

C O R R E C T E D   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 March 28, 2002, regarding Specific Design Plan SDP-0111 for Beech Tree (East Village, Phase-2, Section 1), the Planning Board finds:

1. The following Specific Design Plans have been filed for the Beech Tree project:
  - a. SDP-0111—for the East Village, Phase II, Section I, for 129 single-family residential lots.

The East Village, Phase II, Section I consists of 126.76 acres and is located on the southeast side of Leeland Drive and US 301, Robert Crain Highway. The East Village approved previously by SDP-9907 and East Village, Phase II, Section II are on the east side of the subject SDP area. Access to the East Village is through Leeland Drive via Moor's Plain Boulevard and US 301 via Beech Tree Parkway. The lot sizes range from 5,000 square feet to 10,000 square feet.
2. The following applications have been approved as of this date for the Beech Tree project:
  - a. Basic Plan Amendment A-9763-C
  - b. CDP-9706 for the entire Beech Tree development
  - c. Preliminary Plat 4-98063 for the golf course
  - \*[d. Preliminary Plat 4-99026 for 458 lots and 24 parcels]
  - \*d.[e.] Preliminary Plat 4-00010 for 1,653 lots and 46 parcels
  - \*e.[f.] SDP-9803 for the golf course
  - \*f.[g.] SDP-9905 Special Purpose SDP for community character
  - \*g.[h.] SDP-9907 Infrastructure SDP for the East Village for 130 single-family residential lots

\*Denotes correction

\*[Brackets] denote deletion

Underlining denotes addition

\*h[i.] SDP-9908 Infrastructure SDP for extending the sewer line from the East Village area to Parcel G

\*i[j.] SDP-0001 Architecture SDP for 16 architectural models

3. The architecture previously approved by SDP-0001 will be used for the residential areas covered by the subject SDPs. The subject SDPs, in combination with SDP-0001, constitute the complete SDPs for the subject land areas.

#### Conformance with Basic Plan

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

#### Conformance with Comprehensive Design Plan

5. Comprehensive Design Plan CDP-9706 was approved by the Planning Board on February 26, 1998 (PGCPB Resolution 98-050). The proposed Specific Design Plans will be in general conformance with CDP-9706 if the conditions below are fulfilled. (Further information regarding conformance with the CDP is provided in Findings 7 and 12 below.) The conditions address landscape elements and some of the previous conditions of approval of CDP-9706 and the preliminary plats requiring various transportation improvements, land dedication to the Homeowners' Association and the Department of Parks and Recreation and recreational facilities.
6. The Comprehensive Design Plan as approved includes a maximum of 2,400 dwelling units: 1,680 single-family detached, 480 single-family attached and 240 multifamily, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake, to be built in the Eastern Branch stream valley, will be a central focal point of the golf course and of the development as a whole. The Comprehensive Design Plan for Beech Tree is also proposed to include the following: a club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch Stream Valley Park, 12.5 acres dedicated to M-NCPPC for a community park, 211 acres dedicated as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education for a middle school site, and a 17-acre site for an elementary school. None of the above amenities is included in the subject SDPs. These amenities will be the subject of future SDPs.

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

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

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

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

The proposed East Village section, along with the previously approved East Village, will be one of the four residential villages. The proposed South Village will be the second residential village. The previously approved 16 architectural models are proposed for these residential developments. These villages will be linked to the golf course and the other residential villages by a network of roads and a system of pathways and trails. The general layout, circulation pattern, road layout, pathway system, and the location and number of the proposed pocket parks in the development conform to the approved CDP-9706.

- b. Development Program:

	CDP-9706	SDP-0111, SDP-0112, SDP-0113
Total number of units	2,400	401
Total number of units previously approved		130
Townhouses	480 (20%)	0
Single-family houses	1,680(70%)	271
Multifamily	240 (10%)	0
Dwelling units per gross acre	2.2	1.14

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

- c. Public Benefit Features: Although public benefit features are proposed, they are not part of the subject SDPs.
- d. Site Design Criteria and Guidelines: The Specific Design Plans are consistent with the design principles established in CDP-9706 for site design, pathway system, vehicular circulation/access, compatibility with the surrounding areas, recreational facilities, landscape features, open space, and parking.
- e. Transportation Planning: CDP-9706 established that various intersections in the vicinity of the subject site will operate unacceptably under total traffic conditions. Various conditions were added to require a number of traffic improvements to reduce the impact of the proposed development. The required traffic improvements listed in CDP-9706 and Preliminary Plat 4-99026 have been evaluated, and conditions of approval have been proposed to address the required transportation improvements.
- f. Architecture: The architecture for the subject residential areas was previously approved by SDP-0001.

The location, size and height of the proposed houses and the minimum lot size, the maximum lot coverage, and the minimum yard requirements meet the development standards of the CDP. However, the rear elevations of some of the lots face the proposed golf holes and the proposed roads. Although extensive landscaping is provided along the rear of some of these lots, the rear elevation of the houses will be visible from the golf course and the roads. The rear elevations of these houses should have more design articulation than the rest of the houses so that they are as attractive as the front elevations. A condition of approval has been added to require that the applicant submit additional rear elevations for the following houses that include more articulation and design features:

SDP-0111

Lots 1- 8, Block L

Lots 17 -25, Block \*L[N]

The architectural features of the houses previously approved in SDP-0001 include optional brick exteriors, bay windows, different roof slopes, special window treatments, etc. The proposed features are specifically designed to set a standard of quality and luxury within the entire Beech Tree community. The proposed models will be used throughout the Beech Tree development. However, additional models may also be proposed for the remaining residential villages.

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Conformance of the subject SDPs with the conditions of approval of CDP-9706 are discussed in Finding 13 below.

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

Extensive landscape buffers have been provided along the rear elevations of the lots facing the golf holes and the proposed roads. However, they are not adequate along some of the lots to provide sufficient screening. Therefore, a condition of approval has been added to require a landscape buffer with extensive planting along the rear yards of the following lots to adequately screen them:

SDP-0111

Lots 1- 8, Block L

Lots 17 -25, Block \*L[N]

Condition of Approval #12 of CDP-9706 was added because the landscape design elements submitted with the CDP application did not completely identify the proposed concepts or the design vocabulary to be adopted for the Beech Tree development. SDP-9905 was subsequently approved to provide additional “illustrative” design elements in the form of sketches, details and photographs that indicated the preliminary landscape concepts and elements envisioned for the Beech Tree development.

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

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

The Transportation Planning Section and the Growth Policy and Public Facilities Planning Sections have reviewed the proposals for adequacy of public facilities. Conditions of approval for achieving adequacy of public facilities within a reasonable period of time are discussed in Findings 22 and 23 of the Referral Responses section of this report. The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in appropriate Capital Improvement Program or provided as part of the private development if the proposed conditions of approval are fulfilled.

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

The Department of Environmental Resources has stated that the proposal is consistent with approved stormwater management concept plan #008004950. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects.

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

The plan will be in conformance with an approved Tree Conservation Plan (TCP/49/98) if the proposed conditions below are fulfilled. The conformance is discussed in detail in Finding 13.

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

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

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

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

The applicant has complied with this condition. The Environmental Planning Section has concluded that a noise study will not be required for the subject SDPs. This issue is discussed in detail in Finding 12.

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

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

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

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

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

The applicant has complied with this condition.

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

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

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

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. The above condition is being retained for subsequent SDPs.

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

The District Council will be reviewing the subject SDPs.

20. **The applicant shall address the views from the arterial and collector roadways. Dwelling units shall not be sited in monotonous patterns along the roadways, and driveways shall be minimized along arterial and primary collector streets to the extent feasible. In addition, landscaping, screening and berming shall be combined to provide varied streetscapes.**

Conditions of approval for additional landscaping have been added to address this requirement.

- 24. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NFPA) Standard 13D and all applicable county laws and regulations.**

This condition is being carried forward to the subject SDPs.

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

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

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

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

**A. Leeland Road**

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

**B. MD 193/Oak Grove Road Relocated Intersection**

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

**The realignment of MD 193 and Oak Grove Road shall provide a through and a right-turn lane at the northbound approach, a through and a left-turn lane at the southbound approach, and a separate left- and right-turn lane on the westbound approach.**



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

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

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

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

Referral Responses

12. The Environmental Planning Section (Stasz to Srinivas, March 13, 2002) has offered comments on the revised Tree Conservation Plan and the impacts of SDP-0111, SDP-0112 and SDP-0113 on the Tree Conservation Plan. Most of the environmental planning issues and the tree conservation issues have been addressed during the previous approvals for the golf course, the preliminary plat applications and the previous SDP applications. Compliance with several conditions of approval regarding environmental issues and tree conservation issues have been addressed in the referral. Some of the conditions of approval have been met but have been recommended to be carried forward to the subject SDPs and subsequent SDPs.

The approved Type II Tree Conservation Plan, TCPII/49/98, requires a minimum of 284.92 acres of woodland conservation for the proposed development of the entire site. The Plan provides for 612.90 acres of on-site woodland conservation and 12.11 acres of reforestation and 0.98 acre of afforestation for a total of 625.99 acres. Some of this woodland will be removed when development occurs for later phases of the project. As each SDP is approved for the Beech Tree development, TCPII/49/98 is revised. Conditions of approval have been added to ensure that the removal of woodland is adequately mitigated by afforestation/reforestation and acceptable special treatments and that such removal is consistent with the habitat management plan approved by DNR. The revised Type II Tree Conservation Plan, Type II/49/98-02, contains considerable amount of missing or incorrect information on the plan submitted for review. Conditions of approval have been added to require the additional information.

During the review of the Preliminary Plans for the golf course and the residential portions of the Beech Tree development, the Planning Board made several findings regarding the Patuxent Primary Management Area Preservation Area and granted some variation requests. The disturbances proposed by the subject SDPs are consistent with the previous approvals for the subject development.

Highway noise from US 301 is a known significant noise source. CDP-9706 required that a noise study be submitted to specify site and structural mitigation measures into the development to minimize noise intrusion and prevent noise levels exceeding 65 dBA (Ldn) exterior. During the review of the previous SDPs, SDP-9907 and SDP-9908, it was determined that the distance provided from the highway by the intervening HOA parcels and the golf course mitigated the projected highway noise. The area of the subject SDPs are further away from US 301 and the exterior noise level is expected to be less than 65 dBA. Therefore, no further action is required at this time regarding the noise issues.

Various recommendations of the Maryland Wildlife and Heritage Division, including a Habitat Management Plan, a Water Quality Plan, an Integrated Pest Management Plan, and a Monitoring Program were adopted and approved as a part of SDP-9803 for the golf course. The subject SDPs do not modify the previous approvals.

The proposal has an approved Stormwater Management Concept. Because of the presence of Marlboro Clay, infiltration is not permitted. All lots must be located so that the 1.5 Safety Factor Line is off of the lots. The greatest concern with Marlboro Clay is the potential for large-scale slope failure with damage to structures and infrastructure. Grading in the vicinity of Marlboro Clay outcrops on steep slopes can increase the likelihood of a landslide. Water and sewer lines laid within the Marlboro Clay layer require special fittings. Side slopes of road cuts through Marlboro Clay need special treatment. Special stormwater management concerns need to be addressed when Marlboro Clay is present on a site. CDP-9407 required a geotechnical study to be submitted for SDPs containing a high-risk area to minimize the risks posed by Marlboro Clay. The Environmental Planning Section has concluded that for the areas of SDP-0111 and SDP-0112, Marlboro Clay is not a significant factor with regard to slope stability on portions of the site. In some areas special drainage measures and foundation construction methods may be needed. The section has determined that high-risk areas do not occur on land included in SDP-0111 and SDP-0112. However, in some areas special drainage measures, road construction, and foundation methods may be needed.

The Environmental Planning Section recommends approval of SDP-0111 and TCPII/49/98 subject to conditions of approval regarding tree conservation issues, stormwater management, and safety factor lines for the high-risk areas.

13. The Subdivision Section (Del Balzo to Srinivas, February 4, 2002) has stated that the Preliminary Plan 4-99026 is valid until October 14, 2005, and Preliminary Plan 4-00010 is valid until July 27, 2006. For SDP-0111, single-family detached lots are shown in an area approved for townhouse development. Lots 32 to 37, Block L are shown in areas previously shown as open space and are also encumbered by a WSSC easement. The Subdivision Section has stated that the Environmental Planning Section must ensure that these minor changes do not affect the Tree Conservation Plans. The design of these lots should to the extent possible avoid the WSSC easement.
14. The Permit Review Section (Linkins to Srinivas, January 4, 2002) has requested minor revisions to the Site/Grading Plans and Landscape Plans to show lot coverage details, acreage calculations,

- building setbacks, and building restriction lines. A condition of approval has been added to require these minor revisions.
15. The Community Planning Division (Baxter to Srinivas, December 17, 2001) has stated that the Basic Plan and the CDP have resolved all master plan issues regarding the subject SDPs.
  16. The Department of Parks and Recreation (Asan to Srinivas, December 27, 2001) has no comments regarding the subject Specific Design Plans.
  17. The Department of Environmental Resources (De Guzman to Srinivas, January 2, 2002) has stated that the proposal is consistent with approved Stormwater Management Concept #008004950.
  18. The Historic Planning and Preservation Section (Higgins to Srinivas, December 20, 2001) has stated that the Beechwood Historic Site (#79-60) is located on an outparcel and is not affected by the subject SDPs. The three historic family graveyards are also not affected by the construction of the subject developments.
  19. The State Highway Administration (McDonald to Srinivas, January 9, 2002) has stated that they have no objections to the approval of the subject SDPs.
  20. The Department of Public Works and Transportation (Beckert to Srinivas, January 11, 2002) has stated that the right-of-way widths for internal streets must be consistent with DPW&T standards. The right-of-way widths must be wide enough to accommodate bike paths and trails as required by the Transportation Planning Section. The Department has also stated that ten-foot-wide raised cart crossings are required for all at-grade golf cart crossings. The pavement width shall be reduced to 24 feet on all 36-foot wide pavement sections with golf cart crossings. This will serve as a golf cart safety and traffic-calming device by reducing the distance that golf carts need to travel across the public roadway. A condition of approval has been added to require the same.
  21. The Growth Policy and Public Facilities Planning Section (Izzo to Srinivas, January 15, 2002) has stated that a public facilities fee is required for all single-family and multifamily dwelling units in the development. No building permits will be issued until the projected capacity at all affected schools is less than 130 percent \*[If after four years, the projected capacity is still over 130 percent, the building permits may only be issued for elderly housing with a sales price at minimum of \$300,000. Three]. \*C[c]onditions of approval of Preliminary Plat 4-00010 address the above issues. The conditions have been carried forward as conditions of approval of the subject SDPs.

The section has concluded that the following previous adequate public facilities conditions and findings for public schools, police and fire (including details regarding the fair share contribution) as specified on Page 3 and Pages 22-25 of Resolution No. 00-127 for Preliminary Plan 4-00010 are applicable:

“Schools—The Growth Policy and Public Facilities Planning Section has reviewed the (subdivision) plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the

Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2000) (CR-4-1998).

Projected Impact on Affected Public Schools

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

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

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

“Since the affected Patuxent Elementary, James Madison Middle, and Frederick Douglass High Schools’ projected percentage of capacities are greater than 105 percent, the Adequate Public Facilities fee is \$4,240.00 per dwelling unit. The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines.

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

“9. Fire and Rescue—The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following.

“a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Road, has a service response time of 5.25 minutes, which is within the 5.25-minute response time guideline for Parcel V Block Y Lots 1-35; Parcel O Block Z Lots 1-15; Parcel R-4 Block U Lots 1-2, Block P Lots 17-23 Block O Lots 1-11 and Block N Lots 1-14, 50, 57; Parcel R-5 Block V Lots 1-17. All other parcels, blocks and lots are beyond the response time guidelines.

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

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

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

- “10. Police Facilities—The proposed development is within the District II-Bowie police service area. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, staff concludes that the existing county police facilities will be adequate to serve the proposed Beech Tree development. This police facility will adequately serve the population generated by the proposed subdivision.”
22. The Transportation Planning Section (Masog to Srinivas, February 25, 2002) has stated that a staging plan for various traffic improvements was established at the time of SDP-9907. The recommended staging plan is to serve as the basis for determining the adequacy of transportation facilities in subsequent SDPs for development approved by the Preliminary Plans. In the event that 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. This condition is being carried forward. The staging plan also required the applicant to submit information regarding the number of building permits, the phasing of the construction of the units for the proposed SDP and the status of the transportation improvements. A letter regarding these issues has not been received as of this date. Since no building permits have been issued for this project as of this date, the subject SDPs have been reviewed without the letter. The section has required a condition of approval for transportation improvements prior to the issuance of the one hundred and thirty-second (132<sup>nd</sup>) building permit in accordance with the recommended phasing plan.

The memorandum from the Transportation Planning Section states that:

“The Transportation Planning Section has reviewed the information provided in support of the Specific Design Plan applications referenced above. The applications involve the construction of 271 single-family detached residences in an area between US 301 and the Western Branch, and south of Leeland Road. SDP-0111 covers 126.76 acres and includes 129 residences. SDP-0112 covers 38.89 acres and includes 49 residences. SDP-0113 covers 71.23 acres and includes 93 residences. These areas are part of a larger development covering 1,212.06 acres and zoned R-S, with ultimate development of up to 2,400 residences.

“Review Comments

“The transportation staff has reviewed issues regarding the development of the area including the subject site extensively as a part of the review of a number of past applications:

“Zoning Map Amendment A-9763: Approved the Basic Plan for the entire Beech Tree site.

“Comprehensive Design Plan CDP-9706: Approved a comprehensive staging plan for the Beech Tree site.

“Preliminary Plans of Subdivision 4-99026 & 4-00010: Approved lots and made findings of transportation adequacy, subject to transportation conditions, for the Beech Tree site.

“Specific Design Plan SDP-9907: Approved the initial 130 residences; review included extensive review and approval of a staging for all transportation improvements included as a part of the subdivision approval to ensure that adequate transportation facilities would be available to serve the proposed development within a reasonable period of time.

“In November 1999, the applicant filed SDP-9907 for the first 130 residential units of the development. Pursuant to condition no. 18 of PGCPB no. 99-154, the applicant provided to staff a Staging Report for Road Improvements which is included in the record for that case. In that report, the applicant provided level-of-service analyses based on specified number of units being developed commensurate with specific improvements along US 301 and within the site. Reference is made herein to that report with the intent that any approval of the subject applications be consistent with the staging established under SDP-9907.

“In order to ensure that the record for the subject cases is clear, the recommended staging of roadway improvements to serve the Beech Tree development is restated below:

**“Phase I: The golf course**

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

- “a. Lengthen the northbound US 301 left-turn lane at Swanson Road as required by the SHA.
- “b. Construct a 500-foot-long southbound deceleration lane (include taper) along US 301 at Swanson Road as may be required by the SHA.
- “c. Construct a 500-foot-long southbound acceleration lane (including taper) along US 301 from Swanson Road as may be required by the SHA;

**“Phase II: residential development**

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

- “a. Leeland Road

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

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

“Prior to the issuance of the one hundred and thirty second (132<sup>nd</sup>) 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 Avenue to 2,000 feet south of Trade Zone Avenue.
- b. Construct internal site connection from Beech Tree Parkway to Leeland Road.
- c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.

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

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

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

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

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

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



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

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

"As provided in Condition 18 of Preliminary Plan 4-99026 (and included by reference as Condition 14 of Preliminary Plan 4-00010), the recommended staging plan shall serve as the basis for determining adequacy of transportation facilities in subsequent SDP's for the development approved under both subdivision plans. In the event that the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging Plan as described above shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

"The referral from the Transportation Planning Section regarding SDP-9907, which was incorporated into the final technical staff report and thereby included as findings in the resolution approving same, requested that the applicant provide evidence with each subsequent specific design plan, in the form of a letter to the Planning Department, the following information:

- "1. The aggregate number of building permit issuances for residential units.
- "2. The phase within which the number of units for the proposed SDP is proposed to occur.
- "3. The status of the associated transportation improvements.

"No such letter has been received by the transportation staff. The intent of that letter was to allow a comparison of the approved staging plan to the progress

of the required transportation improvements in effect with that stage or a prior stage as a means of evaluating the availability of transportation facilities to serve any proposed development. While no plan has actually been made conditional on the provision of such a letter, by highlighting its absence herein the Transportation Planning Section hereby notifies the applicant that the need for such evidence was previously established by the Planning Board, and that the Transportation Planning Section will review no further subsequent applications without such evidence being provided.

"Staff has reviewed the subject plans without a letter largely on the basis that no permits within the Beech Tree development have been issued to date. In any regard, all elements of the approved staging plan are permit-based, and the status of the improvements would ordinarily be further scrutinized at the time that any permits are reviewed. All three subject plans are part of Phase III of the staging plan for road improvements.

Provided that the improvements included within Phase III, along with all previous phases, are in place at the time that permits are issued within any of these SDP's, the required findings for SDP approval can be made.

"Vehicular access and circulation within the area of these applications is acceptable. The transportation staff remains concerned about pedestrian circulation within the site, however, since none of the plans appear to highlight the pedestrian network to any great extent. There is a significant effort within Maryland and on a national level to ensure that existing communities are made walkable and that new communities are planned to be pedestrian-friendly. The transportation staff supports the recommendations of the Planning Department's Trails Coordinator to provide sidewalks on each side of every street within the development, including the areas of these applications.

Such facilities will improve safety for young and old pedestrians alike, will assist residents in being able to walk to schools and community amenities, and will promote a healthier lifestyle.

"None of these plans is adjacent to any Master Plan transportation facilities.

"Findings and Recommendations

"As noted previously, the subject property is part of a larger project for which a staging plan for road improvements was approved under SDP-9907. This staging plan was done pursuant to a finding of adequate public facilities made in 1999 for Preliminary Plan of Subdivision 4-99026 and incorporated by reference in the record for Preliminary Plan of Subdivision 4-00010.

As the basis for that finding is still valid, and in consideration of the materials discussed earlier in this memorandum, the transportation staff finds that the subject property will be adequately served within a reasonable period of time with transportation facilities which are existing, programmed, or which will be provided as a part of the development if the development is approved. Furthermore, the submitted plans are in conformance with past approved plans, including the approved Comprehensive Design Plan, if it is approved with the following condition:

- "1. Prior to the issuance of the one hundred and thirty second (132<sup>nd</sup>) 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."
23. The Transportation Planning Section (Shaffer to Srinivas, January 16, 2002) has stated that several conditions of approval have been added regarding sidewalks, trail connections and bikeways. The conditions of approval also provide timing mechanisms for the various improvements. The section has recommended that the applicant coordinate the design of the trails and signage along the internal roads with the trails coordinator and the Department of Parks and

Recreation. The trails along steep slopes must not directly abut areas of steep slopes. Various measures such as landscape buffers, fencing, etc., must be used to ensure the safety of the trails. Trails adjacent to the school site must not be impacted by the eventual construction of the school.


24. The Town of Upper Marlboro was sent a referral. No comments have been received as of this date.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/49/98), and further APPROVED Specific Design Plan SDP-0111 for the above-described land, subject to the following conditions:

1. Prior to certification of the Specific Design Plan,

- a. The site/grading and landscape plans shall be revised to show the following:

- (1) elevations for all the retaining walls shown on the lots
- (2) landscaped schedules for all landscape bufferyards
- (3) all house sites located within the building envelopes
- (4) all public utility easements labeled

(5) 





- (7) a landscape buffer along the rear yards to provide buffering and filtered views into the rear yards:

SDP-0111

Lots 1- 8, Block L

Lots 17 -25, Block \*L[N]

- (8) the environmental setting for the Pentland Hills site
- (9) ten-foot-wide raised cart crossings for all at-grade golf cart crossings with a pavement width reduced to 24 feet on all 36-foot wide pavement sections.

- b. The applicant shall submit cross-sections of the internal streets that are approved by the Department of Public Works & Transportation. The cross-sections shall show adequate right-of-way widths to accommodate bike lanes, sidewalks and/or trails as required by the Transportation Planning Section and DPW&T.
- c. The applicant shall submit copies of easements for all retaining walls crossing multiple property lines.
- d. The Type II Tree Conservation Plan, TCPII/49/98-02, shall be revised to:
  - (1) include all of the TCP II sheets for the entire project
  - (2) label the acreage of woodland cleared, preserved, or planted on each sheet
  - (3) revise the worksheet to correctly indicate the gross tract area
  - (4) revise the worksheet to fill in all missing information
  - (5) provide a table on each sheet indicating all woodland calculations on that sheet, including calculations of the PMA areas cleared, reforested, or afforested
  - (6) show all wetlands and wetland buffers
  - (7) show a reasonable area of clearing for installation of all proposed trails within existing woodlands and correct the worksheet accordingly
  - (8) indicate, with a specific pattern or marking, the woodland areas retained on lots which are not counted as part of the required woodland conservation area and calculate the area on each sheet
  - (9) revise the woodland conservation worksheet to calculate the total area determined as cleared
  - (10) show all areas, including the acreage, of proposed clearing within the Patuxent River PMAPA
  - (11) show all areas, including the acreage, of proposed afforestation/reforestation within the Patuxent River PMAPA
  - (12) add a table to each sheet showing the area of 10 and 11.
  - (13) use a specific line pattern on each sheet, where appropriate, to indicate the boundary of each Specific Design Plan and the corresponding woodland conservation areas

\*Denotes correction

[Brackets] denote deletion

Underlining denotes addition

- (14) show all tree protection devices on each sheet and indicate the location of conservation area signs
- (15) add a detail for reforestation area signs and revise the plan to indicate proposed locations
- (16) add details to show attractive protective fencing along the outer edge of all highly visible reforestation/ afforestation areas adjacent to lots and appropriate protective fencing along the outer edge of reforestation/afforestation areas. Show the locations on the plans. Fences to remain in place no less than five years.
- (17) For reforestation/afforestation areas adjacent to lots, show a border row of not less than 1.5 inch caliper, mixed native hardwood shade trees, appropriately spaced for 25 feet inside the fencing; coordinate with the Landscape Plan to prevent conflicts; and provide a plant schedule for each area of larger stock to be planted
- (18) provide a legend on each sheet
- (19) revise the line types to distinguish existing tree line, proposed preserved tree line, and proposed reforestation/afforestation areas and add to the legend
- (20) remove all preservation/reforestation/afforestation areas which are less than 35 feet wide from contributing to the woodland conservation requirements
- (21) remove all reforestation/afforestation areas which are less than 50 feet wide between rear lot lines
- (22) provide a single sheet at 1 inch=30 feet that shows the entire area of the TCP
- (23) use larger stock, of not less than 1.5 inch caliper, mixed native hardwood shade trees, appropriately spaced along the periphery of reforestation/afforestation areas which are in high visibility areas of the project and show the areas on each sheet where appropriate; coordinate with the Landscape Plan to prevent conflicts; and provide a plant schedule for each area of larger stock to be planted
- (24) clearly show all areas where any special treatments, such as selective clearing, are to be used that change the existing woodland character and add notes describing the treatment
- (25) revise the key map on the cover sheet to indicate each Specific Design Plan for Beech Tree
- (26) add a note to the key map on each sheet to indicate that the sheet numbers used are those of the SDPs and not the TCPII

- (27) show all areas of PMA disturbed or not forested as being afforested or reforested or provide a note for each area indicating why the area is not being planted
  - (28) revise the legend to include all patterns and lines used on the TCPII and include the legend on every TCPII sheet
  - (29) revise the worksheet to provide for all calculations for each phase
  - (30) revise the worksheet to reflect the changes noted above
  - (31) add a table to the page with the worksheet that keeps a running total of the acreage of the PMA total on the site, the acreage in each phase, and the amount disturbed in each phase. Provide a note that states "The maximum disturbance to the PMA is 23.22 acres."
  - (32) revise the notes on the cover sheet to eliminate the reference to the "Forest Resources Unit of the Department of Environmental Resources."
  - (33) document all revisions with appropriate notes in the revision block on each sheet
  - (34) have the plan signed and dated by a qualified preparer
  - (35) add the following note: "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."
  - (36) add the following note: "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."
  - (37) add the following note: "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."
  - (38) add the following note to each sheet of the TCPII that shows reforestation/afforestation areas: "All reforestation/afforestation areas adjacent to lots and required fencing along the outer edge of all reforestation/afforestation areas shall be installed prior to the Use and Occupancy Permit for the adjacent lots."
- e. The architectural drawings approved as part of SDP-0001 shall be revised to show more detail on the rear elevations. In terms of articulation, fenestration and design details (but not materials), the rear elevations of the following lots shall be as attractive as the front elevations:

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Lots 1- 8, Block L

Lots 17 -25, Block \*L[N]

2. The building permit drawings shall show lot coverage for each individual lot and the house type for the individual lots.
3. Each grading permit shall show required on-site wetland mitigation areas.
4. Prior to the issuance of any building permits for Beech Tree, the applicant shall demonstrate to the M-NCPPC, Environmental Planning Section, that all applicable conditions of the state wetland permit have been honored.
5. 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.
6. Prior to issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay a fee to Prince George's County of \$201.65 per dwelling unit toward the provision of a fire station and an ambulance.
7. Prior to issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay an adequate public facilities fee of \$4,240 per dwelling unit for the elementary, middle and high schools, unless fully offset by a school facility surcharge payment. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at the Patuxent Elementary School, James Madison Middle School and Frederick Douglass High School.
8. No building permits shall be issued for the subject Specific Design Plans until the projected percentage of capacity at all affected schools is less than or equal to 130 percent or four years have elapsed since the date of the adoption of the resolution of approval of the preliminary plan of subdivision for [4-99026 and] 4-00010. \*[(In accordance with the exemptions in the guidelines, this condition shall not apply to permits for elderly housing, which is operated in accordance with state and federal fair housing laws).]
9. 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

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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.

10. Prior to the issuance of the one hundred and thirty second (132<sup>nd</sup>) building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
  - a. widen southbound US 301 to provide three exclusive through lanes from 1,000 feet north of Trade Zone Avenue to 2,000 feet south of Trade Zone Avenue.
  - b. Construct internal site connection from Beech Tree Parkway to Leeland Road.
  - c. Modify the existing median opening to preclude left turns from eastbound Swanson Road to northbound US 301.
11. Prior to approval of each building permit for a dwelling unit, the applicant shall demonstrate that the price of the dwelling unit will not be lower than the ranges below (in 1989 dollars):

Single-Family Detached:	\$225,000-500,000+
Single-Family Attached:	\$150,000-200,000+
Multifamily Dwellings:	\$125,000-150,000+
12. All structures shall be fully equipped with a fire suppression system built in accordance with National Fire Protection Association (NAPA) Standard 13D and all applicable county laws and regulations.

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

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\* \* \* \* \*

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 Lowe, seconded by Commissioner Scott, with Commissioners Lowe, Scott, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 28, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of April 2002.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:LS:rmk