

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 February 15, 2007, regarding Specific Design Plan SDP-0512 for Beechtree, West Village, Sections 1, 3, and 6, the Planning Board finds:

1. **Request:** The subject application is for approval of 107 single-family detached dwelling units in the R-S Zone.

2. **Development Data Summary:**

	Existing	Proposed
Zones	R-S	R-S
Uses	Vacant	Single-family detached
Acreage (in the subject SDP)	50.63	50.63
Lots	107	107
Of which West Village 1 (WV1)	-	49
West Village 3 (WV3)	-	19
West Village 6 (WV6)	-	39

3. **Location:** The larger Beech Tree project site is located on the west side of Robert Crain Highway (US 301), south of Leeland Road, in Planning Area 79 and Council District 6. The area covered by SDP-0512, West Village, Sections 1, 3 and 6, is in the north-central area of the Beech Tree development and is located around the T-intersection of Lake Forest Drive and Turleygreen Place.
4. **Surroundings and Use:** The subject site (of SDP-0512) is located along the south end of an internal street, Lake Forest Drive, in the southwest corner of the Beech Tree development. The site is bounded to the north by single-family detached houses in West Village, Sections 2 and 5, to the west by the stream buffer of Collington Branch, and to the south and east by Beech Tree Lake and golf course. Further to the east and south of the subject site are single-family detached houses in South Village, Sections 2 and 3.

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

Two specific design plans for the entire site also have been approved for the Beech Tree development. Specific Design Plan SDP-9905, which was approved by the District Council on October 22, 2000, is a special-purpose SDP for community character. Specific Design Plan SDP-0001, which was approved by the District Council on October 30, 2000, is an umbrella approval for architecture for the entire Beech Tree development. So far, SDP-0001 has been revised three times. In addition, there are another 15 approved specific design plans for the Beech Tree development. They are SDP-9803 for the golf course; Infrastructure SDP-9907 for the East Village for 130 single-family residential lots; Infrastructure SDP-9908 for extending the sewer line from the East Village area to Parcel G; SDP-0111 for the East Village, Phase II, Section I, for 129 single-family residential lots; SDP-0112 for the East Village, Phase II, Section II, for 49 single-family residential lots; SDP-0113 for the South Village, Phase I, Sections 1, 2, and 3 for 93 single-family residential lots; SDP-0314 for 46 townhouse units on 7.3 acres of land known as East Village Section 10; SDP-0315 for 39 townhouse units on 11 acres of land known as East Village Section 4; SDP-0316 for East Village, Section 9, for 49 single-family detached residential lots; SDP-0406 for North Village, Sections 1, 2 & 3, for 106 single-family detached residential lots and 60 townhouse units; SDP-0409 for North Village, Sections 4 and 5, for 65 single-family detached residential lots; SDP-0410 for North Village, Section 6, for 158 townhouse units; SDP-0412 for Beech Tree Recreation Center; SDP-0415 for North Village, Sections 7, 8 and 9, for 83 single-family detached houses and 57 townhouse units; SDP-0416 for South Village, Section 4 and 5, for 84 single-family detached houses; SDP-0507 for Beech Tree Golf Club House. The subject application is the 18th SDP for the Beech Tree development.

Various types of tree conservation plans also have been approved for the above-mentioned preliminary plans of subdivision and specific design plans. This SDP has an approved Stormwater Management Concept Plan 43383-2005-00, which is valid through December 31, 2008.

6. **Design Features:** The SDP proposes to develop 107 single-family detached houses along the south end of Lake Forest Drive. The proposed single-family detached houses start at the intersection of Lake Forest Drive and Presidential Golf Drive and continue on both sides of internal streets until the southwest end of the Beech Tree project. The models for single-family detached houses will be either 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. A

condition to require the above detailed information at time of building permit has been proposed in the recommendation section of this report. The proposed lot sizes of single-family detached houses included in this SDP vary from 6,502 to 24,051 square feet.

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

COMPLIANCE WITH EVALUATION CRITERIA

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

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

Comment: With the approval of this SDP, the total approved dwelling units through the specific design plan process will be reaching 1,561 units, and the Board of Education has been made aware of this. However, a school surcharge for each dwelling unit will be collected in accordance with current school surcharge regulations at the time of building permit.

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. But no information regarding the proposed single-family dwellings in this SDP has been provided with this application.

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

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

Comment: A comprehensive trail plan was approved as part of Comprehensive Design Plan CDP-9706 for the entire Beech Tree development. The subject SDP contains only residential development. Several conditions, which will further implement the comprehensive trail plan, have been proposed by the Transportation Planning Section to link the residential lots included in this SDP to the rest of the Beech Tree development.

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

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

8. **Comprehensive Design Plan CDP-9706:** Comprehensive Design Plan CDP-9706 as approved includes a maximum of 2,400 dwelling units, of which 1,680 are single-family detached, 480 are single-family attached, and 240 are multifamily units, on approximately 1,194 acres located on the west side of US 301, south of Leeland Road. The housing is to be organized in four distinct villages (North, South, East, and West). An 18-hole championship golf course will be integrated into the residential communities. A 30-acre lake, to be built in the Eastern Branch stream valley, will be a central focal point of the golf course and of the development as a whole. The comprehensive design plan for Beech Tree is also proposed to include the following: A club house for the golf course, a recreation center with pool and tennis courts for the homeowners, 136 acres dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) for the Collington Branch stream valley park, 12.5 acres dedicated to M-NCPPC for a community park, which is located to the west of the subject site, 211 acres dedicated as homeowners' open space, 11 acres set aside for a private equestrian facility, a 35-acre site to be conveyed to the Board of Education for a middle school site, and a 17-acre site for an elementary school. None of the above amenities is included in the subject SDP. These amenities will be the subject of future specific design plans.

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

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

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

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

Comment: The SDP is in compliance with this condition. However, the notes regarding the number of dwelling units approved for the Beech Tree development are not adequate because no Tree Conservation Plan numbers are listed. A condition has been proposed in the recommendation section of this report.

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

Comment: This condition has been met by the applicant with the submission of the approved Stormwater Management Concept Plan 43383-2005-00 for this SDP.

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

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

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

Comment: See above Finding 7 for discussion.

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

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

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

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

- 31. The applicant shall construct an 8- to 10-foot wide asphalt hiker-biker trail through the stream valley park and the community as shown on the Department of Parks and Recreation (DPR) Exhibit "B". The trail shall be located in a linear park at least fifty feet in width or in an easement (to M-NCPPC) through property of similar character. A landscaping plan shall be developed for those portions of the trail which lie within the planned community and shall be developed for those portions of the trail which lie within the planned community and shall be submitted along with the appropriate Specific Design Plan. The trail shall be 8 feet wide where it is adjacent to public roadways. In all other areas, it shall be 10 feet wide.**

Comment: A connection to the above mentioned trail is located within the boundary of this SDP. The site plan shows a 50-foot-wide easement to the north of Lot 1, Block G, at the

intersection of Winterbourne Drive and Presidential Golf Drive. The connection is further extended to the east of the intersection as a 30-foot-wide easement at the northern side of Presidential Golf Drive. The Department of Parks and Recreation indicates (Solomon to Zhang, January 29, 2007) that the trail concept shown is acceptable subject to several conditions.

- 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 is not applicable since the SDP is not approved yet.

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

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

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

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

Comment: A geotechnical report for this portion of the Beech Tree site has been reviewed and found by the Environmental Planning Section to meet all requirements. The Environmental Planning staff have reviewed SDP-0512 and determined that high-risk areas do not occur on this portion of the Beech Tree site.

- 11. Prior to issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay a fee to Prince George's County of \$201.65 per dwelling unit toward the provision of a fire station and an ambulance.**

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

unserved within the response time standards.

- 20. The trail shall be constructed in accordance with the applicable standards in the *Park and Recreation Facilities Guidelines* and the accessibility guidelines in the latest edition of the Americans with Disability 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 the 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: The applicant has provided detailed construction drawings for the trails included in this SDP. DPR is in general agreement with the location of the trails.

- 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: A portion of the trails included in this SDP is located in a 30-foot-wide easement to the northern side of Presidential Golf Drive. DPR in a memorandum dated January 29, 2007, stated that the proposal is acceptable.

- 10. Special Purpose Specific Design Plan SDP-9905 for Community Character:** SDP-9905 is a special purpose specific design plan pursuant to Condition 12 of Comprehensive Design Plan CDP-9706 that was devoted to elements of streetscape including but not limited to street trees, entry monuments, signage, special paving at important facilities and intersections, and design intentions in the neotraditional area of the East Village. The SDP also addressed utilizing distinctive landscape treatments to emphasize important focal points, intersections and trail heads, and a concentration of particular species as an identifying feature for particular neighborhoods. The Planning Board approved the SDP on October 14, 1999. The subject SDP has no signage element due to the fact that it is an internally located site. The architectural models that will be used in this part of subdivision are included in the approved Architectural Umbrella Approval for Beech Tree development.
- 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. For the first time, SDP-9907 included a staging plan and the accompanying transportation improvements needed for the various development stages of Beech Tree. The Planning Board approved SDP-9907 on June 8, 2000, subject to 14 conditions, of which only the staging and transportation improvements-related conditions are applicable to the review of this SDP, as follows:
- 11. If in the future, the sequencing of the subsequent development phases or associated transportation improvements is proposed to be modified, the Recommended Staging**

Plan shall be revised and resubmitted by the applicant prior to approval of the SDP for which such a change is requested.

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

Comment: By letter dated March 11, 2006 (Rizzi 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 along with the previously approved 250 permits will bring the total number of permits to 362, which is above the threshold of the Phase III of Beech Tree project. The Transportation Planning Section concludes that the subject development will be adequately served within a reasonable period of time with transportation facilities and improvements as approved in SDP-9907, with the modifications recommended in the Transportation Planning Section's memorandum (Burton to Zhang, September 12, 2006), that have been incorporated into the recommendation section of this report.

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

Leeland Road

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

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

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

The applicant also indicates in the letter that the proposed dwelling units will be developed at Phase III residential development and will be falling into the building permit range of 132-1,000. The Transportation Planning Section has determined that the subject SDP constitutes a modification of the previously approved phasing plan included in SDP-9907 and recommended carrying over the conditions of approval associated with the phasing of

transportation improvements of Beech Tree. Those conditions recommended by the Transportation Planning Section have been included as conditions of this SDP.

12. **Umbrella Specific Design Plan SDP-0001 for Architecture:** SDP-0001 is an umbrella specific design plan for architecture for the entire Beech Tree development. The SDP was approved by the Planning Board on June 8, 2000, subject to three conditions. Original SDP-0001 was approved with 16 architectural models for the proposed single-family detached units in the East Village, but the approved models can be used in any other portions of the Beech Tree development. Since the approval of SDP-0001, three revisions to the original approval have been approved. Of the three conditions attached to the approval of SDP-0001, none is applicable to the review of this SDP because this SDP does not include any new single-family detached residential units. If the new models will be used in this SDP in future, a revision to SDP-0001 is required.
13. **Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of Zoning Ordinance as follows:
 - a. The proposed 107 single-family detached dwelling units are part of a larger project known as Beech Tree, which is the subject of numerous approvals. The subject SDP is a detailed implementation of previous approval for West Village, Sections 1, 3 and 6, and is therefore in general compliance with the requirements of the R-S Zone as stated in Sections 27-511, 512, 513 and 514 with regards to permitted uses and other regulations such as general standards and minimum size of property.
 - b. Section 27-528, requires the following findings for approval of a specific design plan:
 - (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**
 - (1) **The plan conforms to the approved Comprehensive Design Plan 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: The Historic Preservation and Public Facilities Planning Section in a memorandum (Izzo and Harrell to Zhang) indicates that the development will be adequately served within a reasonable period of time with programmed facilities

provided as part of the private development for fire and rescue. This development is within the service area for Police District II Bowie.

In addition a complete staging plan and the accompanying transportation improvements for the entire Beech Tree development were not approved until the Planning Board approved SDP-9907 on June 8, 2000. Per a review by the Transportation Planning Section (September 12, 2006, Burton to Zhang), the subject SDP proposal is consistent with the previous transportation adequacy findings with slight modifications of the previously approved phasing plan. The staff concludes that the subject site will be adequately served within a reasonable period of time with nearby transportation facilities existing and planned to be completed in the near future.

(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 Approval 43383-2005. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

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

Comment: As indicated in Finding 15 below, Type II Tree Conservation Plan TCPII/49/98-11 has been submitted with this SDP. TCPII/49/98-11 has been found to meet the requirements of the Woodland Conservation Ordinance according to the review by the Environmental Planning Section. The Environmental Planning Section recommended approval of the subject SDP and TCPII/49/98-11 subject to two conditions that have been incorporated into the recommendation section of this report.

14. ***Landscape Manual:*** The proposed construction of single-family detached and attached houses in R-S Zone is subject to Section 4.1, Residential Requirements, of the *Landscape Manual*.

The subject SDP includes 107 single-family detached units of which 57 lots are smaller than 9,500 square feet, 49 lots are between 9,500 to 19,999 square feet and one lot is larger than 20,000 square feet but less than 40,000 square feet. Per Section 4.1 (b), (c) and (d), 158 shade trees and 108 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*. However, the landscape schedule is not correct. A condition has been proposed in the recommendation section of this report to require the applicant to revise the landscape plan prior to certification of this specific design plan.

15. **Woodland Conservation Ordinance:** This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on site, and there is a previously approved Tree Conservation Plan, TCP I/73/97.
 - a. The detailed forest stand delineation (FSD) was previously reviewed with the approval of CDP-9407 and Type I Tree Conservation Plan, TCP I/73/97, and was found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. No further information is required with respect to the FSD at this time.
 - b. A Type II Tree Conservation Plan, TCP II/49/98, was initially approved with SDP-9803 for the golf course, which covers the entire site. As each specific design plan is approved for the Beech Tree development, TCP II/49/98 will be revised. The Type II Tree Conservation Plan, TCP II/49/98-11, 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 (Washburn to Zhang, April 20, 2006) 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 previous applications.
 - b. The Transportation Planning Section (Burton to Zhang, September 12, 2005) has listed all the required transportation improvements accompanying the staging plan for the entire Beech Tree project as approved with Infrastructure Specific Design Plan SDP-9907. The transportation planner concludes that the subject development as proposed in SDP-0512 will be adequately served within a reasonable period of time. The transportation improvements that are applicable to the subject SDP have been identified and incorporated into eight proposed conditions of approval of this SDP.

In a separate memorandum (Shaffer to Zhang, November 20, 2006) on specific design plan review for master plan trail compliance, the Transportation Planning Section has provided a background review of trails-related requirements in both the master plan and the approved preliminary plan of subdivision. The Transportation Planning Section recommends four conditions that have been incorporated in the recommendation section of this report.
 - c. The Environmental Planning Section (Stasz to Zhang, September 14, 2006) has provided a comprehensive review of both the larger Beech Tree project and the subject SDP. The planner has recommended approval of Specific Design Plan SDP-0512 and TCP II/49/98-11 subject to two conditions, which have been incorporated into the recommendation section of

this report.

- d. The Subdivision Section (Chellis to Zhang, April 3, 2006) has indicated that the property is the subject of Preliminary Plan of Subdivision 4-00010 and listed the conditions of approval contained in the resolution. See above Finding 9 for a discussion of the conditions attached to the approval of 4-00010 that are applicable to the review of this SDP. The Subdivision reviewer also has a discussion on the approved total dwelling units and unit mix of the Beech Tree project and indicated that the applicant has exceeded the maximum allowable townhouse percentage by nine percent.

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

Land Use Quantities*

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

(*Detailed surveys of the northern portion of the site have resulted in a more accurate determination of the amount of floodplain along the Collington Branch. The applicant has now determined that there are 220 total acres of flood plain in the R-S Zone. Thus, half of the floodplain acreage would amount to 110 acres, and the base residential acreage would be $1,194 - 110 = 1,084$ acres, not 1,103 acres. Similarly, the base residential intensity would be 1,734 dwelling units and the maximum residential intensity would be 2,818 dwelling units.)

Dwelling Unit Percentages*

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

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

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

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

So far three preliminary plans of subdivision have been approved with a total of 2,351 units, of which 240 are multifamily units, 377 are single-family attached (townhouses), and 1,734 are single-family detached units. Based on the SDP notes on the subject SDP provided with this application and the Development Review Division Beech Tree record, a total of 1,094 single-family detached and 360 single-family attached (townhouses) units have been approved. With the approval of 107 single-family detached units as proposed in the subject SDP, the number of single-family detached units will be 1201, and the total of the approved units for the Beech Tree Project will be 1,561. Both the single-family detached and total approved units are within the development limits. The site plan notes regarding the approved dwelling units for the Beech Tree Project are inadequate. A condition has been proposed in the recommendation section of this report to require the applicant to provide this information.

- e. The Permit Section (Linkins to Zhang, April 28, 2006) has made two comments on the subject SDP, one regarding the maintenance of a retaining wall partially located on one of the lots and the other regarding entrance signage. A condition has been proposed in the recommendation section to require the applicant remove the retaining wall from the lot.
- f. The Department of Environmental Resources (Rea to Zhang, March 30, 2006) has stated that the site plan for Beech Tree, West Village, Sections 1, 3 and 6, SDP-0512 is consistent with approved Stormwater Concept Plan 43383-2005.
- g. The Department of Parks and Recreation (DPR) (Solomon to Zhang, January 29, 2007) has recommended five conditions of approval that have been incorporated into the recommendation section of this report.
- h. The Historic Preservation and Public Facilities Planning Section (Carlson-Jameson and Bienenfeld to Zhang, March 7, 2006) has reviewed the subject SDP for historic sites and archeological study. The planner and consulting archeologist have concluded that the subject application will have no effect on the Environmental Setting of Beechwood nor does it impact the Pentland Hills Historic Site, the Hilleary family cemetery, Susan Hodges family cemetery or Smith family cemetery.

The Historic Preservation and Public Facilities Planning Section (Harrell and Izzo to Zhang, June 14, 2005) also has reviewed the subject SDP for adequacy of public facilities and found

that the existing fire engine and ambulance service are beyond the respective response time guidelines. In order to alleviate the negative impact on fire and rescue services due to the inadequate services listed, the planners recommend one condition to charge the applicant a fair share contribution towards the construction of the proposed Leeland Road Station and acquisitions of an ambulance to provide the services to the areas including the subject site. The condition has been incorporated into the recommendation section of this report.

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

- i. The Department of Public Works and Transportation (DPW&T) (Abraham to Zhang, March 23, 2006) has provided a referral commenting on street trees, lighting, traffic control signs, sidewalks, frontage improvement, storm drainage system, landscape island, existing utilities and soil investigation for public streets. The requirements of DPW&T will be enforced at time of road permits review by the DPW&T.
- j. The State Highway Administration (SHA) (Foster to Zhang, September 27, 2006) has indicated that the portion of the subdivision included in this specific design plan will be accessed via internal road network and recommended approval of this SDP.
- k. The Washington Suburban Sanitary Commission (WSSC) (Thacker to Zhang, March 17, 2006) noted that water and sewer extension would be required for this portion of the subdivision.
- l. This specific design plan has also been referred to the Board of Education, Prince George's County. However, at the time of this staff report was writing, the Board of Education had not responded to the referral request.

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/49/98-11), and further APPROVED Specific Design Plan SDP-0512 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of this specific design plan, the applicant shall
 - a. Revise site plans and landscape plans as follows:
 - (1) Provide the approved number of dwelling units for each type of dwelling along with the development caps for the entire Beech Tree Project
 - (2) Remove the retaining wall from Lot 13, Block G.
 - (3) Provide standard sidewalks along one side of all internal roads within the subject

application.

- (4) Provide all approved or submitted tree conservation plans including revision numbers on the coversheet.
- (5) Provide a revised Section 4.1 Landscape Schedule pursuant to Section 4.1 of the *Landscape Manual*.
- (6) Relocate the limit of disturbance adjacent to Block A, Lots 1-10 to include clearance for the master planned trail construction.
- (7) Show berming on both sides of the trail and extensive landscaping along the 30-foot right-of-way extension on the north side of Presidential Golf Drive.
- (8) Submit details for any stormwater management outfalls on dedicated parkland. All exposed concrete surfaces (e.g. head walls, end walls and riser structures) shall have an architectural treatment of brick or stone veneer as shown in the *Park and Recreation Facilities Guidelines* to be reviewed and approved by the Department of Parks and Recreation. .

b. Revise Type II Tree Conservation Plan, TCPII/49/98-11, as follows:

- (1) Revise sheet 34 to show the details for the WSSC water line
- (2) Replace the worksheet with the phased worksheet that provides for all future development
- (3) Correct the worksheet to show 0.80 acres of fee-in-lieu and 28.31 acres of reforestation
- (4) Have the revised plan signed and dated by the qualified professional who prepared the plan

2. Prior to approval of each building permit for a dwelling unit, the applicant shall again demonstrate that the price of the dwelling unit will not be lower than \$225,000 for a single-family detached house (in 1989 dollars).
3. Prior to approval of building or grading permits, the M-NCPPC Environmental Planning Section shall review all technical stormwater management plans approved by the Department of Environmental Resources (DER). The Environmental Planning Section shall work with DER and the applicant to ensure that the plan is consistent with the Habitat Management Program and that water quality is provided at all stormdrain outfalls. If revisions to the TCPII are required due to changes to the technical stormwater management plans, the revisions shall be handled at the staff level if the changes result in less than 20,000 square feet of additional woodland cleared.

4. At the time of building permit, exact building footprints shall be shown on the site plan and height information for each townhouse model also shall be provided on the building elevations.
5. Prior to issuance of grading permit, each grading permit shall show required on-site wetland mitigation areas.
6. The applicant and the applicant's heirs, successors and/or assignees shall provide the following transportation related improvements:

Phase I: The golf course

- a. 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:
 - (1) Lengthen the northbound US 301 left turn lane at Swanson Road as required by the SHA. *[This improvement has not yet begun]*

Phase II: residential development

- b. Prior to the issuance of any residential building permit, the following improvements shall be 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:
 - (1) 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. *[This improvement has not yet begun, however, it has been bonded as per DPW&T]*

Phase III: residential development -building permits 351 - 1,000

- c. Prior to the issuance of the 350th building permit for any residential unit of the development, the following improvements shall be completed by the applicant:
 - (1) Construct internal site connection from Beech Tree Parkway to Leeland Road.
 - (2) 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

- d. Prior to the issuance of the 1,001st building permit for any residential unit of the

development, the following improvements shall be completed by the applicant:

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

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

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

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

- f. 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.
 - g. Any changes to the sequencing of transportation improvements and/or changes to the development thresholds identified in conditions a through f above will require the filing of a SDP application, and a new staging plan reflecting said changes must be included with application.
7. The applicant and the applicant's heirs, successors and/or assignees shall provide the following trails related improvements:
- a. Prior to issuance of the 2,000th building permit the applicant shall submit detailed construction plans and details for construction of the balance of the master plan trail through the stream valley park to DPR for review and approval.
 - b. Prior to issuance of the 2,200th building permit, the applicant shall have finished construction on the balance of the said master plan trail through the stream valley park.
 - c. Prior to the issuance of the 2,200th building permit or prior to the issuance of the building permit for Lot 28, Block H, whichever comes first, the applicant shall construct a minimum six-foot

wide, asphalt trail connection from Winterbourne Drive to the master plan stream valley trail, as indicated on approved Preliminary Plan 4-00010. This trail connection shall be completed in conjunction with the stream valley trail.

8. No grading or cutting of trees or tree removal on the site (covered by SDP-0512) shall occur until after approval of the specific design plan by the District Council.
9. 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.
10. The applicant shall convey .99[±] acres of open space to M-NCPPC in exchange for .38[±] acres of open space to be conveyed to the applicant as designated on attached "Exhibit A."
11. Subject to the approval of the full Commission, the Planning Board authorizes the Executive Director to dispose of 0.38[±] acres of park property as shown on attached "Exhibit A."
12. Dedication of parkland shall be subject to the following conditions:
 - a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by The M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement

agreement prior to issuance of grading permits.

- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
- i. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond, maintenance and easement agreements shall be required prior to the issuance of grading permits.

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 Eley, with Commissioners Squire, Eley, Vaughns, and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, February 15, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of March 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:HZ:bjs