouse units shall have brick front facades.”

“Stormdrain outfall headwalls located adjacent to the trail shall be stone-faced.”

“Guardrails shall be installed along the trail at the stormwater management outfall.”
- (5) Provide parking calculations for the townhouse portion on the site plan.
- (6) Label width of all rights-of-way shown on the site plan.
- (7) Delete all off-site grading unless the applicant can confirm with evidence to the Urban Design Section, as the designee of the Planning Board, that required grading easements/permission from Department of parks and Recreation have been obtained.
- (8) Delineate the relocated floodplain limit on all applicable site plans.
- (9) Label “Public Utility Easement” on all applicable site plan sheets.
- (10) Provide a site plan note to explain how the residential dwelling units that are adjacent to the golf course will be protected from errant shots and show the screening details, if necessary.
- (11) Provide the required minimum 15-foot clearance between a building and a WSSC pipeline around Lots 1, 2 and 7, Block B.
- (12) Show the master plan trail in North Village Section 1 on all relevant site plan sheets.
- (13) Provide details of the retaining wall on the site plan
- (14) Provide lot standards for corner lots.
- (15) Provide standard sidewalks along both sides of all internal roads, unless modified by the Department of Public Works and Transportation.

- b. Revise Type II Tree Conservation Plan, TCPII/49/98-05, as follows:
- (1) Revise the Key Map on the cover sheet to indicate each Specific Design Plan for Beech Tree
 - (2) Remove the TCP notes from the Key Map
 - (3) Correct each TCPII approval block on every sheet to include the PGCPB resolution number and date for the approvals of TCPII/49/98, TCPII/49/98-01, TCPII/49/98-02, TCPII/49/98-03 and TCPII/49/98-04
 - (4) Document all revisions with appropriate notes in the revision block on each sheet
 - (5) Add the following note to sheet 46: “No disturbance of woodland on the site shall occur until it is affirmed that such removal is consistent with the Habitat Management Plan for the Stripeback Darter approved by the Wildlife and Heritage Division of DNR.”
 - (6) Add the following note to sheet 46: “Prior to the issuance of any grading permit for the site, the Type II TCP shall be revised to incorporate the recommendations of the approved Habitat Management Plan for the Stripeback Darter.”
 - (7) Add the following note to sheet 46: “There shall be no grading, cutting of trees or tree removal from the site until such time as the recommendations of the Habitat Management Plan have been incorporated into the Type II TCP.”
 - (8) Add the following note to each sheet of the TCPII that shows reforestation/afforestation areas: “All reforestation/afforestation areas adjacent to lots and split rail (or any other approved permanent) fencing along the outer edge of all reforestation/afforestation areas shall be installed prior to the Use and Occupancy Permit for the adjacent lots. However, in planting area where all stock is 1 inch caliper or larger, the permanent fencing maybe substituted with three-wire temporary fencing and additional signage must remain in place for five years”.
 - (9) Replace the worksheet on sheet 46 with a TCPII phased worksheet.
 - (10) Have the revised plan signed and dated by the qualified professional who prepared the plan.
- c. Make the following master plan trail-related revisions:
- (1) Locate trail either a minimum of 10 feet from private property lines or a minimum of 25 feet from building. Additional mitigation measures shall be approved by the Planning Board designee (Department of Parks and Recreation), in locations where the trail is closer than 10 feet from the private property line.

- (2) Mark trail clearly at street crossings with stop signs and road striping.
 - (3) Design trail with a maximum 8.3 percent grade, maximum two percent cross slope grade.
 - (4) Construct the ten-foot-wide asphalt trail with a minimum of three-inch bituminous concrete surface course and a minimum of four-inch compacted CR-6 base.
 - (5) Provide a landscaping plan for the trail easement area to provide a buffer between incompatible uses and create a linear park type setting. Berming shall be provided in the 30-foot-wide trail easement along the side property line of Lot 18 Block B, and Lots 17 and 18, Block C, and the area shall be extensively landscaped.
 - d. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than \$225,000 for a single-family detached house and \$ 150,000 for a townhouse (in 1989 dollars).
2. Prior to construction, the master plan trail shall be field located and approved by the Department of Parks and Recreation.
3. Prior to submittal of any building permits for the lots covered under the subject SDP, the applicant shall demonstrate that the Susan Hodges cemetery shall be preserved and protected in accordance with the Prince George's County Subdivision Regulations Section 24-135.02, including:
 - a. An inventory of existing cemetery elements (two copies shall be provided: one to the Prince George's County Historical Society library and the other to the Historic Preservation and Public Facilities Planning Section).
 - b. Measures to protect the cemetery during development shall be provided, as deemed necessary by the Planning Board or its designee.
 - c. A permanent wall or fence shall be provided to delineate the cemetery boundaries, and an interpretive marker shall be placed at a location close to or attached to the cemetery fence/wall. The applicant shall submit for review and approval by the Historic Preservation staff a proposed text for the marker at the Susan Hodges cemetery.
 - d. Arrangements for perpetual maintenance. A perpetual maintenance easement shall be prepared and attached to the legal deed (i.e., the lot delineated to include the cemetery). Evidence of this easement shall be presented to and approved by the Planning Board or its designee prior to final plat.
4. Prior to approval of building or grading permits, the M-NCPPC Environmental Planning Section shall review all Technical Stormwater Management Plans approved by the Department of

Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the Habitat Management Program and that water quality is provided at all storm drain outfalls. If revisions to the TCPII are required due to changes to the Technical Stormwater Management Plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.

5. Prior to issuance of any permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC, Environmental Planning Section that all applicable conditions of the state wetland permit have been addressed.
6. Prior to issuance of grading permits, each grading permit shall show required on-site wetland mitigation areas.
7. Prior to issuance of any building permit, the applicant shall provide a soils report addressing specific remedies and their locations in all areas where Marlboro Clay presents development problems; the report shall be reviewed and approved by the M-NCPPC Environmental Planning Section and the Prince George's County Department of Environmental Resources. The report shall include a map showing all borehole locations, logs of all of the boreholes, and identify individual lots where Marlboro Clay poses a problem.
8. Prior to issuance of the 132nd building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - a. Widen southbound US 301 to provide three exclusive through lanes from 1,000 feet north of Trade Zone Avenue to 2,000 feet south of Trade Zone Avenue.
 - b. Construct an internal site connection from Beech Tree Parkway to Leeland Road.
 - c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.
9. The Final Plat shall show all 1.5 Safety Factor Lines and a 25-foot building restriction line from the 1.5 Safety Factor Line. The location of the 1.5 Safety Factor Lines shall be reviewed and approved by the M-NCPPC Environmental Planning Section and the Prince George's County Department of Environmental Resources. The Final Plat shall contain the following note:

“No part of a principal structure may be permitted to encroach beyond the 25-foot building restriction line established adjacent to the 1.5 Safety Factor Line. Accessory structures may be positioned beyond the BRL, subject to prior written approval of the Planning Director, M-NCPPC and DER.”
10. At time of building permit, exact building footprints shall be shown on the site plan and elevations for each house provided.
11. Prior to issuance of building permits for Lots 3 to 18, Block B, NV1, the portion of the master

plan trail to the east of the lots shall be constructed and the design of the proposed bridge along the trail shall be submitted in accordance with Park and Recreation Facilities Guidelines. Plans for the bridge shall be prepared by a registered professional engineer and bear his/her stamp and signature on all plans and specifications.

12. Boardwalk shall be used in the areas designated as wetlands to assure dry passage along the master planned trail. The applicant shall obtain all required permits for any construction in wetlands and wetlands buffers.
13. No grading or cutting of trees or tree removal on the site (covered by SDP-0406) shall occur until after approval of the Specific Design Plan by the District Council.
14. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA) Standard 13D and all applicable county laws and regulations.
15. At time of issuance of building permit, the applicant shall pay the fair share of \$263.34 per unit to the Treasury of Prince George's County toward the provision of the Leeland Road Fire Station and ambulance to alleviate the existing inadequacy of services.
16. No two units located next to or across the street from each other may have identical front elevations.
17. The developer, his heirs, successors and/or assignees shall display in the sales office all of the plans approved by the Planning Board for this subdivision, including all exterior elevations of all approved models, the detailed site plan, Landscape Plan, and plans for recreational facilities.
18. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than \$225,000 for a single-family detached house and \$ 150,000 for a townhouse (in 1989 dollars).

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley and Vaughns voting in favor of the motion, and with Commissioner Eley and Chairman Hewlett absent at its regular meeting held on Thursday, January 20, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of February 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:HZ:rmk